## TABLE OF CONTENTS

**BOARD MINUTES FOR JULY 20 AND 21, 2009**

**MEETING 254**

### APPROVAL OF MINUTES

Board Order 09-36

Approval of April 20 and 21, 2009, May 15, 2009 and May 27, 2009 Minutes ...............3

### ADMINISTRATION

Board Order 09-37

- Election of President .................................................................3
- Election of General Counsel .....................................................3
- Election of Director of Audit Services .........................................3
- Election of Assistant to the Board of Regents ..........................3

### PERSONNEL

Board Order 09-38

- Faculty Appointments for 2009-2010 ...........................................4
- Staff Appointments for 2009-2010 ...............................................5
- Changes of Status for 2009-2010 ................................................6
- Retirements ..................................................................................8

Board Order 09-39

- Holiday Schedule for 2009-2010 ..................................................8

### ACADEMIC AND STUDENT AFFAIRS

Board Order 09-40

- Small Classes for Summer I 2009 ..................................................9

Board Order 09-41

- Intercollegiate Athletic Policy and Procedure Manual .....................9

### BUILDING AND GROUNDS

Board Order 09-42

- Transfer of the Ed and Gwen Cole Art Center from the SFA Real Estate Foundation to Stephen F. Austin State University (Executive Session Item) ..................................................9
- Authority to Seek Approvals for Energy Performance Contract Requirements ..................................................10
- Freshman Residence Hall and Parking Garage ................................11
- Approval of the Fiscal Year 2009-10 Capital Infrastructure Plan ........11

### FINANCIAL AFFAIRS

Board Order 09-43

- Adoption of the Fiscal Year 2009-10 Institutional Budget ..................11
- Adoption of the Fiscal Year 2009-10 Capital Budget ..........................12
General Liability Insurance ................................................................. 12
Athletic Programs Insurance ............................................................... 12
Automotive Insurance ........................................................................ 13
Directors and Officers Insurance .......................................................... 13
Purchase of Electric Utilities from Deep East Texas Electric Coop
   for FY 2009-10 ............................................................................. 13
Purchase of Natural Gas ..................................................................... 14
Purchase of Water, Sanitary Sewer and Landfill Services ................... 14
Purchase of University Vehicles ......................................................... 15
Banner Axcess FY 2009-10 Project Budget .......................................... 15
University Work Order System ........................................................... 15

UNIVERSITY POLICIES AND PROCEDURES

Board Order 09-44
   Policy Revisions ........................................................................... 15

REPORTS

President
Audit Services Report
Faculty Senate
Student Government Association

APPENDICES

Appendix 1 – Small Classes Summer I 2009

Appendix 2 – Athletic Policy and Procedure Manual Revisions

Appendix 3 – Resolution Authorizing a Request for Financing for Freshman Residence
   Hall and Parking Garage

Appendix 4 – Resolution Declaring Expectation to Reimburse Expenditures with
   Proceeds of Future Debt for Freshman Residence Hall and Parking Garage

Appendix 5 – Capital Infrastructure Plan Project Items
   Chemistry Building Renovation
   Kennedy Auditorium Seating and Sound System
   Campus Entrance Signage
   Renovation of the Juanita Curry Boynton House
Hall 20 Shower Renovation
Kerr Underground Piping Replacement
Griffith Roof Repair
Residence Hall Wireless Networking
Twilight Ballroom Renovation
Steen Residence Hall Refurbishing
Athletic Irrigation System and Field House Air Conditioning Units

Appendix 6 – Proposed HEF Allocations FY 2009-10

Appendix 7 – Capital Infrastructure Plan Budget FY 2009-10

Appendix 8 – Policy Revisions
Acceptable Use of Information Resources (F-40)
Assembly and Demonstrations (D-23)
Auditing a Course – Tuition and Fees (C-3)
Best Value Procurement (C-7)
Budget Control (C-47)
Building Design Standards (B-37) NEW
Check Cashing (C-6)
Central Stores (F-7)
Computing Software Copyright (D-43)
Conflict of Interest in Sponsoring Activities (A-11.5)
Delegated Purchasing Authority (C-10)
Duties and Responsibilities of Offices Reporting to the Provost and Vice President for Academic Affairs (E-13A)
Energy Conservation (B-6)
External Bank Accounts (C-54)
File Maintenance for Faculty Personnel Files (A-60)
Flag Display (D-15)
Fleet Management (B-33)
Institutional Reserves Fund (C-55)
Lease, Rental or Use of Off-Campus Facilities (B-35)
Memberships (C-17)
Misconduct in Research (A-31.5)
Payment Card Acceptance and Security (C-61) NEW
Payments to Human Research Subjects (A-72) NEW
Physical Plant Charges (B-21)
Prohibition of Campus Violence (D-55) NEW
Property Inventory and Management (C-42)
Purchase of Electronic and Information Resources (C-62)
Purchase Requisition (C-30)
Purchase Voucher (C-31)
Restrictions on Purchasing and Contracting with Certain Vendors (C-48)
Satisfactory Academic Progress for Financial Aid Recipients (A-40)
Service Awards (E-45)
Small-Size Classes (A-46)
Student Conduct Code (D-34.1)
Student Discipline (D-34)
Terminal Degree Policy (E-73) NEW
Vehicle Repair and Maintenance (B-31)
Monday, July 20, 2009

The regular meeting of the Board of Regents was called to order in open session at 8:00 a.m., Monday, July 20, 2009, by Chair James Thompson.

PRESENT:

Board Members: Mr. James Thompson, Chair
Mr. Richard Boyer
Dr. Scott Coleman
Mr. James Dickerson
Ms. Valerie Ertz
Mr. Bob Garrett
Ms. Morgan Tomberlain
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 Building and Grounds Committee convened at 8:00 a.m. and adjourned at 10:00 a.m. The Finance/Audit Committee convened at 10:17 a.m. and adjourned at 11:05 a.m. The Academic and Student Affairs Committee convened at 11:20 a.m. and adjourned at 2:50 p.m.

The board reconvened at 3:00 p.m. as a committee of the whole to hear a presentation on the marketing plan from the Executive Director of Marketing and Public Affairs.

The chair called for an executive session at 3:30 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)
- Possible property acquisition in open session

Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to legal advice on alcohol liability, update on Sabine/Rowecom bankruptcy, pending criminal charges involving terroristic threat, Selman vs. SFA et al, and Campus Partners vs. SFA et al (Texas Government Code, Section 551.071)

Deliberations Regarding Negotiated Contracts for Prospective Gifts or Donations (Texas Government Code, Section 551.073)

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 general counsel, director of audit services, assistant to the Board of Regents, basketball coach, physical plant personnel, vice presidents and president (Texas Government Code, Section 551.074)

The executive session ended at 5:00 p.m. and the board meeting was recessed for the evening with no further action.

**Tuesday, July 21, 2009**

The chair reconvened the board meeting in open session at 9:00 a.m. on Tuesday, July 21, 2009.

**PRESENT:**

Board Members: Mr. James Thompson, Chair
Mr. Richard Boyer
Dr. Scott Coleman
Mr. James Dickerson
Ms. Valerie Ertz
Mr. Bob Garrett
Ms. Morgan Tomberlain
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
Regent Coleman led the pledge to the flags and provided the invocation.
RECOGNITIONS

President Pattillo introduced the newly appointed student regent, Morgan Tomberlain, and her family; Ms. Tomberlain was sworn in by the chair of board. Dr. Ric Berry introduced faculty members who have been newly appointed to academic leadership positions.

APPROVAL OF MINUTES

BOARD ORDER 09-36
Upon motion by Regent White, seconded by Regent Coleman, with all members voting aye, the minutes of the April 20 and 21, 2009, May 15, 2009 and May 27, 2009 meetings were approved.

ADMINISTRATION

BOARD ORDER 09-37
Upon motion by Regent Thompson, seconded by Regent Ertz, with all members voting aye, the following items were approved:

ELECTION OF PRESIDENT

A performance evaluation was conducted, and Baker Pattillo was reelected president of Stephen F. Austin State University at an annual salary of $286,000, effective September 1, 2009.

ELECTION OF GENERAL COUNSEL

A performance evaluation was conducted, and Yvette Clark was reelected general counsel at an annual salary of $131,250, effective September 1, 2009.

ELECTION OF DIRECTOR OF AUDIT SERVICES

A performance evaluation was conducted, and Gina Oglesbee was reelected director of Audit Services at an annual salary of $104,000, effective September 1, 2009.

ELECTION OF ASSISTANT TO THE BOARD OF REGENTS

A performance evaluation was conducted, and Judy Buckingham was reelected assistant to the Board of Regents at an annual salary of $43,200, effective September 1, 2009.

PERSONNEL

BOARD ORDER 09-38
Upon motion by Regent White, seconded by Regent Garrett, with all members voting aye, the following personnel items were approved:
FACULTY APPOINTMENTS FOR 2009 – 2010

BUSINESS

Traci Austin, Assistant Professor of General Business, Ph.D. (University of Nebraska) at an academic year salary of $63,000 for 100 percent time, effective September 1, 2009.

Robert G. Ball, Assistant Professor of Computer Science, Ph.D. (Virginia Polytechnic Institute and State University), at an academic year salary of $85,000 for 100 percent time, effective September 1, 2009.

David Cook, Associate Professor of Computer Science, Ph.D. (Texas A&M University), at an academic year salary of $92,000 for 100 percent time, effective September 1, 2009.

Matthew D. Lindsey, Assistant Professor of Management, Marketing, and International Business, Ph.D. (University of North Texas), at an academic year salary of $92,000 for 100 percent time, effective September 1, 2009.

EDUCATION

Karen E. Jenlink, Professor of Secondary Education and Educational Leadership, Ed.D. (Texas A&M University-Commerce), at an academic year salary of $69,000 for 100 percent time, effective September 1, 2009.

FINE ARTS

Dana C. Gloege, Assistant Professor of Theatre, M.F.A. (Texas Tech University), at an academic year salary of $46,800 for 100 percent time, effective September 1, 2009.

John N. Roberts, Director of the School of Music, D.M. (Yale University), at an annual salary of $94,000 for 100 percent time, effective July 15, 2009.

LIBERAL AND APPLIED ARTS

Andrew Brininstool, Visiting Assistant Professor of English, M.F.A. (University of Houston), at an academic year salary of $45,000 for 100 percent time, effective September 1, 2009.

Ben Dixon, Assistant Professor of Philosophy, Ph.D. (Bowling Green State University), at an academic year salary of $46,000 for 100 percent time, effective September 1, 2009.

John Hendricks, Professor and Director of Division of Communication and Contemporary Culture, Ph.D. (University of Southern Mississippi), at an annual salary of $98,000 for 100 percent time, effective September 1, 2009.
T. Lucas Hollar, Assistant Professor of Government, Ph.D. (Florida Atlantic University), at an academic year salary of $49,000 for 100 percent time, effective September 1, 2009.

Denise T. Millstein, Assistant Professor of English, Ph.D. (Louisiana State University), at an academic year salary of $46,000 for 100 percent time, effective September 1, 2009.

Kim Rich-Rice, Assistant Professor of Social Work, Ph.D. (University of Texas), at an academic salary of $46,000 for 100 percent time, effective September 1, 2009.

Nora Vivas, Instructor of Modern Languages, M.A. (University of Houston), at an academic year salary of $43,000 for 100 percent time, effective September 1, 2009.

**SCIENCES AND MATHEMATICS**

Robert K. Henderson, Assistant Professor of Mathematics and Statistics, Ph.D. (Southern Methodist University), at an academic year salary of $54,000 for 100 percent time, effective September 1, 2009.

**STAFF APPOINTMENTS FOR 2009 – 2010**

**ADMISSIONS**

Brian T. Blackwell, Admissions Counselor, at an annual salary of $28,000 for 100 percent time, effective June 8, 2009.

**ATHLETICS**

Daniel J. Kaspar, Head Men’s Basketball Coach, approval of contract addendum adding a one year contract extension to the existing two year contract term, at an annual base salary of $129,150 for 100 percent time, effective September 1, 2009.

Micah Lynn Rhodes, Assistant Softball Coach, at a salary of $2,400 for 100 percent time for Summer II, effective July 20, 2009.

**CHARTER SCHOOL**

Casey L. Watts, Teacher, at an academic year salary of $37,800 for 100 percent time, effective August 13, 2009.

Shawna Slaughter, Teacher, at an academic year salary of $42,300 for 100 percent time, effective August 13, 2009.

Erin Michelle Wyatt, Teacher, at an academic year salary of $36,800 for 100 percent time, effective August 13, 2009.
CONTROLLER

Judith F. Kruwell, Accountant II, at an annual salary of $42,000 for 100 percent time, effective April 20, 2009.

FINE ARTS

Geneva Tsui-Shan Fung, Staff Accompanist-Music, at an academic year salary of $35,000 for 100 percent time, effective September 1, 2009.

FORESTRY AND AGRICULTURE

Andrea Nicole Loyd, Beef Farm Supervisor, at an annual salary of $37,672 for 100 percent time, effective July 1, 2009.

RESEARCH AND SPONSORED PROGRAMS

Jennifer Diane Hanlon, Assistant Director, at an annual salary of $55,000 for 100 percent time, effective June 1, 2009.

RESIDENCE LIFE

Jennifer A. Waters, Assistant Director of Housing, at an annual salary of $57,330 for 100 percent time, effective April 13, 2009.

STUDENT LIFE

Jamie R. Bouldin, Assistant Director-Student Life, at an annual salary of $37,500 for 100 percent time, effective June 1, 2009.

CHANGES OF STATUS FOR 2009 – 2010

BUSINESS

Michael M. Pickard, from Professor of Computer Science at an academic year salary of $93,021 for 100 percent time, to Professor and Chair of Computer Science at an 11-month salary of $120,750 for 100 percent time, effective September 1, 2009.

DEVELOPMENT

John H. Lewis, shall remain the Interim Vice President for Development and Professor of Economics and Finance, effective June 1, 2009 through August 31, 2009 with no additional salary and will continue in both capacities effective September 1, 2009 with an academic year salary of $135,984.
DISABILITY SERVICES

Amanda R. Hopson, from Service Provider at a commissioned rate of pay as needed, to Interpreter at an annual salary of $38,000 for 100 percent time, effective May 18, 2009.

EDUCATION

Robert O. Choate, from Professor of Human Services at an academic year salary of $70,798 for 100 percent time, to Professor and Interim Chair of Human Services at an academic year salary of $70,798 for 100 percent time, with an additional stipend of $1,000 per month for interim duties, effective June 1, 2009.

Mel Finkenberg, from Chair of Kinesiology at an annual salary of $118,474 for 100 percent time, to Interim Dean of Education at an annual salary of $128,500 for 100 percent time, effective July 1, 2009.

Dawnella Rust, from Professor of Kinesiology at an academic year salary of $64,202 for 100 percent time, to Professor and Interim Chair of Kinesiology at an annual salary of $85,602 for 100 percent time, with an additional stipend of $1,000 per month for interim duties, effective July 1, 2009.

FORESTRY AND AGRICULTURE

Pieter Post, from Intern at an annual salary of $24,000 for 100 percent time, to Supervisor of Broiler Research Center at an annual salary of $31,152 for 100 percent time, effective May 1, 2009.

Ping Wang, from Research Associate-Medicinal Plants at an annual salary of $30,752 for 100 percent time, to Research Scientist-Medicinal Plants at an annual salary of $36,000 for 100 percent time, effective April 1, 2009.

LIBRARY

Susan D. Clarke, from Librarian II-Head of Digital Projects at an annual salary of $50,040 for 100 percent time, to Librarian II-Head of Research and Instructional Service at an annual salary of $60,000 for 100 percent time, effective July 1, 2009.

LIBERAL AND APPLIED ARTS

Sudeshna Roy, from Instructor of Communication at an academic year salary of $40,000 for 100 percent time, to Assistant Professor of Communication at an academic year salary of $46,000 for 100 percent time, effective September 1, 2009.
STUDENT AFFAIRS

Michael H. Preston, from Director of Student Life at an annual salary of $58,689 for 100 percent time, to Director of Student Affairs at an annual salary of $65,000 for 100 percent time, effective June 1, 2009.

RETIREMENTS

The following retirements were accepted.

Larry W. Bailey, Procurement and Property Services, effective July 4, 2009

Dorothy L. Gottshall, Elementary Education, effective July 31, 2009

Lucille Hackard, Library, effective August 31, 2009

Gail Leslie, Computer Science, effective July 31, 2009

Linda Whiting, Sciences and Mathematics, effective July 31, 2009

BOARD ORDER 09-39

Upon motion by Regent Garrett, seconded by Regent White, with all members voting aye, the following item was approved:

HOLIDAY SCHEDULE FOR 2009-2010

Fourteen holidays are allowed by the State for 2009-2010. The following schedule would allow SFA to be closed for Labor Day, 2 days at Thanksgiving, 6 working days during Christmas and New Year's Day, 5 working days at Spring Break, and Memorial Day, which totals sixteen days. Employees would be required to take one day of vacation or compensatory time on December 31, and one day of vacation or compensatory time on March 19.

| September 7 | January 1 |
| November 26 | March 15 |
| November 27 | March 16 |
| December 24 | March 17 |
| December 25 | March 18 |
| December 28 | March 19 |
| December 29 | May 31 |
| December 30 |
| December 31 |
ACADEMIC AND STUDENT AFFAIRS

BOARD ORDER 09-40
Upon motion by Regent Dickerson, seconded by Regent White, with all members voting aye, the following academic item was approved:

SMALL CLASSES SUMMER I 2009

WHEREAS, the board considered the following: Texas Higher Education Coordinating Board rules require that all regular organized undergraduate classes with fewer than ten students enrolled and regular graduate classes with fewer than five students enrolled be approved by the Board of Regents. Under policies established by the board, such classes can only be taught for specific reasons, such as the course being needed for students to meet graduation requirements, etc. Courses for Summer I 2009 are listed in Appendix 1.

THEREFORE, the Summer I 2009 small class list in Appendix 1 was approved.

BOARD ORDER 09-41
Upon motion by Regent Dickerson, seconded by Regent White, with all members voting aye, the following academic item was approved:

INTERCOLLEGIATE ATHLETIC POLICY AND PROCEDURE MANUAL

Whereas, the board considered the following: In accordance with NCAA requirements the university adopted an Intercollegiate Athletic Policy and Procedure Manual in 1994. This policy manual is annually reviewed and approved by the Board of Regents in its July meeting. Minor policy and/or procedure changes have occurred since the July 2008 revision and are included in Appendix 2.

Therefore, the revisions to the Athletic Policy and Procedure Manual were approved as presented in Appendix 2.

BUILDING AND GROUNDS

BOARD ORDER 09-42
Upon motion by Regent Garrett, seconded by Regent White, with all members voting aye, the following building and grounds items were approved:

TRANSFER OF THE ED AND GWEN COLE ART CENTER FROM THE SFA REAL ESTATE FOUNDATION TO STEPHEN F. AUSTIN STATE UNIVERSITY (EXECUTIVE SESSION ITEM)

WHEREAS, the board considered the following: The SFA Real Estate Foundation received a donation of a building located at 329 Main Street in Nacogdoches. In the past, the historic building was known as the “Old Opera House” and used as a stopover place for theatrical companies traveling to Houston and Shreveport, Louisiana. The Opera House
was home to numerous operas, plays, melodramas, burlesque and magic shows. The building was donated with the expectation that it be used for the benefit of Nacogdoches as a theater, meeting place for the arts, educational facility, civic events or other public benefit and that it be known as the “Opera House” with a plaque affixed indicating it was donated by the descendants of Willie Maud Cason and D.K. Cason. The value of the building at the time of original donation was estimated at $200,000. The SFA Foundation received financial donations of approximately $1.5 million to renovate the building and also obtained an interest-free construction loan to complete the necessary renovations. The building has been completely renovated and named the Ed and Gwen Cole Art Center at the Old Opera House. The university has a lease to use the facility providing all operating, insurance and maintenance costs.

The SFA Real Estate Foundation Board voted on June 24, 2009, and approved the transfer of the property to the university.

Therefore, it was approved that the university accept the Ed and Gwen Cole Art Center at the Old Opera House located at 329 Main Street, Nacogdoches, Texas, to be recognized as university-owned property and that the president be authorized to execute any necessary documents.

AUTHORITY TO SEEK APPROVALS FOR ENERGY PERFORMANCE CONTRACT REQUIREMENTS

Whereas, the board considered the following: At its May 15, 2009 meeting, the Board of Regents selected Siemens Corporation to conduct an energy audit and present an energy performance contract proposal to the university. With regard to financing, the State Energy Conservation Office (SECO) currently finances energy performance contracts up to $10 million at an interest cost of 3 percent. In addition, federal stimulus funds have been earmarked for SECO distribution. The university has submitted paperwork to SECO which is required for subsequent loan consideration if the project is approved and moves forward.

After the energy audit is completed, state law requires that the university obtain an independent third party review of the audit. If financing is obtained through the State Energy Conservation Office, SECO will engage a firm to conduct the review at no cost to the university. If financing is not obtained through SECO, it would be necessary to hire a firm to conduct the review. Based on a preliminary audit assessment, Siemens Corporation anticipates the total energy performance plan to range between $12 and $20 million.

Therefore, the administration was given authority, after the plan is finalized, to obtain a third party review of the Siemens energy audit, seek Texas Higher Education Coordinating Board approval for the energy performance contract at a cost not to exceed $20 million, seek current SECO financing for up to $10 million and seek additional federal stimulus financing through SECO to complete the appropriate scope of work. Final project scope and finance approval will require additional board action.
FRESHMAN RESIDENCE HALL AND PARKING GARAGE

WHEREAS, the board considered the following: Consistent with our “Preparing for the Future” Strategic Plan, the university has made a commitment to increase both student enrollment and student retention. Student housing is an important element within this strategy. It is known that living on campus has a positive correlation to student retention. In addition, the demand for student housing continues to increase as the university grows.

In April 2009 the Board of Regents selected an architect and construction manager to begin design of a new residence hall and parking garage for the SFA campus that will help address enrollment growth, help enhance our retention efforts and continue to integrate academic success and student life.

THEREFORE, the administration was given authority to seek Texas Higher Education Coordinating Board project authority to issue revenue financing bonds for the construction of a new freshman residence hall and parking garage at a cost not to exceed $35,000,000. Pending coordinating board approval, the administration was given authority to seek approval from the Texas Public Finance Authority and Bond Review Board for bond issuance. The bond issuance resolutions were approved, as presented in Appendices 3 and 4.

APPROVAL OF THE FISCAL YEAR 2009-10 CAPITAL INFRASTRUCTURE PLAN

WHEREAS, the board considered the following: The university has a long term campus infrastructure plan that addresses capital renewal, deferred maintenance and renovation projects. The 2009-10 capital plan addresses the university’s current infrastructure needs. 2009-10 initiatives in the plan are comprehensive and include academic renovation, campus improvement, and residence and student life enhancement.

THEREFORE, the board approved the adoption of the $9,893,000 fiscal year 2009-10 capital infrastructure plan by project. The plan is detailed in Appendix 5 and includes new construction, campus improvement, deferred maintenance, and renovation. Each project in Appendix 5 was funded at a level not to exceed the item cost, the source of funds be used as described and the administration was authorized to sign associated purchase orders and contracts.

FINANCIAL AFFAIRS

BOARD ORDER 09-43
Upon motion by Regent Ertz, seconded by Regent Boyer, with all members voting aye, the following financial affairs items were approved.

ADOPTION OF THE FISCAL YEAR 2009-10 INSTITUTIONAL BUDGET
WHEREAS, the board considered the following: In accordance with Article III of the Appropriation Bill for the 2009-10 biennium, the recommended institutional budget totaling $212,876,514 for the 2009-10 fiscal year is submitted for approval. The 2009-10 proposed budget includes state funded increases and tuition, fees and room and board increases approved by the Board of Regents at its April 21, 2009 meeting. The fiscal year 2009-10 budget reflects student enrollment growth, additional residence hall occupancy and recognition of anticipated restricted funds expenditures, which are in addition to ordinary budget operations. The proposed 2009-10 budget includes a 3% salary increase merit pool for faculty and staff, an increase for faculty promotions, salary equity adjustments and staff reclassifications. The total institutional salary increase commitment is 4%. A detailed Higher Education Fund allocation is included in Appendix 6.

THEREFORE, the fiscal year 2009-2010 institutional budget was approved as presented.

ADOPTION OF THE FISCAL YEAR 2009-10 CAPITAL BUDGET

WHEREAS, the following was considered by the board: The university has developed a comprehensive institutional capital infrastructure plan for fiscal year 2009-10.

THEREFORE, the board approved the adoption of the fiscal year 2009-10 capital infrastructure plan budget of $9,893,000 as delineated in Appendix 7, with the project costs not to exceed the stated estimated costs for each project.

GENERAL LIABILITY INSURANCE

WHEREAS, the board considered the following: The university is currently utilizing agent services of Wachovia/Wells Fargo for general liability insurance, and uses the State Office of Risk Management (SORM) for renewal options and solicitations. Current policy expenditures are $125,413.00 for coverage to date. No official proposal has been received but is expected to increase by approximately 10%.

THEREFORE, it was approved that the university continue to provide justification to the State Office of Risk Management (SORM) to purchase this coverage at the best value to the university. SORM must approve any insurance negotiated contract. Approval was given to contract insurance covering general liability at a cost to be negotiated with Wachovia/Wells Fargo. The president was authorized to sign the contract.

ATHLETIC PROGRAMS INSURANCE

WHEREAS, the board considered the following: The NCAA provides catastrophic coverage for injuries that exceed $75,000. The university solicited proposals and awarded a contract for a self-insured retention plan for athletic medical excess insurance to cover injuries below the NCAA coverage threshold. The current agent is Bob McCloskey with UTICA Mutual as the underwriter. The current premium is $19,423 with a $12,000 administration fee. The Self Insured Retention Plan (SIR) is $150,000. The cost of the insurance is expected to remain approximately the same.
Therefore, the university was authorized to continue coverage that provides the best value to the university. The State Office of Risk Management (SORM) must approve any insurance negotiated contract. The source of funding will be auxiliary funds. Approval was given to secure coverage for the 2009-2010 athletic seasons with options to renew, and the president was authorized to sign the contract.

AUTOMOTIVE INSURANCE

Whereas, the board considered the following: The university uses the State Office of Risk Management (SORM) for renewal options and solicitations. SORM has completed the process of renewing the Automotive Policy and the award is going to Wachovia/Wells Fargo with OneBeacon Insurance Company as the underwriter. Current policy expenditures are $84,490.66 for coverage to date.

Therefore, the university was authorized to continue to use the State Office of Risk Management (SORM) insurance program to determine which combination of coverage provides the best value to the university. SORM must approve any insurance negotiated contract. Approval was given to contract insurance covering automotive at a cost to be negotiated with an agent selected through the SORM process with options to renew for three additional years, subject to administrative approval. The president was authorized to sign the contract.

DIRECTORS AND OFFICERS INSURANCE

Whereas, the board considered the following: The university is currently utilizing agent services of Wachovia/Wells Fargo for D & O insurance, and uses the Office of Risk Management (SORM) for renewal options and solicitations. Current policy expenditures are $43,897.00 for coverage to date. No official proposal has been received but coverage is expected to increase by 10%. As soon as the proposal is submitted, it will be presented so that we may get signatures and formalize the agreement.

Therefore, the university was authorized to continue to use the State Office of Risk Management (SORM) insurance program to determine which combination of coverage provides the best value to the university. SORM must approve any insurance negotiated contract. Approval was given to contract insurance covering D & O at a cost to be negotiated with an agent selected through the SORM process. The president was authorized to sign the contract.

PURCHASE OF ELECTRIC UTILITIES FROM DEEP EAST TEXAS ELECTRIC COOP FOR FY10

Whereas, the board considered the following: 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 2007-08 total
expenditures were $68,014 and fiscal year 2008-09 expenditures as of May 31, 2009 were $50,909.

THEREFORE, it was approved that the university 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 2009-10. The president was authorized to sign the purchase order.

PURCHASE OF NATURAL GAS

WHEREAS, the board considered the following: 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 2008-09 natural gas expenditures of $1,524,304 reflect billings through May 2009.

The university reviewed proposals from natural gas providers. In addition, the Texas General Land Office also sells gas to state agencies. We are required to submit any natural gas contract to the Texas General Land Office for its review.

Based on a review of proposals from natural gas providers and a market assessment, the administration determined that a fixed price natural gas contract would be the most appropriate method for the purchase of natural gas.

THEREFORE, it was approved that the university accept fixed price bids from Constellation New Energy, Atmos Energy Marketing and Centerpoint Energy Services for a one year period (9/1/09 to 8/31/10) and a two year period (9/1/09 to 8/31/11) no later than July 31, 2009. The vice president for finance and administration was given the authority to select the contract that represents the best value to the university. Once the best value contract is selected, it will be submitted to the Texas General Land Office. The president was authorized to sign the contract with either the selected natural gas provider or the Texas General Land Office, based on best value for the university.

PURCHASE OF WATER, SANITARY SEWER AND LANDFILL SERVICES

WHEREAS, the board the considered the following: The university utilizes water, sanitary sewer and landfill services provided by the City of Nacogdoches. Fiscal year 2007-08 total expenditures were $1,327,200 and fiscal year 2008-09 expenditures as of May 31, 2009 were $995,065.

THEREFORE, it was approved that the university purchase water, sanitary sewer and landfill services from the City of Nacogdoches for fiscal year 2009-10. The president was authorized to sign the purchase order.
PURCHASE OF UNIVERSITY VEHICLES

WHEREAS, the board considered the following: The departments of admissions and development travel through many areas of the state on student recruiting and donor visits. Both departments accumulate lots of miles on leased vehicles, and the vehicles are highly visible to prospective students and donors.

THEREFORE, it was approved that the university purchase vehicles for admissions and development at a cost not to exceed $100,000. The president was authorized to sign associated purchase orders. The fund source is the Higher Education Fund.

BANNER AXCESS 2009-10 PROJECT BUDGET

WHEREAS, the board considered the following: The Banner Axcess 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.

THEREFORE, the board approved $1,000,000 in funding for the fiscal year 2009-10 Banner Axcess implementation phase. The president was authorized to sign associated purchase orders and contracts. The fund source is the Higher Education Fund.

UNIVERSITY WORK ORDER SYSTEM

WHEREAS, the board considered the following: Currently, the SFA Physical Plant Department and Housing Operations share use of a computerized maintenance management system. The package was purchased in 1995 and received several upgrades over the first five years. However, the software is no longer updated or supported by the software company and cannot provide the type of work process information that is necessary. A new computerized maintenance management system is needed to help manage our infrastructure needs. The new system would communicate with users and customers automatically, provide planned and preventative maintenance reports, track the status of work orders, automate time and materials charges, provide detailed reports and help facilitate service delivery.

THEREFORE, the university was authorized to purchase a computerized maintenance management system at a cost not to exceed $200,000. The sources of funding include HEF for $150,000 and auxiliary funds for $50,000. The president was authorized to sign associated purchase orders and contracts.

UNIVERSITY POLICIES AND PROCEDURES

BOARD ORDER 09-44
Upon motion by Regent Dickerson, seconded by Regent White, with all members voting aye, the policy revisions were approved, as presented in Appendix 8.
REPORTS

The president presented a report on the following:
• 31st Annual SFA Alumni Coaches Awards Luncheon is set for July 31.
• Summer Commencement will be held August 15
• Meet the Jacks will be on August 25
• The State of the University Address is scheduled for August 27
• Lumberjacks vs. SMU will be the first football game on September 5.

Gina Oglesbee, the director of Audit Services reported on:
• Public Funds Investment Act Compliance Review
• Interdepartmental Transfers Audit
• Annual Risk Assessment
• Update on external audits – SAO Financial Aid, NCAA Compliance, SFA Charter School Audit

Dr. Kevin Langford, the faculty senate chair, made a presentation describing SFA student/faculty success by highlighting recent graduate, Erin Roth.

Courtney Harvey, the president of SGA made the following report:
• Changing SFA for the better by:
  Focusing on organization development
  Using data driven research to assess student needs and interests
  More events geared toward students
• Constitution Day
• Spirit Buses
• Watermelon Bash

The meeting was adjourned at 10:00 a.m. The next regular meeting of the board will be on October 12 and 13, 2009.
## SMALL CLASSES SUMMER I 2009

### Course Information

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**Total Estimated Credit Hours in Small Classes**: 392

**Total Estimated SFA Credit Hours Summer I 2009**: 22,050

**Estimated Small Class Credit Hours as a Percentage of SFA Total Credit Hours**: 1.78%
## Athletic Department Policy Revisions

<table>
<thead>
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<th>POLICY NAME</th>
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<td>AAD Business Affairs</td>
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<td>Major rewrite</td>
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<td>Director Wellness Center</td>
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<td>Media Relations Director</td>
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<td>Strength Facility</td>
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COMMITMENTS

It is the policy of Stephen F. Austin State University to provide quality educational opportunities to all students. In support of this commitment, SFA is dedicated to providing a setting within which students can achieve the highest possible level of intellectual, physical and personal development.

The Department of Intercollegiate Athletics is an integral element in the achievement of these goals, as its programs are designed to be a significant part of the educational mission of the University. The intercollegiate athletics program provides student, faculty, alumni and friends with opportunity to share in the life of the collegiate community through some form of physical activity. They may participate formally or informally as individuals, as members of a team, or as spectators.

Department of Intercollegiate Athletics

Stephen F. Austin State University is a comprehensive, state-supported university committed to excellence in undergraduate and graduate education. This commitment extends to maintaining a successful intercollegiate athletic program as a substantial contributor to a comprehensive collegiate environment. The goals of the University and the Intercollegiate Athletic Department include excellence in achievement through specialized and multidisciplinary development, training and competition.

The University and the Intercollegiate Athletic Department provides a successful, high-quality program that involves a broad range of sports for students throughout the campus community, conforms to NCAA and Southland Conference regulations, and focuses on the educational, physical, mental, and social well being of student-athletes.

The University and the Intercollegiate Athletic Department ensures that all student-athletes meet academic standards set by the University and NCAA. Each student-athlete is encouraged to complete chosen academic programs and become contributing citizens. Their health and safety receive the highest priority.

The University and the Intercollegiate Athletic Department are committed to providing equal opportunities for all student-athletes and members of the athletics staff.

National and Conference Affiliations

The University, as an official member institution of the National Collegiate Athletic Association (NCAA) and the Southland Conference, is governed by their constitutions, bylaws and sports directives. In creating Departmental policies and procedures, every effort has been employed to comply with NCAA and Southland Conference rules and regulations so as to appropriately implement all policies recommended by these authorities. This commitment encompasses all administrative and coaching aspects of the intercollegiate athletics program, as well as the management of student-athlete activities. Further, as a member of these governing bodies, the University strives to actively participate in these organizations by serving on committees and in other official capacities as requested.
Appendix 2

Equal Employment and Opportunity

University policy prohibits discrimination in education and/or employment on the basis of race, religion, sex, age, marital status, national origin, ancestry, sexual orientation, veteran status, physical or mental disability, or a criminal record that is not job related race, color, religion, sex, age, national origin, disability, or disabled veteran status, subscribing to the following statutes:

- Title VI and VII, Civil Rights Acts of 1964, as amended;
- Executive Order 11246, as amended;
- The Equal Pay Act of 1963;
- The Rehabilitation Act of 1973;
- Titles VII and VIII of the Public Health Service Act;
- Title IX of the Education Amendments of 1972;
- The Age Discrimination in Employment Act of 1967; as amended; and

The Board of Regents of Stephen F. Austin State University, as well as the President of the University, the Vice President of University Affairs and the Director of Athletics, are committed to both the letter and spirit of the above cited state and federal regulations.

The University's Personnel Office Human Resources Office is available for assisting with the application and interpretation of laws that impose special obligations on the University.

SFA
JOB DESCRIPTION
ASSISTANT ATHLETIC DIRECTOR FOR BUSINESS AFFAIRS

Reports To: Director of Athletics

Positions Directly Supervised:
- Media Relations Director
- Assistant Sports Media Relations Director

Basic Function

Responsible for directly overseeing the Department business operations and assisting the Director of Athletics with the overall management and control of the Department budget. Attends to daily business operations and financial planning and oversight.

Duties and Responsibilities

1. Assists in the development of budgets for all programs, in conjunction with the Director of Athletics, Head Coaches and other administrative staff members. Monitors budgetary compliance.

2. Participates in special planning studies related to income projections. Complies budget estimate information for athletics program operations and special projects, as requested.

3. Assists coaches and administrative staff with the business operations pertaining to their programs.

4. Aids in the negotiation of all Departmental contracts to include, television and radio rights, business facilities, rental, maintenance and concessions at the direction of the Director of Athletics.

5. Works closely with appropriate University Offices to ensure that all developed contracts meet University, as well as State rules and regulations requirements.

11. Develops and implements capital equipment purchasing procedures and special remodeling/maintenance projects, working with the University's Business and Purchasing Offices.

14. Reviews game guarantees and other appropriate financial arrangements with visiting teams, and prepares contracts for events, as necessary.

15. Oversees the planning and coordination of team travel arrangements, including transportation, lodging, meals, etc., for regular and postseason events.


17. Keeps the Director of Athletics informed regarding Departmental fiscal operations, providing periodic budget status reports.
18. Interfaces with internal and external auditors, as well as with other University Departments having fiscal management authority.

19. Handles University receipts and has receipt processing duties as per University policy.

19. Attends University, Southland Conference, NCAA and other organizational meetings, as assigned.

20. Participates on University committees and task forces, as required.

21. Initiates or participates in projects as requested by the Director of Athletics.

23. Abide by all rules of the National Collegiate Athletics Association (NCAA) and the Southland (SLC).

24. Compliance matters will also be included in your annual Performance Management Review.

25. Performs additional duties and special projects as assigned by the Director of Athletics.

SFA
7/2006 7/2009
JOB DESCRIPTION
ASSISTANT COACH

Reports To: Head Coach

Positions Directly Supervised: None

Basic Function

Responsible for providing coaching and administrative, and instructional assistance to the Head Coach of a designated sport. Provides instruction to student-athletes to develop team concepts, safety, physical health, and other related focuses. Uses independent discretion and judgment when designing and conducting formal and informal training sessions to meet individual athlete and team needs. Responsible for the promotion of the philosophy and objectives of the intercollegiate athletics program, including, but not limited to, adhering to all Departmental policies and procedures, as well as the rules and regulations of the University, the Southland Conference and the NCAA. This is a security sensitive position.

Duties and Responsibilities

1. Promotes the philosophy and objectives of the intercollegiate athletics program, to include adhering to all Departmental policies and procedures, as well as the rules and regulations of the University, the Southland Conference, and the NCAA. Designs and conducts formal and informal training sessions to meet individual student-athlete and team needs.

2. Assists, as allowed by NCAA regulations, with the scouting and recruitment of student-athletes, to include assisting with on campus visits of prospective student athletes. Provides instruction to student-athletes to develop team concepts, safety, and other related topics.

3. Assists in coaching student-athletes, to include evaluating their performances in both practice and competition, and providing leadership and instruction in areas of deficiencies, as required.

4. Monitors the conditioning and training of student-athletes, in conjunction with the Athletic Training staff. Assists in the planning and execution of the off-season training program, as requested. Promotes physical health by monitoring the conditioning and training of student-athletes, in conjunction with the Athletic Training staff.

5. Counsels team members in academic, disciplinary and personal matters, to include consulting with the Academic Coordinator to resolve problems.

6. Participates in the collection and analysis of tactical and statistical data of opponent teams and assists in designing game plans and strategies. Attends coaches’ preparatory meetings and implements strategies resulting from these meetings.

7. Advises and counsels student-athletes regarding their obligations to comply with all rules and regulations related to financial aid and eligibility, as well as personal conduct and appearance.
8. Assists in monitoring the academic progress and eligibility status of student-athletes, to include both class and study hall attendance.

9. Assists in maintaining statistics, as requested. Assists, as allowed by NCAA regulations, with the evaluation and recruitment of student-athletes, to include assisting with on-campus visits of prospective student-athletes.

10. Participates in public relations activities, as approved, to include granting interviews with newspaper, radio and television media, attending press conferences and making public appearances.

11. Assists with planning and coordinating approved fund raising activities, as assigned.

12. Assists with budget preparations, as requested. Operates within approved budget allocations.

13. Assists with the development of schedule for practice and competition, as assigned.

14. Assists in coordinating team travel arrangements, as requested. Travels with the team and monitors the conduct of student-athletes.

15. Works with the Supervisor of Facilities and Equipment to ensure that necessary athletic equipment is available for scheduled practices and competitive events.

16. Monitors the condition of equipment. Request repairs or replacement, as necessary.

17. Participants in clinics, exhibitions and camps, as approved.

18. Represents the Department at professional, civic, charitable and alumni events, as requested.

19. Abides by all rules of the National Collegiate Athletics Association (NCAA) and the Southland Conference (SLC).

20. Compliance matters will also be included in the annual Performance Management Review.

21. Performs other duties and assists with special projects as assigned by the Head Coach.

SFA
7/2005 7/2009
JOB DESCRIPTION
DIRECTOR OF WELLNESS CENTER

Reports To: Director of Athletics

Positions Directly Supervised: Assistant Strength Coach
Graduate Students and Interns

Basic Function

Responsible for developing, implementing and supervising Strength and Conditioning program operations, to include the development and implementation of individualized conditioning, strength and flexibility and nutrition programs for all student-athletes. Oversees Wellness Center operations and provides direction and supervision to assistant coaches and student-athletes.

Duties and Responsibilities

1. Manages and controls the operation of the Wellness Center, ensuring compliance with University, Southland Conference, and NCAA rules and regulations.

2. Oversees the design and implementation of total conditioning programs for each SFA sports program during preseason, in-season and off-season periods, in conjunction with each Head Coach and the Head Athletic Trainer. Develops and implements testing programs to determine the effectiveness of conditioning regimes.

3. Provides for the proper supervision of student-athletes in the Wellness Center, to include ensuring that student-athletes receive proper instruction on the safe use of weight machines and free weights.

4. Coordinates reconditioning programs for student-athletes, in conjunction with the Head Athletic Trainer.

5. Develops and submits the annual budget request for Strength and Conditioning program operations. Ensures budgetary compliance through efficient and economical management oversight.

6. Oversees the selection, installation and maintenance of Wellness Center equipment, to include proper cleaning and repair.

7. Oversees and monitors the nutritional program for each team, as appropriate.

8. Assists with on-campus recruiting activities for prospective student-athletes, to include helping coaches evaluate the athletic potential of prospective student-athletes.

9. Coordinates special lectures for student-athletes on such issues as the value of proper nutrition and the dangers of steroid use.

10. Oversees the coordination of time schedules for the use of Wellness Center facilities by each sport team and individual student-athletes. Resolves conflict as necessary.
11. Serves on various Departmental, University, Southland Conference, and NCAA committees and task forces, as requested. Participates in NSCA activities, representing SFA and the Association as deemed appropriate.

12. Abide by all rules of the National Collegiate Athletics Association (NCAA) and the Southland (SLC).

13. Compliance matters will also be included in your annual Performance Management Review.

14. Performs other duties and special projects as requested by the Director of Athletics.

SFA
7/2005 7/2009
JOB DESCRIPTION
MEDIA RELATIONS DIRECTOR

Reports To: Assistant Athletic Director for Business Affairs

Positions Directly Supervised: Assistant Media Relations Directors, Media Relations Specialist, Interns, Student Assistants.

Basic Function

Responsible for the development, planning, supervision and implementation of the Department’s overall media relations efforts. Provides general supervision of the Media Relations Office, all intercollegiate sports publicity and the Athletic Department’s official website.

Duties and Responsibilities

1. Implements Departmental policies and procedures as related to media relations, ensuring the integrity and enhancing the public image of SFA’s intercollegiate athletics program.

2. Remains current and ensures compliance with all applicable University, Southland Conference, and NCAA rules and regulations.

3. Establishes and maintains cooperative working relationships with local, regional and national media representatives. Serves as the press liaison, arranging press conferences and establishing procedures for interviewing student-athletes, coaches and administrators. Arranges interviews when appropriate and convenient with Departmental personnel.

4. Prepares budget requests for operating the Sports Information Office. Ensures budgetary compliance through economical and efficient management.

5. Supervises Media Relations Office personnel in the performance of their duties related to daily sports media services, the production of news releases and statistics, and the development of sports publications.


7. Directs the preparation, maintenance and distribution of current statistical records for all intercollegiate sports.

8. Coordinates the writing, editing, publication and distribution of all sports information, to include press releases, feature articles, media guides, game programs and website content.
9. Maintains updated files on past and present SFA student-athletes and staff, including biographical and photographic materials.

10. Oversees photography activities, including photograph sessions for teams, as well as still and video coverage of athletic events.

11. Acts as the Department's public relations liaison with the University, community and media.

12. Supervises all support staff assigned to media relations activities. Delegates and prioritizes staff administrative responsibilities.

13. Ensures that results of athletic events for all sports are reported to the appropriate media outlets.

14. Plans and coordinates press functions for all sports, when deemed appropriate.

15. Coordinates the coverage of away events, to include working with the opponent's media relations office and scheduling Media Relations staff travel, when deemed appropriate.

16. Assists student-athletes in dealing with media representatives.

17. Attends national, regional and Conference meetings as assigned by the Assistant Athletic Director for Business Affairs or the Director of Athletics.

18. Performs media related duties and coordinates special projects as requested by the Assistant Athletic Director for Business Affairs or the Director of Athletics.

19. Abide by all rules of the National Collegiate Athletics Association (NCAA) and the Southland (SLC).

20. Compliance matters will also be included in your annual Performance Management Review.

21. Performs additional duties and initiates special projects as directed by the Director of Athletics.

SFA
7/2006 7/2009
JOB DESCRIPTION
Assistant Athletic Director for External Affairs

Reports To:    Director of Athletics

Positions Directly Supervised: Coordinator of Athletic Operations
                                Graduate Assistant – Marketing & Promotions

Basic Function

Responsible for all external programs conducted on behalf of the athletic department, including planning, directing, coordinating and securing private gifts and athletic sponsorships from corporations, foundations and individuals, as well as developing and implementing an overall marketing plan for the department, oversee athletic promotional, public relations and ticket efforts. Serves as liaison for the athletic department to the office of development, alumni associations, public relations and booster groups in developing fund raising priorities and strategies. Work with athletic department administrative staff and coaches, university administration and community/state leaders in furthering the presence and image of SFA Intercollegiate Athletics. Develop and implement strategies to increase ticket sales and overall attendance at athletic events.

Duties and Responsibilities

1. Develop, implement and coordinate a comprehensive athletic fund-raising, corporate partnership and a marketing and promotions plan for the University.

2. Coordinate the Athletic Department’s public relations effort.

3. Oversee the Athletic Annual Fund.

4. Communications and coordinates activities with all University fund raising agencies, including the Alumni Office, the Advancement office and outside parties.

5. Plan all athletic fund raising events.

6. Designs proposals requesting gifts and/or sponsorships from donors, businesses or corporations and private foundations.

7. Informs donors/sponsors on a consistent basis regarding the location of their donations/sponsorships and how it is benefiting the Athletic Department and the University.

8. Manage the University’s licensing program, and serve as primary liaison with the University’s licensing representative, CLC-IMG College.

9. Coordinate and supervise volunteer effort.

10. Adhere to all applicable NCAA and Southland Conference rules and regulations.

11. Serve as the athletic department liaison with the Office of Public Affairs.
12. Attends luncheons or meetings with volunteers as needed.

13. Engages in speaking commitments to promote the University.

14. Travels in order to locate potential donors.

15. Handles university receipts and has receipt processing duties as per university policy.

16. Abide by all rules of the National Collegiate Athletics Association (NCAA) and the Southland (SLC).

17. Compliance matters will also be included in your annual Performance Management Review.

18. Performs other duties as assigned by the Athletic Director.

SFA
7/2008 7/2009
JOB DESCRIPTION
ASSISTANT HEAD COACH

Reports To: Head Coach

Positions Directly Supervised: None

Basic Function

Responsible for providing coaching and administrative, and instructional assistance to the Head Coach of a designated sport and representing the Head Coach in his/her absence. Provides instruction to student-athletes to develop team concepts, safety, physical health, and other related focuses. Uses independent discretion and judgment when designing and conducting formal and informal training sessions to meet individual athlete and team needs. Responsible for the promotion of the philosophy and objectives of the intercollegiate athletics program, including, but not limited to, adhering to all Departmental policies and procedures, as well as the rules and regulations of the University, the Southland Conference and the NCAA. Regularly exercises discretion and independent judgment when performing work. This is a security sensitive position.

Duties and Responsibilities

1. Represents the Head Coach in his/her absence.

2. Designs and conducts formal and informal training sessions to meet individual student-athlete and team needs.

3. Provides instruction to student-athletes to develop team concepts, safety, and other related topics.

4. Assists in coaching student-athletes, to include evaluating their performances in both practice and competition, and providing leadership and instruction in areas of deficiencies, as required.

5. Promotes physical health by monitoring the conditioning and training of student-athletes, in conjunction with the Athletic Training staff.

6. Counsels team members in academic, disciplinary and personal matters, to include consulting with the Assistant Athletic Director for Student Services and/or the Senior Woman Administrator to resolve problems.

7. Participates in the collection and analysis of tactical and statistical data of opponent teams and assists in designing game plans and strategies. Attends coaches' preparatory meetings and implements strategies resulting from these meetings.

8. Advises and counsels student-athletes regarding their obligations to comply with all rules and regulations related to financial aid and eligibility, as well as personal conduct and appearance.
9. Assists in monitoring the academic progress and eligibility status of student-athletes, to include both class and study hall attendance.

10. Assists, as allowed by NCAA regulations, with the evaluation and recruitment of student-athletes, to include assisting with on-campus visits of prospective student-athletes.

11. Participates in public relations and marketing activities, as approved, to include granting interviews with newspaper, radio and television media, attending press conferences and making public appearances to promote the intercollegiate athletic program.

12. Assists with planning and coordinating approved fund raising activities, as assigned.

13. Coordinates community relations activities involving the team and staff.

14. Assists with the development of schedule for practice and competition, as assigned.

15. Assists in coordinating team travel arrangements, as requested. Travels with the team and monitors the conduct of student-athletes.

16. Works with the Supervisor of Facilities and Equipment to ensure that necessary athletic equipment is available for scheduled practices and competitive events.

17. Monitors the condition of equipment. Request repairs or replacement, as necessary.

18. Participates in clinics, exhibitions and camps, as approved.

19. Represents the Department at professional, civic, charitable and alumni events, as requested.

20. Abides by all rules of the National Collegiate Athletics Association (NCAA) and the Southland Conference (SLC).

21. Compliance matters will also be included in the annual Performance Management Review.

22. Performs other duties and assists with special projects as assigned by the Head Coach.

SFA
7/2005 7/2009
RECEIVABLE: RECEIPT, CUSTODY AND DEPOSIT OF UNIVERSITY FUNDS

A true and full accounting of funds collected is recorded and maintained by the Assistant Athletic Director for Business Affairs. Accountability for funds received begins from the point of collection and continues until they are deposited with the SFA Business Office in the Administration Building. Funds come into the Department of Intercollegiate Athletic from NCAA/Southland Conference disbursements, game program advertising fees, radio rights fees, novelty/apparel sales, facilities use fees, licensing royalties, donations/gifts, and game guarantees. In addition, funds from ticket sales are received and processed by the SFA Baker Pattillo Student Center Ticket Office.

Definition of Funds

Funds are defined as receipts including currency, coins, personal checks, bank drafts, money order, cashier’s checks, and credit card transactions.

Deposit of Funds

Miscellaneous funds Funds received from game program advertising fees, radio rights fees, facilities use fees, NCAA/Southland Conference disbursements, and game guarantees by the Department are receipted by the Assistant Athletic Director for Business Affairs, who is responsible for the preparation of all cash receipts for deposit in accordance with University Policy C-5 “Receipts and Disbursements”.

Funds received from donations, gifts, apparel sales, corporate sponsorships and licensing fees are received and receipted by the Assistant Athletic Director for External Affairs in accordance with University Policy C-5 “Receipts and Disbursements”.

Funds are submitted to the University’s Business Office the day they are received, whenever possible or within 48 hours, as appropriate. A University Receipt or Deposit Transaction Summary accompanies all cash and checks deposited with the University’s Business Office. The Administrative Assistant to the Director of Athletics or a designated member of the secretarial staff deposits funds with the University’s Business Office. Ticket sales are received, processed and deposited by the Student Center Ticket Office.

Verification of Deposits

Revenues received by the Department are verified by the Assistant Athletic Director for Business Affairs who is responsible for reconciling income detail lists by checking the Department’s ledgers against deposit slips.

Proofs of deposit (e.g., copies of deposit forms, cash receipts forms, etc.) are used to verify receipt of income to the Department.
Security

All funds are physically secured while in the Department of Intercollegiate Athletics.

Segregation of Duties

The Department of Intercollegiate Athletics ensures that there is a segregation of duties in the receipt process by having more than one person involved in the receipt, custody, deposit, recording, reconciliation, review, and reporting of funds.

SFA
STUDENT-ATHLETES: FOOD SERVICE

The Department of Intercollegiate Athletics adheres to all University, Southland Conference, and NCAA rules and regulations related to providing food service to student-athletes. Each Head Coach determines which student-athletes are to receive board as part of their athletic scholarship. The Assistant Athletic Director for External Affairs serves as the Department's liaison to the University's Campus Dining Services, which offers a campus-wide food service plan. Students who reside in University residence halls are required to obtain room and board in a package plan, for a single unit price, as listed in the schedule of residence halls in the current General Bulletin. Student-athletes designated to receive board allotments as part of their athletically related financial aid participate in one of the University's meal programs or receive a cash-in-lieu monthly meal stipend, depending upon their living arrangements.

REGULAR FOOD SERVICE

The Director of Campus Dining Services administers the food service program utilizing two (2) cafeterias located on campus and several "pay as you go" locations. One is on East College Drive across from Steen Hall and the other is located on the first floor of the University Center Baker Pattillo Student Center. The student-athlete's I.D. is encoded with the allotted meal plan and scanned at the cafeteria check out. The magnetic strip on the student i.d. card electronically identifies the chosen dining plan and debits each meal purchased from the weekly or semester allowance.

On-Campus Procedure

Most students living on campus are required to sign a contract for board based on their residence hall plan. The contract cost includes either a seven (7) day, 20 meal plan (provided for full scholarship student athletes), a 13 meal a week plan based on a seven (7) day week or a 15 meal a week based on a five (5) day week semester plan of 20 meals in 7 days with a $50 dollar declining balance, a 14 meal 7 day plan with a $125 declining balance, or a block plan (210 meals, no restrictions) with a $75 declining balance. The declining balance fund (Dining Dollars) can be used at any "pay as you go" location on campus.

Off-Campus Procedures

In compliance with NCAA regulations, student-athletes living off campus who are eligible for board, receive a stipend equal to the established, average on-campus board award. A listing of student-athletes approved to receive off-campus room and board stipends is completed in August by each Head Coach and submitted to the Associate Athletic Director for Internal Affairs Compliance and Student Services. Additions and/or deletions for the second semester must be submitted in December. Cash-in-lieu of board payments combined with the off-campus housing payments are distributed in a lump sum payment at the beginning of each semester from the University Financial Aid Office. Student-athletes must present their photo I.D., in person, to receive their stipend.

A Head Coach can choose to award a commuter dining plan to a student-athlete living off campus as part of the total board award. This commuter dining plan includes either a 5 meals in 5 days with a $50 declining balance, a 50 meal block plan with $50 declining balance, or a 25 meal block plan with $100 declining balance.
Married student-athletes receive the same board amount as any other student-athlete living off campus.

Further information regarding stipend disbursements can be found in Policy 502D, Student-Athletes: Financial Aid, in this Manual.

Late Meals

Pre-game, post-game and late meals are coordinated with the Director of Campus Dining Services by the Associate Athletic Director for Internal Affairs or the Head Athletic Trainer, Head Coach or his/her designee (assistant coach or athletic trainer) so the eligible student-athletes may eat after the regular dining halls have closed. These meals are generally served in the East College Cafeteria. Additionally, sack lunches may be provided when necessary and charged to the meal plan.

Vacation and Break Meal Service

Coaches requiring meal service for their teams during vacation or break periods when the dining halls are closed are to request per-diem allowances from the Associate Athletic Director for Internal Affairs Assistant Athletic Director for Business a minimum of two (2) weeks in advance of the vacation or break period.

Guest Meals

Student-athletes are personally responsible for paying for all meals eaten by guests in the campus dining facilities.

SFA
STUDENT ATHLETES: AWARDS

At Stephen F. Austin State University recognition for outstanding performance in both athletic and academic endeavors is given to deserving student-athletes each year. These awards may be presented by the Department, the Southland Conference, the NCAA, individuals or national groups. They may be in the form of NCAA approved awards for athletic participation, scholarship awards for academic accomplishments and/or recognition rewards (e.g., Academic All-American teams).

ATHLETIC AWARDS

Department Awards

As acknowledgment for athletic participation, and in recognition of outstanding performance, the Department of Intercollegiate Athletics permits deserving student-athletes to receive athletic awards in compliance with NCAA and Southland Conference rules and regulations. Athletic awards are presented upon the recommendation of the Head Coach and with the approval of the Director of Athletics, according to criteria established by Departmental administrators and Head Coaches. The Director of Athletics, Associate Athletic Director for Internal Affairs, in conjunction with the Sports Information director, administer the awards program.

In order to receive an athletic award, student-athletes must be of amateur standing, eligible for athletic participation, as defined by the NCAA, and must have been representing Stephen F. Austin State University at the time they were competing. In addition to athletic performance, other factors which are taken into consideration include a student-athlete’s academic standing, as well as his/her attention to college regulations, observance of training rules, sportsmanship and overall conduct.

Permissible Award Restrictions

A student-athlete may not receive an award of cash or its equivalent (i.e., items that are negotiable for cash or trade). An award of a country club or sports club membership is not permitted even if the cost of membership is less than the allowable award value.

Award Value Limitations

The total value of a single participation or letter award received in a year by a non-senior student-athlete may not exceed $175. Multiple awards may be presented only if the total value of all participation awards received during a particular academic year by an individual (non-senior) student-athlete does not exceed $175

Multiple awards may be presented to a senior student-athlete only if the total value of all participation awards presented during a particular academic year to a senior student-athlete does not exceed $325 in each sport in which the student-athlete participates.

Student-athletes may receive awards in recognition of Conference or national championships from the University, the Southland Conference or an approved organization. The total value of any single award may not exceed $325 for a Conference championship or $325 for a national championship, except for awards purchased and presented by the NCAA to student-athletes for participation in NCAA championship events.
Awards for participation in special events (e.g., bowl games, all-star games, featured individual competitions, etc.) may be presented by the University (or the management of the event) when either a team or an individual has represented the Department in such an event. However, the total value of any single award to a student-athlete may not exceed $350, with most-valuable player awards limited to a maximum value of $325. When multiple awards are presented for participation in the particular event or in honor of the student-athlete's achievement, the total value of such awards may not exceed $300, per person, except for bowl-game and all-star game awards.

For bowl-games or all-star games, student-athletes may receive awards valued at no more than $500 from the sponsoring agency and additional awards from the institution subject to a separate $350 limitation.

Furthermore, established national awards received by a student-athlete (e.g., Heisman Trophy) are not subject to a value limitation.

**VARSITY LETTER AWARDS**

The following are general guidelines that will be used to determine recipients of Varsity Letter Awards.

1. The student-athlete must complete the entire academic year as a member of his/her team in good standing.

2. The student-athlete, to receive his/her letter award must return for the upcoming Fall semester meeting all NCAA and SFA satisfactory progress requirements for academic eligibility.

3. A student-athlete will not receive his/her letter award, if during the academic year they had a positive drug test or was involved in serious misconduct as determined by the Director of Athletics.

4. Multiple sport athletes who have lettered in two or more different sports will receive their letter award from their scholarship sport.

5. In sports where letter criteria is based on percentage of time played, a student-athlete who is injured, will not have those competitions factored into their percentages.

6. Awards are based on seasons of competition completed at SFA. Transfer students from 2-year or 4-year institutions are not given letter award credit for competition at these schools.

**Basketball**

- Participate in 20% of available minutes during season.

**Cross Country**

- Place in the top 15 at the Southland Conference Cross Country Championships, or
- Place in the top 35 in two or more regular season competitions, or
- Be one of the top five finishers for SFA at a competition won by SFA.
Football
Participate in 20% of "available" plays for the season. Plays will be based on offensive plays and defensive plays separately. First-year freshman will letter if they compete and make the travel squad for at least 50% of the away from home contests.

Golf
Must participate in four tournaments during academic year, or Play as a member of an SFA team that wins a tournament, or Win an individual scoring title at a tournament.

Managers
Complete entire season in good standing with team, and Travel with team to minimum of 50% of away contests, and Meet all academic standards required for student-athletes of same academic class.

Softball
Participate in 20% of available innings for regular season (pitchers). Start 35% of regular season games played Obtain 35% of Team At-Bat appearances based on average of 3 per game. Player will be credited with At-Bat for base-on-ball and sacrifice. Appear in 75% of all games played.

Soccer
Participate in 50% of all halves available during the regular season. Goalkeepers will letter if they compete and make the travel squad for at least 75% of the away from home contests.

Tennis
Participate in 5 matches during the Spring season against other Division I opponents.

Track & Field
Score a point in either the Southland Conference Indoor Track Championship or Outdoor Track Championship, or Qualify for the NCAA Indoor or Outdoor Track Championships, or Break or tie an existing SFA track record, or Earn of minimum of eight points during the Indoor Track Regular Season (excluding the SLC Indoor Championship) or fifteen points during the Outdoor Track Regular Season (excluding the SLC Outdoor Championship). These scoring opportunities must be at meets with five or more teams.

Scoring will be:

<table>
<thead>
<tr>
<th>Place</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Place</td>
<td>10 pts</td>
</tr>
<tr>
<td>Second Place</td>
<td>8 pts</td>
</tr>
<tr>
<td>Third Place</td>
<td>6 pts</td>
</tr>
<tr>
<td>Fourth Place</td>
<td>4 pts</td>
</tr>
<tr>
<td>Fifth Place</td>
<td>2 pts</td>
</tr>
<tr>
<td>Sixth Place</td>
<td>1 pt</td>
</tr>
</tbody>
</table>

Trainers
Complete second full year in the Athletic Training Program in good standing, and
Meet all academic standards required for student-athletes of same academic class.

To qualify for a 4-year letterman’s ring:
- Complete 600 hours of athletic training work during the Fall and Spring semesters.
- Pass the Texas Athletic Trainers Licensing Exam within 12 months of graduation.

**Volleyball**

- Participate in 20% of regular season games played, or
- Be selected as a member of any All-Conference Southland Conference team (except All-Academic).

**Baseball**

- Position Players: 50 total at bats or appear in 28 games.
- Pitchers: Appear in 30 innings or appear in 10 regular season games, or
- A member of a team that wins the SLC baseball tournament, a team that appears in an NCAA regional or a College World Series game.

**Letter Awards**

<table>
<thead>
<tr>
<th>First Year</th>
<th>Second Year</th>
<th>Third Year</th>
<th>Four-Year Letter Winner at SFA</th>
<th>All Seniors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Backpack (1)</td>
<td>Jacket (2)</td>
<td>Blanket (3)</td>
<td>Ring</td>
<td>Senior Plaque</td>
</tr>
</tbody>
</table>

The Senior Woman Administrator is responsible for collecting lettering information from each Head Coach and the Head Athletic Trainer to determine those student-athletes who have lettered during the academic year. The SWA then compiles a list of those student-athletes and the year(s) they have lettered. This list is submitted no later than June 15th to the Assistant Athletic Director for Business who places orders for the letter awards. The awards when received, with the exception of rings which are awarded during the Champions Dinner, are then given to the respective Head Coach who distributes them at the beginning of the Fall Semester.

**Sports Banquets Champions Dinner**

Each spring an end of the year sports banquet Champions Dinner will be held for the men’s and women’s sports programs. During this event the Department recognizes the outstanding contributions of its student-athletes. At this time, letter senior awards, four-year letter awards, and appropriate special awards are provided.

All sports banquet Champion Dinner events are coordinated by the Associate Athletic Director for Internal Affairs and Assistant Athletic Director for External Affairs working with the Media Relations Director, in order to coordinate the ordering of award plaques.
Special Departmental Recognition Awards
In addition to letter senior awards, the Department also recognizes outstanding team and individual performances by presenting the following awards at the All-Sports Banquets Champions Dinner:

Men's Sports
- Ralph Todd Outstanding Male Athlete Award;
- Bob Shelton Athletic Award;
- Dick Wright Memorial Sportsmanship Award;
- George Reese Sr. Memorial Golf Award;
- Mart Crawford Football Award;
- Cally Belcher Football Award;
- Outstanding Track & Field Award;
- Molaski Cross Country Award;
- George Johnson Basketball Award;
- Elvin Buddy Lowery Basketball Award;
- Murray Shaw Top Academic Award for each sport; and the
- Jene' Carter SAAC Award.

Women's Sports
- June Irwin Outstanding Female Athlete of the Year Award;
- Sadie Allison Softball Award
- Lucille Norton Basketball Award;
- Carolyn Barnett Track and Field Award;
- Ed and Gwen Cole Cross Country Award;
- Scottie Bailess Volleyball Award;
- Diane Baker Tennis Award;
- Jene' Carter SAAC Award
- Pam Thorstenson Soccer Award;
- Kathy McGough Top Female Academic Award; and the
- Murray Shaw Top Academic Award for each sport.

Men or Women's Sports
- Steve McCarty Award

SOUTHLAND CONFERENCE AND NCAA CHAMPIONSHIP AWARDS

Team Awards

Letter award recipients who are members of a Southland Conference or NCAA championship team may be given a special award in addition to their letter award. National and Southland Conference championship awards are within NCAA guidelines. An award may also be recommended, at the discretion of the sport's Head Coach with the approval of the Director of Athletics, to a deserving student-athlete who has not fulfilled the award requirements but has made an outstanding contribution to the team.
Additionally, an appropriate award may be given to any member of a varsity team who wins an individual Southland Conference or NCAA championship, even though the team did not win the championship.

Winners of Conference championships (and in some instances other team rankings, high overall to competitive ratings) participate in NCAA championship events in all SFA sponsored sports except football. The NCAA provides individual certificates to championship participants and team trophies to the school.

Individual Awards

The Southland Conference holds a Conference championship annually in each individual sport. Further, during the regular season, a Player of the Week is recognized in the sports of football, men's and women's basketball, volleyball, softball, men's spring sports and women's spring sports. A Southland Conference Athlete-of-the-Year is also named in all sports, based on the student-athlete's athletic accomplishments and a Newcomer of the Year/Freshman of the Year is selected in all sports in which an all-conference team is selected by a vote of media representatives and/or Head Coaches.

SCHOLAR-ATHLETE AWARDS

The University, Department, Conference and NCAA annually recognize student-athletes who have excelled both academically and athletically. These awards are presented at the SFA Student-Athlete Sports Banquets held annually each spring.

- Outstanding Student-Athlete Male and Female
  Each academic year SFA designates one male and one female student-athlete as the outstanding Student-Athlete. The recipients must have earned letters in their sports and have an outstanding academic record for all courses taken at SFA.

POSTGRADUATE SCHOLARSHIP AWARDS

SFA student-athletes are eligible for postgraduate scholarships on the University, State, Conference and national level. The Assistant Athletic Director for Student Services assists student-athletes in applying for these awards.

- Conference Award
  **F.L. McDonald Scholarship** - The Southland Conference annually presents $1,000 each to senior male and female letter winners in a Conference sponsored sport. The recipients must have compiled the highest grade point averages in the Conference. The award is to be used for graduate school. Should the recipients not choose to attend graduate school the second highest nominee(s) receive the scholarship.

  **Steve McCarty Citizenship Award** - The Southland Conference annually presents this award to a male and female athlete to honor former SFA Athletic Director Steve McCarty. The award is presented for athletic achievement and citizenship as displayed by those student-athletes who are
nominated by each member school. The nominees are then screened by the SLAC Awards Committee and voted on by the members of the committee.

- **National Awards**

  **NCAA Post-Graduate Scholarship Award** - The NCAA currently offers approximately 100 post-graduate scholarship awards. These are one-time awards worth $4,000 per scholarship.

  To be eligible to receive an NCAA Post-Graduate Scholarship, the student-athlete must be nominated by the Director of Athletics, have a minimum GPA of 3.0 on a 4.0 scale and have achieved significant athletic achievement. Demonstrated campus and community leadership ability is also taken into consideration.

  Presently, each NCAA member institution may nominate one (1) student-athlete each, from men's and women's basketball. Two (2) nominations may be made in football and two (2) additional scholarship nominations may also be made in the other sports category.

  **NCAA Women's Enhancement and Ethnic Minority Scholarships** - This program was designed by the NCAA to help women and ethnic minorities pursue careers in sports administration or related programs. Those honored are awarded $6,000 postgraduate grants designed to assist them in their pursuit of a career in intercollegiate athletics.

  **National Football Foundation and Hall of Fame Postgraduate Scholarship** - This graduate fellowship, worth approximately $18,000, is awarded annually to a select group of college seniors who have demonstrated outstanding academic applications and performance, exemplary school leadership and citizenship, and superior football performance.

  **NACDA/Disney Scholar Athlete Award** - Each year ten (10) scholar athletes from around the country receive a $5,000 grant for postgraduate studies awarded by the National Association of Collegiate Directors of Athletics (NACDA) and the Walt Disney Company.

  **The Walter Byers Postgraduate Scholarship Program** - An annual academic award valued at $10,000 is given to deserving scholar athletes.

  **The Delta Scholar-Athlete Award** - This award consists of $5,000 per scholarship.

SFA
7/2008 7/2009
STUDENT-ATHLETES: MEDICAL POLICY

The Department of Intercollegiate Athletics maintains a comprehensive sports medicine and athletic training program to ensure quality health care for its student-athletes. More specifically, the medical and training staff is responsible for the prevention, evaluation, treatment and rehabilitation of injuries or illnesses sustained as a result of participation in scheduled practices, competitions or during travel to and from these events.

Maintaining adequate health care is a shared responsibility between the Athletic Training staff, the Head Coaches and student-athletes. The Team Physician has absolute authority in determining the physical fitness of each student-athlete, to include deciding whether an ill or injured student-athlete may participate in practice or competition. Coaches must be willing to abide by and/or implement the instructions given by the Athletic Training staff and abide by medical disqualifications and restrictions. Student-athletes must immediately report any injury incurred during a scheduled practice or athletic event to a member of the Athletic Training staff.

Athletic Training Staff

The SFA Athletic Training staff consists of the Team Physician, the Head Athletic Trainer, Assistant Athletic Trainer, Graduate Assistants and student-athletic trainers. Athletic Training Students in consultation with orthopedic consultants and other medical specialists, as required. The Head Athletic Trainer, in consultation with the Team Physician, is responsible for ensuring that student-athletes receive proper treatment for athletically-related illnesses or injuries. All members of the Department involved in training, conditioning, coaching or supervision of students participating in University-sponsored athletic events are fully responsible to the Head Athletic Trainer with respect to matters pertaining to health and/or injuries.

Operation and Use of Athletic Training Room Facilities

Athletic Training Room hours of operations are 7:00 6:30 a.m. - 6:30 6:00 p.m., Monday through Friday, during the academic year. Hours of operation are extended when additional coverage is necessary for scheduled events or practices. Coverage for usual practice sessions or events must be scheduled by the Head Coach at least one week prior to the event. The Head Athletic Trainer coordinates this coverage.

The Head Athletic Trainer is responsible for the operation and supervision of the Athletic Training Room. Student-athletes are not allowed in the Athletic Training Room without supervision. All therapeutic modalities are administered by a member of the Athletic Training staff because of the potential danger involved. When the Training Room is not in use, it is to be locked at all times. Student-athletes receiving therapy are supervised at all times; under no circumstances is a patient receiving treatment left unattended.

The Athletic Training Room is strictly for the use of those individuals involved in the intercollegiate athletics program; however, the facility is available to visiting teams on a as-needed courtesy basis.
Care Providers and Referrals

Only medical expenses related to athletic injuries that occur as a direct result of participation in the student-athlete's designated intercollegiate sport are covered. Participation includes voluntary physical activities that prepare the student-athlete for participation, as well as supervised pre-season conditioning, organized practice attended by a member of the coaching staff, or a Department sponsored game, meet or match. (The Department is not responsible for medical expenses incurred when a student-athlete is injured in a non-athletic event, such as while playing a recreational sport with friends.)

The Head Athletic Trainer, or designate, evaluates all athletic injuries and refers student-athletes to specialists, when appropriate. All referrals for off-campus medical care must be authorized in advance by the Head Athletic Trainer. A Department of Athletics Injury Referral Form (see Appendix 506A-1) must be completed by the Head Athletic Trainer, or the Assistant Athletic Trainer, or the Graduate Assistant Athletic Trainer prior to consultation and accompany the athlete receiving treatment from an outside physician or specialist.

For all illness (night or day), the student-athlete should immediately report to the Head Athletic Trainer, Assistant Athletic Trainer, or Graduate Assistant Athletic Trainer, or Team Student Trainer. Once seen, the Athletic Trainer decides if further medical attention is appropriate and arranges for an appointment with an appropriate physician as soon as possible. The student-athlete is responsible for reporting to the Head Athletic Trainer the physician's diagnosis, all drugs or special instructions required, and the advisability of returning to practice or competition.

Psychological/Psychiatric Expenses

Other than athletically-related injuries, the NCAA only allows payment of expenses incurred for eating disorders, drug-rehabilitation or by waiver policy. Only the Head Athletic Trainer may refer a student-athlete with these problems for psychological or psychiatric counseling to the University Counseling Center for initial evaluation in order for such treatment to be covered at the Department's expense. If the student-athlete is treated by the University or a private provider for psychological problems other than eating disorders or drug rehabilitation, expenses incurred are the financial responsibility of the student-athlete. If the Medical staff refers a student-athlete to University or private care for non-allowable medical treatment, the student-athlete is notified that such treatment is at his/her own expense.

Medical Forms

The Head Athletic Trainer mails a letter to all applicable students associated with the Department and their parents (i.e., prospects for tryouts, recruited students and returning student-athletes) prior to the beginning of the academic year or pre-season practice sessions. Various forms and information are included with the letter as applicable for the individual student. Forms sent may include the following:

- Physical exam form, to be completed by physician (Appendix 506A-2)
- Medical Consent and Release form (four parts) (Appendix 506A-3)
- Health History Questionnaire (for new student-athletes) (Appendix 506A-4);
- Medical Insurance Information form (Appendix 506A-5);
- Equipment Information and release form (Helmet Warning) (football only) (Appendix 506A-6);
• NCAA Drug Testing consent form (Appendix 502C-3);

• Consent Form (for testing of urine and authorization for confidential release of information) (appendix 506A-7).

Students are requested to read and complete the applicable forms, with their parents and/or legal guardians, and return them to the Athletic Training Room prior to any practice session or tryout, as applicable.

Medical Examinations

All student-athletes participating in an intercollegiate sports program are required to undergo a comprehensive physical examination prior to any participation in practice or competition. All new student-athletes are required to complete the Medical History form and are given a complete physical examination under the supervision of the Head Athletic Trainer to include an EKG, urinalysis and urine drug testing. Thereafter, student-athletes are required to complete an annual health history update, with physical examination or specialty consultation performed only on those areas of the body where a change has occurred from the time of the initial examination. (See Appendix 506A-8 for Annual Health Information and Re-Examination forms.)

Head Coaches are responsible for submitting completed team rosters to the Head Athletic Trainer each spring with updates and additions provided a minimum of two (2) weeks prior to the first day of the fall semester. The Assistant Athletic Trainer or the Graduate Assistant Athletic Trainer Team’s Student Trainer is responsible for setting up physical exam appointments and returning the team roster with appointment times and place indicated. Physical exam priorities are established according to official practice starting dates, and are set by the Team Physician and Head Athletic Trainer (e.g., Football on or before August 18 to 21; Cross Country on or before August 27 to 31). Physicals are completed at the University Health Center.

A member of the Athletic Training staff is on hand during the course of all physical examinations to observe the procedures and policies of the attending physician and to assist the physician at his/her discretion. It is the responsibility of the Athletic Training staff to ensure that each student-athlete has completed his/her physical examination before providing written notification for the issuance of athletic equipment.

Each physical examination focuses on the following areas of concern:

1. Evaluation of Sports Health History Evaluation Form (first year student-athletes);
2. Evaluation of existing medical records;
3. Orthopedic Checks;
4. Sight and Hearing Acuity Screening;
5. TB Skin Test;
6. Urinalysis;
7. Blood analysis (no drug screening); and
8. Personal and mental evaluation (at physician’s discretion).

• Walk-on Student-Athletes Physical Examinations

Walk-on athletes trying-out for a team are required to show proof of medical insurance and to sign a waiver of responsibility as part of Appendix 506A-8. If selected for
participation in a sport, the student-athlete must complete the required Medical History form, and participate in a complete physical examination with EKG, urinalysis—and urine drug testing. It is the responsibility of the Head Coach, or designate, of each sport to ensure that the physical exam has been completed prior to tryouts, practice or participation.

All first-time, walk-on student-athletes are responsible for securing their own athletic physicals and are responsible for any costs incurred. Appropriate forms for the examination are to be obtained from the Head Athletic Trainer.

Walk-on student-athletes who have appeared on a team roster for one complete season, are considered as team members for the purpose of physical exams only and may receive subsequent physical exams and post-eligibility exams at no cost.

Post Eligibility Examinations

All student-athletes are given an exit complete physical examination upon the completion of their eligibility. The examination is designed to ascertain the physical health and well-being of each student-athlete and to release the Department of Intercollegiate Athletics from any responsibility for injuries sustained by the athlete in competitions other than intercollegiate sports sanctioned by the Department.

Medical Records

A medical record file is created at the time a student-athlete joins the intercollegiate athletics program and completes the initial physical examination. Complete medical records for all student-athletes participating in the intercollegiate athletics program are accurately maintained and up-dated during the time a student-athlete is competing for SFA. All records are kept on-file for a period of ten-seven (710) years following competition.

The medical file contains the appropriate insurance information, medical histories, authorizations, understandings and agreements between the University and the student-athlete and his/her parents or legal guardians, as well as history of athletically related injuries and illnesses, and any treatments rendered. Additionally, the Athletic Training staff maintains complete records of all encounters, medical referrals, medication records, exams, injuries, and other information pertinent to the student-athlete's medical history.

A Daily Treatment Report is maintained in the Training Room by the Athletic Training staff which reflects all treatments provided on a given day, treatment appointments and medication. The reports are furnished on a daily basis to the appropriate Head Coach.

Coverage for Scheduled Practices and Events

The Athletic Training staff is initially responsible for treating any injury or illness sustained as a result of athletic participation in scheduled practices and games, or during travel to and from those events. For low risk sorts, such coverage may be provided by the Athletic Training staff member who is on call or on duty in the Training Room. For high-risk sports, coverage is provided at the site of the practice or competition. Physician coverage is provided as needed.

All Head Coaches and their assistants are responsible for familiarizing themselves with the Department's medical policies. Coaches should be equipped to handle emergency situations in the absence of a member of the Athletic Training staff. Such knowledge is not only vital to the
Appendix 2

welfare of the student-athlete, but is important in preventing charges of neglect or misconduct from being filed against the coach in charge.

506A:5

Preventative Care

The Athletic Training staff is responsible for not only providing medical care to injured student-athletes, but also preventing injury by identifying risk factors associated with athletic participation, and educating coaches and student-athletes on preventive safety techniques. Additionally, all coaches should be able to recognize the onset of fatigue, dehydration and heat exhaustion and notify a member of the Athletic Training staff when such an event occurs.

It is the responsibility of the coaches, as well as the Head Athletic Trainer and Equipment Manager to make sure that all athletic equipment is in good working order and inspected on a regular basis. Coaches must ensure that each student-athlete is wearing appropriate, properly fitted athletic equipment. When there are adverse climate conditions, extreme care is used to maintain the proper balance of electrolytes.

The Athletic Training staff works with the Director of Wellness Center to provide dietary counseling to student-athletes. More specifically, every effort is made to provide and adequate number of calories and proper nutrition to student-athletes who are actively participating. Student-athletes needing help with weight control may be referred by the Athletic staff to a physician for evaluation and nutritional consulting.

Treatment of Illness or Injury

All injuries, including dental injuries, and illnesses are to be reported immediately to a member of the Athletic Training staff for emergency first aid and evaluation. If necessary, the student-athlete is referred to the Team Physician for medical diagnosis and prescribed treatment. The Head Athletic Trainer may refer the athlete to orthopedic consultants or other specialists.

The Athletic Training staff provides prophylactic taping, bracing and padding for injured parts, as well as stretching and strengthening exercises for specific injuries. In addition, rehabilitative therapy (strengthening and range of motion exercises and/or treatment with appropriate modalities) is provided by the Athletic Training staff under the Head Athletic Trainer's or Team Physician's supervision.

It is the student-athlete's responsibility to follow recommended Training Room procedures related to the care of any athletic injury. Failure to do so may result in an unnecessary, lengthy rehabilitation and a prolonged absence from participation in the sport.

The Athletic Training staff monitors the progress of all student-athletes during treatment in the Training Room and keeps complete and accurate records on the progress of student-athletes during the treatment period. Required diagnostic tests for injured student-athletes and transportation to medical testing facilities is also coordinated by the Head Athletic Trainer when required.

When surgery or hospitalization of a student-athlete who is a minor is recommended, the Head Athletic Trainer contacts the student-athlete's parents or guardians to inform them of their son's/daughter's diagnosis, prognosis and current health status. Contact must be made with
parents or guardians prior to the scheduling of surgery. The student-athletes and his/her parents should be informed of the right to a second opinion when surgery is recommended.

Athletes injured on an away trip should be returned to SFA, if possible. If a member of the Athletic Training staff is not traveling with the team, the coach is responsible for obtaining the assistance of the host school's team physician or certified trainer. Every effort should be made to contact the parents or guardian of a dependent student-athlete prior to hospitalization or surgery, to inform them of the injury. In emergency situations, immediate medical care should be obtained. If a member of the Athletic Training staff is not present on the trip, the Athletic Training staff must be notified concerning the injury.

• Dental Care

Dental screening assessments are included in the pre-participation physical examinations given to all student-athletes. Mouthpieces are fitted for those student-athletes participating in contact sports. If the mouthpiece is not worn or has been lost, the Department is not responsible for dental charges.

The Department assumes financial responsibility for dental care which is a direct result of an athletic injury sustained in formal practice or competition in the student-athlete's designated sport. Student-athletes are to immediately (i.e., within 24 hours) report all dental injuries to a member of the Athletic Training staff. The Department will not pay for general dental treatment (e.g., cleaning of teeth or treatment of cavities).

• Eye Care

Eye exams are performed as part of the annual physical exam. If eye problems are discovered, the student-athlete is referred by the Head Athletic Trainer to an optometrist or ophthalmologist. As mandated by the NCAA, the Department may only pay for glasses and/or contact lenses that are required for practice and/or competition.

The Department assumes financial responsibility only for eye injuries sustained in training, scheduled practices and competitions in the student-athlete's designated sport. The Department replaces and assumes responsibility for the payment of glasses or contacts which are lost or broken, provided:

1. There is a record in the student-athlete's personal file of his/her need for corrective lenses to participate in said sport;
2. There is an injury report filed the day of breakage or loss of glasses or contacts detailing the situation;
3. There is proof that breakage or loss occurred during practice for a participation in an authorized intercollegiate athletic event; and
4. The Head Athletic Trainer has issued an authorization referral and acquired an appointment for the student-athlete.

Fifth Year of Eligibility for Medical Hardship

A Head Coach may initiate the request for a fifth year of eligibility for a player who is ill or was injured during the first half of the sport's traditional playing season and can no longer participate
in his/her sport's program. The Head Athletic Trainer and/or Team Physician, under the
direction of the Director of Athletics, reviews the student-athlete's medical records to determine if
the fifth year option applies.

If the Head Athletic Trainer or appropriate consultant agrees that the student-athlete should be
granted a fifth year of eligibility, a Southland Conference Hardship Waiver Petition (see
Appendix 506A-9) must be completed. This petition must also include the following:

506A:7

- The date of the injury or illness;
- An anatomical diagnosis of the injury or illness;
- The treatment prescribed; and
- The medical reasons for disqualifying the student-athlete from competition; and
- The extent of authorized participation subsequent to onset of injury or illness.

Additionally, a published schedule of events, and a copy of the student-athlete's transcript must
accompany the petition. The petition must be signed by the student-athlete, the Head Coach and
the Director of Athletics before being forwarded to the Southland Conference Office for the
approval of the Commissioner.

Medical Expense and Insurance Coverage

Medical expenses incurred as a direct result of participation in organized practice or competition
at SFA are considered the responsibility of the Department. All student-athletes are required to
complete and return the Medical Coverage for Athletes Policy (see Appendix 506A-10) to the
Athletic Training Room prior to the issuance of equipment for practice. Student-athletes not
covered by family or individual policies are encouraged to purchase student insurance for
coverage of non-athletically related illnesses or injury.

The student-athlete's own insurance policy is used in all instances to cover expenses related to
any athletically related injury. If the insurance does not cover an athletically related injury or
does not fully cover the charges, the Department, as secondary insurer, is responsible for the
balance. Parents are notified by the Head Athletic Trainer or designate. Unauthorized, outside
medical expenses are considered to be the responsibility of the student-athlete.

Post-Eligibility Insurance Coverage

The University realizes that certain injuries which are the direct result of intercollegiate athletics
participation may require additional medical attention after a student-athlete has exhausted his
or her eligibility. Therefore, secondary insurance coverage is provided for up to one (1) year after
the date of a student-athlete's last competition. This coverage is dependent upon documentation
of injury, reasonable adherence to medical advice during rehabilitation and no further evidence
of post-competition re-injury. Each case is individually reviewed for strict adherence to these
guidelines.

Arrangements for the continuing care of a student-athlete with an athletically related injury are to
be made before he/she leaves the University, either as a result of withdrawal or graduation. If
prior arrangements for short or long-term care are not made, the University is released from all
responsibility.

33
Catastrophic Injury Policy

The Department provides coverage for all student-athletes and athletic personnel against catastrophic injury while representing Stephen F. Austin State University in travel to or from or while participating in an athletic contest. Special catastrophic injury medical insurance provides payment for serious injuries up to the limit of the policy.

The Department assumes no legal liability or moral responsibility for injury to a student-athlete that was not caused by the negligent acts or omissions of an officer, employee, or agent of the Department. Claims by third parties for damages as a result of injury to a student-athlete are investigated in the same manner as any other liability claim against the University.

Distribution of Drugs and Medication

The Department recognizes its responsibility related to controlling the purchase, storage and dispensing of prescription drugs, both narcotic and non-narcotic, as well as the keeping of records related to these activities. All of these activities must be in keeping with state and federal laws, as well as Athletic Training Room procedures, and they must be carried out in such a manner as to provide proper security.

All prescription medications stocked in the Athletic Training Room are labeled and pre-dispensed. The medications are distributed by written prescription from the Team Physician or referral physicians or dentists. Medications unavailable in the Athletic Training Room are referred by written prescription to the University Health Center Pharmacy or to a designated pharmacy in the community. Non-prescription medications are distributed by the Athletic Training staff following established Athletic Training Room protocol. No other Department personnel are allowed to distribute medications to student-athletes. The Department pays only for medications prescribed by the Team Physician and referral physicians and dentists.

SFA
STUDENT-ATHLETES: PROMOTIONAL ACTIVITIES

The Department of Intercollegiate Athletics adheres to all University, Southland Conference, SFL and NCAA rules and regulations related to student-athletes’ participation in promotional activities. NCAA rules specifically state when and under what conditions such activities are permissible, and they must be strictly followed when evaluating potential promotional activities for Stephen F. Austin State University student-athletes. The Assistant Associate Athletic Director for Compliance is responsible for evaluating and approving all requests for promotional activities before submitting them to the Director of Athletics for final approval.

Adherence to Related NCAA Regulations

Specifically, NCAA Bylaw 12.5 states that a member institution or recognized entity thereof (i.e., fraternity, student government organization, etc.), a member conference, and noninstitutional charitable, educational or nonprofit agencies may use the student-athlete’s name, picture or appearance to support its charitable or educational activities, or to support activities considered incidental to the student-athlete’s participation in intercollegiate athletics, provided the Director of Athletics gives his/her written approval to the activity. As a prerequisite to the approval, the student athlete and an authorized representative of the entity must sign a release statement (see Appendix 507B 1 for a sample release statement) ensuring that the student athlete’s name, image or appearance is used in a manner consistent with the following requirements:

• The specific activity or project in which the student-athlete participates does not involve co-sponsorship, advertisement or promotion by a commercial agency other than through the reproduction of the sponsoring company’s regular trademark or logo printed on materials such as pictures, posters or calendars. The company’s emblem, name, address, telephone number and website address may be included with the trademark or logo. Personal names, message and slogans (other than an officially registered trademark) are prohibited. (Specifically, student-athletes may not appear as commercial spokesmen or representatives for companies. Furthermore, no monetary compensation other than for allowable expenses may be made to the student-athlete.);

• The name or picture of a student-athlete with remaining eligibility may not appear on an institution’s printed promotional item (e.g., poster, calendar) that includes a reproduction of a product with which a commercial entity is associated if the commercial entity’s officially registered trademark or logo also appears on the item.

• The student-athlete does not miss a class to participate in the activity;

• The student-athlete’s name, picture or appearance is not utilized to promote the commercial ventures of any nonprofit agency;

• Any commercial items with the names or pictures of student-athletes may be sold only at outlets controlled by the charitable or educational organization or the University; and,

• All monies derived from the activity or project go directly to the member institution, charitable organization, or educational/nonprofit agency. However,
The student-athlete is permitted to receive legitimate and normal expenses from the University, charitable organization or educational agency related to the activity, provided participation takes place within the state or, if outside the state, within a 100-mile radius of the campus.

Any commercial items with names, likenesses or pictures of multiple student-athletes (other than highlight films or media guides) may be sold only at the member institution at which the student-athletes are enrolled, institutionally controlled (owned and operated) outlets or outlets controlled by the charitable or educational organization (e.g., location of the charitable or educational organization, site of charitable event during the event). Items that include an individual student-athlete's name, picture or likeness (e.g., name on jersey, name or likeness on a bobble-head doll), other than informational items (e.g., media guide, schedule cards, institutional publications), may not be sold.

The Associate Athletic Director for Compliance is responsible for evaluating requests by University, charitable or educational entities desiring to use SFA student-athletes to promote their causes or requesting a student-athlete as a speaker. Each organization requesting participation of student-athletes in promotional activities must submit a request, in writing, to the Assistant Athletic Director for Compliance. If the request meets NCAA requirements, it is forwarded to the Director of Athletics for approval.

**Summer Sports Camps Promotions**

A student-athlete's name, picture and institutional affiliation may be used by a privately owned summer sports camp in its brochure only to identify the student-athlete as a staff member. The student-athlete's name or picture may not be used in any other way to directly advertise or promote the camp.

SFA

36
The Department of Intercollegiate Athletics' strength and conditioning program is designed to enhance the physical well-being of its student-athletes through strength training, flexibility, anaerobic conditioning, nutritional consultation, sports-specific physiological analysis and rehabilitation. The Director of Wellness Center manages the operation of the strength and conditioning programs and reports to the Director of Athletics. Facilitators are delegated responsibility for specific sports' training programs under the direct supervision of the Director of Wellness Center.

All intercollegiate sports teams are allowed access to a strength and conditioning training facility. Based on physiological evaluations, the Director of Wellness Center works closely with each sport's Head Coach to design individual programs for every student-athlete. In general, each student-athlete is encouraged to complete a prescribed number of training programs during each 12-month cycle.

NCAA regulations and University liability insurance requirements restrict the use of Departmental strength and conditioning room facilities to enrolled student-athletes and approved staff. However, during off-peak periods enrolled SFA students, faculty and staff may also have access to the facilities. Specifically, the strength and conditioning rooms may not be used by high school students or unapproved guests. The Director of Wellness Center retains the right to refuse access to any individual wishing to use the facilities.

Strength and conditioning facility use is restricted to posted operating hours. The Director of Wellness Center retains authority to change hours of operation as necessary. Head Coaches are responsible for scheduling their team's work-outs with the Director of Wellness Center and for reporting team schedule changes as they occur. Scheduled team workouts take priority over individual training, with revenue sports granted preferential scheduling rights.

The strength and conditioning facility is generally available from 6:00 a.m. to 6:00 p.m., Monday through Friday.

**Strength and Conditioning Rooms**

The Jimmy Murphy Wellness Center facility is located outside the southwest corner of Homer Bryce Stadium. It houses a variety of strength training equipment and free weights.

**Use of Weight Training Facilities**

At the beginning of the academic year, each Head Coach is responsible for scheduling an orientation meeting for his/her team with the Director of Wellness Center. The orientation is designed to familiarize the coaching staff and the student-athletes with Strength and Conditioning policies and procedures. All rules and guidelines governing the facilities and work-outs are disseminated during the orientation. Student-athlete attendance is mandatory prior to being granted work-out privileges.

**Release Form**
The Department of Intercollegiate Athletics strength and condition facilities are provided for the exclusive use of currently enrolled, eligible SFA student-athletes and Departmental staff.

With the approval of the Director of Wellness Center and the Director of Athletics, other individuals may be granted access to the facilities on a limited basis, provided their training does not interfere with athletic program requirements. Individuals who may be provided privileges include:

1. Former SFA athletes and professional athletes who train in the area in their off-season;
2. Currently enrolled SFA student-athletes who have completed their eligibility but are continuing their education;
3. Currently enrolled SFA students
4. SFA faculty and staff members; and
5. Individuals approved by the Director of Athletics for facility use.

All individuals approved to use either facility are required to sign a Weight Room Release Form (see Appendix 604C-1), releasing the Department of Intercollegiate Athletics and its staff from liability in the event of injury or accident.

Rules of Conduct and Operation

All student-athletes, students and staff members who use the facility are required to comply with the rules of operation regarding conduct and equipment use. Violators of established rules are subject to discipline and possible suspension of training privileges. Respective Head Coaches are notified of all disciplinary actions. Although each facility may establish specific operational procedures, the following rules have been established to ensure a safe environment for both areas.

1. Only authorized personnel and currently enrolled student-athletes are allowed to use the strength and conditioning facility.
2. The strength and conditioning facility is locked at all times unless a trained and authorized supervisor is present. Student-athletes are to lift only when their sport is schedule or during open-lifting periods.
3. Student-athletes are to be mindful of the purpose of Strength and Conditioning Program and give maximum effort during workouts.
4. Present and former athletes using the facilities must have their program approved by the Director of Wellness Center. Any program revision must also be approved.
5. Student-athletes are to consult with the Director of Wellness Center, or designate, whenever they have a training question.
6. A coach must be on the floor of the strength and conditioning rooms when the training of individuals or teams is in progress.
7. Every athlete must wear a shirt, shorts or sweats and closed-toed shoes (i.e., no sandals or thongs) at all times. No one will be allowed to lift in street clothes.

8. Soft drinks, food and tobacco products are not allowed in the facilities.

9. Each weight is to be returned to the specifically marked place on the rack after use.

10. All dumbbells must be replaced in sequence on the rack after each use.

11. All lifters must use collars on all sets. Including warm-ups.

12. All lifters must use spotters.

13. All blocks, mats, straps, etc., used during workouts are to be replaced.

14. No rough-housing or improper conduct will be tolerated. Individuals are expected to be courteous to others and respectful of the facility.

15. No equipment is to leave the facilities for any reason.

16. Injuries of any type are to be reported immediately.

Disciplinary Action

Disciplinary actions are based on the severity of the rules of conduct or operation violation. As appropriate, the discipline may include physical workouts, required community service or suspension from the facility. The Director of Wellness Center consults with the sport's Head Coach when disciplining student-athletes.

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Appendix 2

NCAA GUIDELINES FOR REPRESENTATIVES OF ATHLETICS INTERESTS

The Department of Intercollegiate Athletics recognizes the value of the support received from its alumni and friends. Booster organizations who seek to represent the University's athletics interests are expected to adhere to the policies and procedures established by the University for the governance of its intercollegiate athletics program. Furthermore, the Department ensures that all groups subscribe to the fiscal policies and procedures of the University and the Department of Intercollegiate Athletics.

Each individual associated with a booster organization is responsible for upholding all Southland Conference and NCAA rules and regulations concerning outside support of the intercollegiate athletics program. Departmental administrators and coaches must ensure that information concerning such rules and regulations is made available to alumni, friends of Lumberjack and Ladyjack athletics and members of booster organizations.

The Department publishes and distributes A Rules and Regulations Guide for Alumni and Friends of SFA Athletics. This pamphlet outlines pertinent definitions used within athletics and important NCAA rules and can be found on the Athletic Department Webpage. The Associate Athletic Director for Compliance and Student Services, working with the Director of Athletics, distributes these pamphlets within the community and to interested parties. Additionally, The Associate Athletic Director for Compliance and Student Services is available for individual inquiries related to the area of representatives of athletics interests, referred to as boosters in the following policy.

NCAA Regulations

As friends of the University and supporters of its athletics program, the NCAA requires that boosters adhere to the same regulations as the coaches, administrators and staff members in the Department of Intercollegiate Athletics. Because of this, it is important that boosters be aware of the rules which govern athletics so that they can avoid unintentional rule violations.

The Associate Athletic Director for Compliance and Student Services ensures that boosters are informed of the NCAA rules regarding athletics representatives and are updated about rule changes as they occur. A summary of these rules is provided below.

Prospective Student-Athletes

Boosters must not be involved in recruiting activities. The NCAA rules involving prospects forbid booster:

1. to have any recruiting contact, whether in person, by mail or by telephone, with a prospect or a prospect's relatives or legal guardians.

2. to contact an enrolled student-athlete at another four-year institution (or one who has withdrawn) to investigate the possibility of a transfer.

3. to be reimbursed or paid by the University to student or recruit prospects.
4. to be involved in arranging for, offering or giving financial aid or other benefits not permitted by NCAA regulations to a prospect or his/her relatives or friends, regardless of whether the benefit is available to other students.

5. to finance, arrange for or use non-permissible recruiting aids or promotional material, such as newspaper advertisements, bumper stickers or message buttons to publicize the Department's interest in a prospect.

6. to provide or arrange for the payment of transporting a prospect or his/her friends or family to visit the University.

7. to make any type of recruiting attempt during a casual, unintentional contact with a prospective student-athlete.

8. to entertain or provide transportation, tickets, gifts or other benefits to a high school, preparatory or two-year college coach.

Prospective student-athletes may not be treated in the same manner as enrolled student-athletes. Actions that are appropriate for enrolled student-athletes may be considered inappropriate offers or inducements (not to mention recruiting violations) if offered to a prospective student-athlete. The following actions are considered inducements that boosters should not offer to prospects under any circumstance:

• Cash or loans to the prospect or his/her family or friends;
• The promise of employment after college graduation;
• Special discounts on or co-signing for loans;
• Employment arrangements for a prospect's friends or relatives;
• Free or reduced-cost services, rentals or purchases of any type.

* A prospective student-athlete (prospect) is a student who has started classes for the ninth grade. In addition, a student who has not started classes for the ninth grade becomes a prospective student-athlete if the institution provides such an individual (or the individual's relatives or friends) any financial assistance or other benefits that the institution does not provide to prospective students generally. (NCAA Manual 13.02.11)

• Payment of any part of the registrations fees for a summer sports camp;
• Use of an automobile
• Transportation to or from a summer job or any other site;
• The gift of any tangible item or merchandise (e.g., clothes, cars jewelry, stereos, etc.);
• Guarantees of bail or bond;
• Free tickets to a prospective student-athlete or his/her family to University games or other athletic or non athletic events;
• Transportation (directly or indirectly) for the prospect or the prospect's family or friends to visit the University, or

• Free or reduced cost housing.

In addition to the inducements mentioned above, boosters may not offer (or promise) financial aid to a prospect, even for post-graduate education. All the financial aid that a student-athlete receives must be administered by the University.

If a prospect telephones a booster, the booster may be civil. However, boosters should refrain from making any attempt to recruit the prospect and refer the prospect to the Department of Intercollegiate Athletics should he/she ask any questions about the athletics program. Boosters may also view a prospect's athletics contest, but under no circumstances may boosters contact the prospect.

To be safe, boosters should consider all students beyond the eighth grade who participate in athletics as prospects and apply all NCAA recruiting restrictions when dealing with them. Boosters should also remember that a prospect remains a prospect even after he/she signs a National Letter of Intent and becomes an enrolled student-athlete only after the start of classes or the beginning of official team practice.

Enrolled Student-Athletes

With enrolled student-athletes, boosters must be primarily concerned with NCAA rules concerning awards, rewards and extra benefits. Essentially, what are considered inducements for prospects are extra benefits for enrolled student-athletes. It is especially important to avoid offering enrolled student-athletes an extra benefit because if a student-athlete accepts any benefit based on his/her athletic skill or as special consideration as an athlete, he/she loses all eligibility and cannot participate in intercollegiate athletics. In summary, the NCAA forbids boosters:

1. to provide a student-athlete with any benefit or special arrangement that is not authorized by NCAA legislation.

2. to provide a student-athlete with a gift or award in recognition of athletic participation.

3. to provide a student-athlete with tickets to an athletic, University or community event.

4. to pay the typing costs for required papers or purchase course supplies (e.g., calculators, art supplies) for an enrolled student-athlete.

5. to let a student-athlete use a copy machine if it is not also available to the general student body.

6. to pay for any expenses (e.g., room, board or transportation) for friends or relatives to visit a student-athlete at the University.

7. to pay a student-athlete's expenses to return home to receive an award.

8. to spend money to entertain a student-athlete or his/her friends or relatives.

9. to provide free transportation for a student-athlete to or from a summer job unless transportation is provided to all employees.
10. to provide special compensation to an employed student-athlete. Student-athletes may only be paid for work actually performed at the regular rate of pay for the duties performed.

11. to use the name or picture of an enrolled student-athlete to advertise, recommend or promote the sale or use of a commercial product or service of any kind.

In general, boosters should not provide student-athletes are their relatives or friends with favors, special treatment or arrangement that are not normally available to all students or expressly authorized by the NCAA.

The NCAA also restricts student-athlete participation awards to those approved and administered by the University, Southland Conference or other approved agency. Additionally NCAA limitations involve the maximum value and number of awards a student-athlete may receive, as described in Policy 505, Student-Athletes: Awards, in this Manual.

The NCAA does allow boosters to employ student-athletes when NCAA guidelines are followed and to establish or endow awards that are administered by the University. Boosters may be involved in some activities where they come into contact with student-athletes at the University. (NOTE: This applies to special circumstances and requires approval from or sponsorship by the University.) Boosters may also entertain teams when they travel to away events, with the approval of the institution.

Rule Violations

Violations of the above rules, even when unintentional or because boosters were aware of the existence of the rule, can cause severe hardship for the University and its student-athletes.

A violation of NCAA rules could cause an investigation of the University's athletics program and result in (but not be limited to) the following penalties:

- Reprimand and censure;
- Probation for one year or more;
- Ineligibility for one or more NCAA championship events;
- Ineligibility for invitational and postseason meets and tournaments;
- Ineligibility for television programs involving live coverage for the sport involved;
- Ineligibility of University staff to vote on NCAA legislation or serve on any of the Association's committees;
- Prohibition against recruiting for a specified time period in the sport involved;
- A reduction in the number of financial aid awards; and
- Prohibition against participating in outside competition for a specified time period for the sports team(s) involved.

SFA
RESOLUTION AUTHORIZING A REQUEST FOR FINANCING

Stephen F. Austin State University
Freshman Residence Hall and Parking Garage

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 and Texas Education Code, Section 55.13 as amended; and

WHEREAS, the University has been authorized to acquire, purchase, construct, improve, renovate, enlarge, or equip property, buildings, structures, facilities, roads or related infrastructure to construct a freshman residence hall and parking garage (the "Project") to be financed by the issuance of bonds pursuant to Texas Education Code 55.13 in the aggregate principal amount not to exceed $35,000,000, 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 $35,000,000 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 55.13 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 $35,000,000;

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 $35,000,000 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.

James A. Thompson, Chair
Board of Regents
Stephen F. Austin State University

John R. Garrett, Secretary
Board of Regents
Stephen F. Austin State University
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 $35,000,000 to construct, equip and furnish a freshman residence hall and parking garage 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 Government Code, Section 1232.101 and Texas Education Code, Section 55.13.

WHEREAS, the University intends to expend an amount not to exceed $35,000,000 (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 21, 2009 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.

James A. Thompson, Chair
Board of Regents
Stephen F. Austin State University

John R. Garrett, Secretary
Board of Regents
Stephen F. Austin State University
Appendix 5

CAPITAL PLAN PROJECT ITEMS

Infrastructure

Chemistry Building Renovation

The 3rd Special Session of the 79th Texas Legislature provided $10,000,000 for a campus deferred maintenance plan. A list of deferred maintenance projects submitted to the Board of Regents at its January 26, 2009 meeting included a $6 million budget for renovation of the Chemistry Building.

The university issued tuition revenue bonds for campus deferred maintenance and has engaged in various projects exclusive of the Chemistry Building renovation. That project was postponed pending a 2010-2011 tuition revenue bond request for a molecular science building that would be constructed in association with the Chemistry Building renovation. The architectural firm of Perkins and Will was selected to design a molecular science building that included chemistry and biochemistry. The firm analyzed chemistry program space needs using the Chemistry Building renovation as part of the solution.

The university did not receive tuition revenue bond funding for a molecular science building in the 81st legislative session. Consequently, $6 million of deferred maintenance tuition revenue bond proceeds have been allocated to renovate the Chemistry Building.

The administration recommends the renovation of the Chemistry Building be approved with a project budget of $6 million. As a result of the information the firm has collected in its analysis of the Chemistry Building, the administration also recommends the firm of Perkins and Will be retained and the firm's contract extended to develop plans for renovation of the building. The administration also recommends authority to issue a request for proposals (RFP) for a construction manager at risk for the project. Finalists will be submitted to the Building and Grounds Committee for recommendation to the Board of Regents. The administration further recommends that the president be authorized to sign associated purchase orders and contracts. The fund source is deferred maintenance tuition revenue bond proceeds.

Kennedy Auditorium Seating and Sound System

The university is preparing to renovate the Chemistry Building using deferred maintenance tuition revenue bond funding. In order to meet academic delivery needs, the Chemistry Department needs additional academic lecture class space. The Kennedy Auditorium contains a large hall that has been used for class lectures in the past. With necessary upgrades, the auditorium could again be utilized for class lectures. The auditorium contains approximately 500 seats that need to be replaced in order to support classes. In addition, the sound system and acoustics must also be replaced or upgraded.

The administration recommends that the seating and sound system in the Kennedy Auditorium be replaced and the acoustics upgraded at a cost not to exceed $300,000. The
administration recommends that the president be authorized to sign associated purchase orders and contracts. The fund source is the higher education fund.

**Campus Entrance Signage**

In fiscal 2009, the university began a campus entrance and boundary project. The first phase began with the construction of the campus identification sign at the Birdwell Corner. The next phase included the traffic signalization and entrance street reconfiguration. The final phase includes construction of the Vista entrance campus signage after the signals and streets are reconfigured. The additional cost to complete the project will not exceed $700,000 and the fund source is the higher education fund. The administration recommends that the president be authorized to sign associated purchase orders and contracts. The fund source is the higher education fund.

**Renovation of the Juanita Curry Boynton House**

Funds have been donated to the SFA Foundation to renovate the Juanita Curry Boynton House. Additional donated funds are being sought to complete the renovation.

The administration recommends the renovation of the Juanita Curry Boynton House at a cost not to exceed $650,000. The administration also recommends that a Request for Proposals (RFP) for a construction manager at risk be issued and that university staff be authorized to select the firm. The administration further recommends that the vice president of finance and administration be authorized to sign associated purchase orders and contracts. The fund source is donated funds. The administration is not authorized to begin the project until 75 percent of the project cost has been raised.

**Hall 20 Shower Renovation**

This project is part of our on-going residence hall renovation plan and includes the renovation of 196 resident showers in Hall 20. The renovation will consist of removing the current shower tile, fixtures, and drain pans. The drain plumbing and shower controls will be repaired. The shower will be replaced with either a tiled shower or a composite shower.

The cost of the project will not exceed $481,000, and the fund source is auxiliary fund balance. The administration recommends that the president be authorized to sign associated purchase orders and contracts.

**Kerr Underground Piping Replacement**

This project replaces the chilled/hot water asbestos wrapped piping that runs underground from the Kerr/Griffith mechanical room into Kerr Hall to support the buildings HVAC system. This piping is currently 41 years old, is decaying and is subject to leaks and blowouts.
The cost of the project will not exceed $391,000 and the fund source is fiscal year 2010 budgeted auxiliary funds. The administration recommends that the president be authorized to sign associated purchase orders and contracts.

**Griffith Roof Repair**

This project is part of our on-going deferred maintenance plan. The replacement of the roof on Griffith Hall was evaluated as a priority in the latest Physical Plant comprehensive roof evaluation.

The cost of the project will not exceed $356,000 and the fund source is fiscal year 2010 budgeted auxiliary funds. The administration recommends that the president be authorized to sign associated purchase orders and contracts.

**Residence Hall Wireless Networking**

This project will provide wireless network access to the residents of all campus residence halls and apartments and will complete the Residence Life portion of the campus wireless network plan.

The cost of the project will not exceed $350,000 and the source of funds is fiscal year 2010 budgeted auxiliary funds. The administration recommends that the president be authorized to sign associated purchase orders and contracts.

**Twilight Ballroom Renovation**

The current height of the ceiling and the limited amount of lighting in the Twilight Ballroom in the Baker Pattillo Student Center limits the functionality and marketability of this space. This project will raise the height of the ceiling from 9 ft. to approx. 11 ft. and will include the installation of new lighting fixtures as well as sound and projection equipment to enhance the audio-visual capabilities of the space.

The cost of the project will not exceed $330,000 and the fund source is budgeted fiscal year 2010 Student Center operations. The administration recommends that the president be authorized to sign associated purchase orders and contracts.

**Steen Residence Hall Refurbishing**

This project consists of preventive maintenance on the exterior of Steen Hall and includes exterior cleaning, caulking, tuck pointing and water proofing.

The cost of the project will not exceed $210,000 and the fund source is fiscal year 2010 budgeted auxiliary funds. The administration recommends that the president be authorized to sign associated purchase orders and contracts.
**Athletic Irrigation System and Field House Air Conditioning Units**

The irrigation system at the practice field and air conditioning units in the field house are old and require extensive maintenance. Replacement of the irrigation system and air conditioning units will provide greater efficiency and reliability.

The administration recommends that the irrigation system and air conditioning units in the Homer Bryce Stadium be replaced at a cost not to exceed $125,000 and the president be authorized to sign the purchase orders and contracts. The fund source is auxiliary fund balance.
Appendix 6

Stephen F. Austin State University
Proposed HEF Allocations
FY 2010

<table>
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<th>HEF Appropriation</th>
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<td>Library</td>
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<tr>
<td>Info Tech Services</td>
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<td>Institutional</td>
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<td>Institutional</td>
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<tr>
<td>Info Tech Services</td>
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<td>Institutional</td>
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Total: 6,947,019
## Capital Infrastructure Plan
### Fiscal Year 2009-10

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<tr>
<th>Capital Project</th>
<th>Bonds Proceeds</th>
<th>Budgeted Auxiliary Funds</th>
<th>Auxiliary Fund Balance</th>
<th>Donated Funds</th>
<th>Total Capital Plan</th>
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<tr>
<td>Chemistry Building Renovation</td>
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## Policies for Board Review
### July 21, 2009

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<th>Policy Number</th>
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<th>Page Number</th>
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<td>Acceptable Use of Information Resources</td>
<td>F-40</td>
<td>Minor wording changes.</td>
<td>P-1</td>
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<td>Assembly and Demonstrations</td>
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<td>Auditing a Course – Tuition and Fees</td>
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<td>Minor wording changes. Updated captions.</td>
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<td>Best Value Procurement</td>
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<td>Changes in minimum bidder requirements. Clarification of emergency purchase.</td>
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<td>Budget Control</td>
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<td>Updated titles. Budget control provided in requisition process.</td>
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<td>Building Design Standards</td>
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<td>New policy.</td>
<td>P-14</td>
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<td>Central Stores</td>
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<td>Check Cashing</td>
<td>C-6</td>
<td>Generalized name of collection entity. Updated captions.</td>
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<td>Computing Software Copyright</td>
<td>D-43</td>
<td>Minor wording changes. Updated captions.</td>
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<td>Conflict of Interest in Sponsoring Activities</td>
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<td>Energy Conservation</td>
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<td>Updated captions.</td>
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<td>External Bank Accounts</td>
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<td>Procedures are located online. University funds may not be deposited in</td>
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<td>File Maintenance for Faculty Personnel Files</td>
<td>A-60</td>
<td>Certification of credentials added to faculty files in provost’s office.</td>
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<td></td>
<td></td>
<td>Recommendation of appointment form eliminated in dean’s files.</td>
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<td>Added GTA’s records to dean’s office.</td>
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<td>Flag Display</td>
<td>D-15</td>
<td>Flags raised and lowered by athletic staff at athletic events.</td>
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<td>Lease, Rental or Use of Off-Campus Facilities</td>
<td>B-35</td>
<td>Notify purchasing of any property to be transferred to leased facilities. Sensitive materials should not be stored in leased facility.</td>
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<td>Memberships</td>
<td>C-17</td>
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<td>Payment Card Acceptance and Security</td>
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<td>Payments to Human Research Subjects</td>
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<td>Physical Plant Charges</td>
<td>B-21</td>
<td>Captions updated.</td>
<td>P-95</td>
</tr>
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<td>Prohibition of Campus Violence</td>
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<td>New policy.</td>
<td>P-96</td>
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<td>Property Inventory and Management</td>
<td>C-42</td>
<td>Restrictions added on sensitive material storage. Property sales proceeds clarification added.</td>
<td>P-99</td>
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<td>Purchase of Electronic and Information Resources</td>
<td>C-62</td>
<td>New policy</td>
<td>P-108</td>
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<td>Purchase Requisition</td>
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<td>Purchase Voucher</td>
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<td>Satisfactory Academic Progress for Financial Aid Recipients</td>
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<td>Service Awards</td>
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<td>Small-Size Classes</td>
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<td>Student Conduct Code</td>
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<td>Student Discipline</td>
<td>D-34</td>
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<tr>
<td>Terminal Degree Policy</td>
<td>E-73</td>
<td>New policy.</td>
<td>P-151</td>
</tr>
<tr>
<td>Vehicle Repair and Maintenance</td>
<td>B-31</td>
<td>Updated captions.</td>
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</table>
Acceptable Use of Information Resources (F-40)

Original Implementation: July 25, 2002
Last Revision: January 19, 2006
July 21, 2009

STATEMENT

Stephen F. Austin State University (SFASU) encourages supports the responsible use of its information resources. SFASU's information resources include, but are not limited to, computers, servers, wired and wireless networks, computer-attached devices, network-attached devices, voice systems, cable systems, and computer applications. The use of information resources is for SFASU academic activities, research, and public service. Access to SFASU's information resources is, however, a privilege. All users of information resources should act responsibly to maintain the integrity of these resources. Furthermore, all users must shall abide by all existing SFASU codes of conduct as well as by local, state, and federal statutes. SFASU reserves the rights to limit, restrict, or extend privileges and access to its resources. SFASU's information resources include, but are not limited to, computers, servers, wired and wireless networks, computer-attached devices, network-attached devices, voice systems, cable systems, and computer applications.

Appropriate use should always be legal and ethical, reflect academic honesty, uphold community standards, and show restraint in the consumption of shared resources. Appropriate use demonstrates respect for intellectual property, ownership of data, system security mechanisms, and every individual's right to privacy and to freedom from intimidation, harassment, and unwarranted annoyance.

RESPONSIBILITIES

- It is the responsibility of every person all individuals using SFASU's information resources to protect the privacy of his/her her account(s). Personal account information should not be released to friends, relatives, roommates, etc. Users are responsible for the security of their passwords. Passwords should be changed on a regular basis.
- Any person all individuals using SFASU information resources is are prohibited from using a computer account for which he/she they is are not authorized, or obtaining a password for a computer account not assigned to him/her her.
- The owner or designated assignee of a computer that is attached to the SFASU network is responsible for both the security of the computer system and for any intentional or unintentional activities from or to the network connections. The owner or designated assignee is are responsible for all network activity originating from his/her his/her equipment, regardless of who generates it.
- Any person operating a network-intensive application or a defective computer that causes network overload will shall be notified, and steps will shall be taken to protect other users and the overall SFASU network. This may include disconnecting the offending defective computer system from the network until the problem is resolved. If the condition is an imminent hazard to the SFASU network or disrupts the activities of others, then the offending defective computer system or the subnet to which it is attached
may be disabled without notice. This latter course of action may affect other users connected to the network. The operator of the offending defective computer system will be expected to follow instructions from Networking staff for securing his/her machine.

- Any person using e-mail should not send excessive e-mail, attachments, or messages locally or over the network, such as chain letters, advertisements, or solicitations. The responsible use of e-mail will help prevent network congestion.

- The content of any files or services made available to others over the network is the sole responsibility of the person with ownership of and/or administrative authority over the computer providing the service. It is this person's responsibility to be aware of all applicable federal and state laws, as well as SFASU policies. This person will be liable for any violations of these laws and policies.

- It is the responsibility of every person using SFASU's information resources to refrain from engaging in any act that may seriously compromise, damage, or disrupt the operation of computers, terminals, peripherals, or networks. This includes, but is not limited to, tampering with components of a local area network (LAN) or the backbone, blocking communication lines, interfering with the operational readiness of a computer, creating/operating unsanctioned servers or personal web (NAT, DHCP or BOOTP servers included) or File Transfer Protocol (FTP) sites, or delivering unsanctioned streaming audio, video, high bandwidth gaming, or high bandwidth video conferencing. Users should refrain from using an IP address not specifically assigned to them and should not attempt to create unauthorized network connections or unauthorized extensions, or re-transmitting any computer or network services.

- All breaches of system security shall be reported immediately to the Networking department personnel.

**INFRACTIONS**

Examples of infractions include, but are not limited to:

- Circumventing or attempting to circumvent data protection schemes or exploiting security loopholes.

- Running programs that attempt to identify passwords, weaknesses in the SFASU system, or other security codes.

- Attempting to monitor or tamper with another user's data communications or network traffic, or reading, copying, changing, or deleting another user's files or software without the explicit agreement of the owner.

- Knowingly running or installing on any computer system or network, or giving to another user, a program intended to damage or to place an excessive load on a computer system or network. This includes, but is not limited to, programs known as computer viruses, Trojan horses, and worms.

- Using SFASU computer resources for private business or commercial activities (except where such activities are otherwise permitted or authorized), fundraising or advertising on behalf of non-SFASU organizations, reselling of SFASU computer resources to non-SFASU individuals or organizations, and unauthorized use of SFASU's name in an unauthorized manner.
Appendix 8

- Engaging in unlawful communications, including threats of violence, obscenity, child pornography, and harassing communications (as defined by law).
- Attempting to alter any SFASU computing or networking components (including, but not limited to, switches, routers, and data/phone/cable TV wiring) without authorization or beyond one's level of authorization.
- Failing to comply with requests from appropriate SFASU officials to discontinue activities that threaten the operation or integrity of computers, systems, networks, or otherwise violate this policy.

**PENALTIES**

Misuse of computing, networking, or information resources may result in the loss of computing privileges, as well as other disciplinary action.

**PRIORITY**

When demand for computing resources may exceed available capacity, priorities for their use shall be established and enforced. The priorities for use of computing resources are:

- **Highest:** Uses that directly support the educational, research, and service missions of SFASU.
- **Medium:** Other uses that indirectly benefit the education, research, and service missions of SFASU, as well as reasonable and limited personal communications.
- **Lowest:** Recreational use, including game playing and general browsing.
- **Forbidden:** Uses All activities listed in the Infractions section of this policy, as well as breaches of the Responsibilities section not specifically listed under the Infractions section.

SFASU may enforce these priorities by restricting or limiting usages of lower priority in circumstances where their demand and limitations of capacity impact or threaten to impact usages of higher priority.

**IMPLIED CONSENT & LIABILITY RELEASE**

Each All person-individuals with access to SFASU computing resources are are responsible for their appropriate use, and by their Such use constitutes an agreement to comply with all applicable SFASU policies and regulations, with applicable City, State, and Federal laws and regulations, and with applicable the acceptable use policies of the affiliated networks and systems.

Each person requesting service from an SFASU Telecommunications and Networking technician for equipment owned by a person or entity other than SFASU must acknowledge and accept the following liability release before the technician will be permitted to provides the requested service:
By accepting technical support from the Telecommunications and Networking staff, I expressly waive all claims against SFASU and its agents for any damages to my computer system or data that are incidental to the technical support rendered by Telecommunications and Networking. I understand that the technical support I receive from Telecommunications and Networking may void manufacturer warranties and I understand that Telecommunications and Networking offers no verbal or written warranty, either expressed or implied, regarding the success of this technical support. I understand that I have the right not to accept support from Telecommunications and Networking staff and to seek technical assistance elsewhere.

**Source of Authority:** Vice President for Finance and Administration

**Cross Reference:** None

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

**Contact for Revision:** Director of Information Technology Services

**Forms:** None
I. Introduction

1. Stephen F. Austin State University reaffirms its commitment to the freedoms of speech, expression, and assembly by establishing this policy. Individuals have the right to assemble, to speak, and 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.

2. 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 University agents and employees when they are acting in the course and scope of their agency or employment. This exception also includes the official activities of the SFASU Alumni Association and the SFASU Foundation.

3. Students, faculty, and staff are free to express their views, individually or in organized groups, orally, 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 orally, by sign or exhibit, on any topic in areas designated for that purpose. These expressions are subject only to rules necessary to preserve equal rights of others and the functions of the University. Teaching, research, and other official functions of the University shall have priority in allocating the use of space on campus.

II. Definitions

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

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

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

III. Rules

1. Assemblies and demonstrations must be conducted in compliance with these rules, all other applicable University policies, and must not:
   a. result in a breach of peace or violation of law;
   b. negatively impact the security, health, and safety of persons and/or property on campus;
   c. interfere with the free and unimpeded flow of pedestrian and vehicular traffic on campus or the entry or exit into University buildings;
   d. materially disrupt or interfere with the normal activities of the University;
   e. negatively impact the beauty of the University's grounds, buildings, and facilities; or
   f. create unnecessary costs and waste university resources.

2. No person conducting or participating in an assembly or demonstration on University property or at University-sponsored events may advocate the deliberate violation of the law. For the purposes of this section,
"advocacy" means preparing speech directed to inciting or producing the group addressed to imminent action and steering it to such action with the likelihood of producing such action, as opposed to the abstract espousal of the moral propriety of a course of action.

3. Students, faculty, staff, and their official organizations may assemble and/or demonstrate anywhere on university grounds between the hours of 8:00 a.m. and 7:00 p.m., Monday through Saturday, as long as the assembly and/or demonstration adheres to the provisions of Items 1 and 2 under this subsection and a properly submitted Grounds Reservation Form has been approved.

4. All other persons and groups may assemble and demonstrate in designated areas between the hours of 8:00 a.m. and 7:00 p.m., Monday through Saturday, as long as the assembly and/or demonstration adheres to the provisions of Items 1 and 2 of this subsection and a properly submitted Grounds Reservation Form has been approved.

5. Requests to reserve campus grounds for an assembly and/or demonstration must be made in writing using a Grounds Reservation Form. This form is available in the Student Activities office and on the Student Activities website. The completed form must be submitted to the Student Activities office and for approval and must be received at least forty-eight (48) hours in advance of the activity. This advance notice allows the University the opportunity to avoid the problem of simultaneous and/or competing assemblies or demonstrations and to arrange for adequate security. The Grounds Reservation Form requires the applicant to provide his/her name, address, and phone number. The application Form must be signed and dated by the applicant.

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

Cross reference: SFASU Web pages; Signs and Exhibits D-31; Use of Amplified Sound on Campus Grounds D-21; U.S. Const. amend. I; U.S. Const. amend. XIV, § 1.

Responsible for Implementation: President

Contact for revision: Dean Executive Director of Student Affairs

Forms: Grounds Reservation Form
Auditing a Course - Tuition and Fees (C-3)

Original Implementation: October 18, 1980
Last Revision: July 13, 2006 / July 21, 2009

Tuition and fees for auditing a course shall be the same as tuition and fees paid by regularly enrolled students, except for individuals age 65 and over. **Individuals age 65 and over** may audit at no charge on a space-available basis and with the permission of the instructor.

**Source of Authority**: Board of Regents

**Cross Reference**: General Bulletin

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

**Contact for Revision**: Vice President for Finance and Administration / Controller

**Forms**: None
Best Value Procurement (C-7)

Original Implementation: January, 1988
Last Revision: January 27, 2009 July 21, 2009

PROCUREMENT PROCESSES

Stephen F. Austin State University makes purchases, not otherwise delegated through Policy C-10 Delegated Purchasing Authority, on a best value basis through any of the following processes. All procurement processes require Board of Regents approval as per Policy D-20.5 Items Requiring Board of Regents Approval. HUB Subcontracting Plan requirements apply in accordance with University Policy C-16.5, Historically Underutilized Businesses and state law.

A. All purchases completed with state appropriated funds must first consider making the purchase from Texas Industries for the Blind and Handicapped (TIBH) as mandated by Education Code 51.9335 to promote the purchase of goods or services from persons with disabilities.

B. Purchases $0 - $5000 are to be negotiated to achieve the best value for the university.

C. The university may purchase goods or services through competitive sealed bid procedures with the following minimum bidder requirements. A justification must be included in the order file if these minimums are not met.

1. $5000.01 - $25,000.00
   - Minimum 3 informal bids required; minimum 50% HUB vendors including one woman-owned and one minority-owned

2. Greater than $25,000.00 and greater
   - Minimum 5 formal bids required; minimum 50% HUB vendors including one woman-owned and one minority-owned; Electronic State Business Daily posting required; unless Procurement Services determines that no value is added by the posting.

In determining best value for Competitive Sealed Bids, the university shall consider best value factors identified in Education Code 51.9335.

D. The university may purchase goods or services through the competitive sealed proposal process outlined in the Procurement Department RFP Manual. All competitive sealed proposals shall include an appropriate number of solicitations to be determined by the Procurement Department, including HUB vendors of any gender and ethnicity when identified as providing the good or service identified. Electronic State Business Daily posting required, unless Procurement determines that no value is added by the posting.

E. The university may purchase goods or services through the Request For Offer process established in 1 Texas Administrative Code 34, Part 1, Rule 20.39134 Texas Administrative
Code Section 20.391 for the acquisition of automated information systems goods and services.

F. The university may purchase goods or services through group/cooperative purchasing programs without a solicitation process, when such purchase is deemed to represent the best value to the university.

G. The university may purchase goods or services through State of Texas Term Contracts, State of Texas Multiple Award Schedules, and DIR/Tex-An Contracts without a solicitation process, when such purchase is deemed to represent the best value to the university.

H. The university may purchase goods or services through reverse auctions.

I. The university may purchase goods or services through contracts awarded by other state agencies or institutions of higher education without a solicitation process when such contracts are available and have followed approved purchasing processes, and such purchase is deemed to represent the best value to the university.

J. The university may purchase goods or services through contracts awarded by the Council on Competitive Government in accordance with Government Code 2162 without a solicitation process, when such contracts are available, and such purchase is deemed to represent the best value to the university.

K. The university may purchase goods or services on an EMERGENCY basis. An emergency purchase is defined as a situation requiring that a procurement be made more quickly to prevent a hazard to life, health, safety, welfare, or property or to avoid undue additional cost to the university, the purchase of goods or services that are so badly needed that the agency will suffer financial or operational damage if they are not secured immediately. A procurement may be declared an emergency at the purchaser’s discretion in consultation with the end user and upon approval by the Director of Procurement. Declaration of an emergency supersedes all other best value procurement rules. The university will attempt to obtain bids, price comparisons or proposals when sufficient time exists by utilizing the most effective procurement process, including the Electronic State Business Daily, when value is added by using such processes.

EXEMPT PURCHASES

The following purchases are exempt from best value procurement processes. Submission of a purchase requisition and other rules may apply. Statements included below in quotes are considered to be a part of any Purchase Order issued for the good or service identified when the Purchase Order is identified as an Exempt purchase.

1. Advertising
2. Hotels and meeting rooms for conferences
3. Conference Expenses; expenses related to conference room services such as audio/visual/network and food services. (does not include goods purchased for attendees or transportation services)
4. Moving Expenses (employee) — See Policy C-21 Moving Expenses
5. Student Travel; expenses related to student travel
6. Library materials and services for Stephen F. Austin State University Libraries, as defined by Government Code 2155.139(a)(2), when such exemption represents the best value to the university. “Exempt library purchase in accordance with university policy”
7. Membership dues and associated fees
8. Direct Publications only available from a single source as defined by Texas Procurement and Support Services (TPASS) in the TPASS Procurement Manual; i.e., hard-copy or electronic subscriptions, books, videos, software and software maintenance direct from the publisher. “Not available from any other source”
9. Freight, including shipping, handling, fuel surcharge, hazardous material fee, postage, and other surcharges
10. Intra-agency payments
11. Rental of exhibit space; i.e., booths for display purposes
12. Items for resale
13. Internal Repairs – Repairs for which the extent and cost of such cannot be determined until the commodity is disassembled and evaluated. An internal repair must contain labor and may also include parts. “Accurate repair costs cannot be determined until equipment is disassembled”
14. Purchases from federal agencies
15. Utilities, other than electricity for which SFA chose to opt into deregulation
16. Organized Activity Purchases – Goods and services for the Early Childhood Lab, SFA Charter School, Cole Audiology Lab, Beef Farm, Poultry Farm, Broiler Houses, and Swine Farm when the purchase directly affects operations and such exemption represents the best value to the university. “Exempt purchase for an organized activity related to an instructional department in accordance with university policy”
17. Group Travel; expenses related to group travel when such group travel includes non-university persons and is funded by payment from individual travelers; i.e., Art Tour
18. Gifts, Prizes and Award for students, employees and non-university individuals
19. Accreditation Fees
20. Tournament Fees or Game Guarantees
21. Licensing Fees or Permits
22. Employee Registration or Tuition
23. Sponsorships
24. Non travel related meals
25. Fees, not otherwise identified herein
26. Notary bonds

COMPETITIVE SEALED BID SUBMISSION, BID OPENING, AND TABULATION

Bid Submission
1. Prospective bidders may request specific bid invitations from the Procurement Department at any time prior to the bid opening;

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

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

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

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

6. Bids may be submitted by email when specific instructions regarding email submission are included in the solicitation, or if approved by the Purchaser. Bids submitted by email need not be confirmed in writing, but must comply with all legal requirements applicable to formal bids. If all or any portion of a bid submitted by email is received late, is illegible, or is otherwise rendered non-responsive due to equipment failure, operator error or email quarantine, the bid or applicable portion of the bid will not be considered. The university shall not be liable for equipment failure, operator error, or emails directed to email quarantine, nor will such require other bids to be rejected or the bid invitation to be re-advertised. When email submission is allowed, all required signatures must appear on the emailed document via scan or image attachment.

7. An unsigned bid is not valid and will be disqualified;

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

9. When formal bids are required, bids may not be taken or accepted by telephone;

10. If an error is discovered in a bid invitation, or agency departmental requirements change prior to the opening of a bid, the Procurement Department will transmit an addendum correcting or changing the specifications to all bidders originally listed on the transmission list for that bid invitation. Bids will not be rejected for failure to return the addendum with the bid, unless otherwise noted, if the receipt of the addendum is acknowledged on the face of the bid.

Bid opening and tabulation.
1. All bid openings conducted by the Procurement Department shall be open to the public.
2. Bid opening dates may be changed and bid openings rescheduled if bidders are properly notified in advance of the opening date.
3. If a bid opening is canceled, all bids which are being held for opening will be returned to the bidders.
4. All bid tabulation files are available for public inspection. Bid tabulations may be reviewed by any interested person during regular working hours at the offices of the Procurement Department, or a copy may be provided. Employees of the university are not required to give bid tabulation information by telephone.

Cross References: Items Requiring Board of Regents Approval (D-20.5); Historically Underutilized Businesses (C-16.5); Delegated Purchasing Authority (C-10); Tex. Educ. Code § 51.9335; 34 Tex. Admin. Code § 20.391; Tex. Gov't Code § 2162; Tex. Gov't Code § 2155.139(a)(2)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Procurement and Property Services/HUB Coordinator

Forms: Purchase Requisition, Purchase Voucher
Appendix 8

Budget Control (C-47)

**Original Implementation:** January 25, 2000  
**Last Revision:** July 13, 2006/July 21, 2009

The primary responsibility for budget control resides with each account manager. Secondly, the department head or supervisor of each account manager is responsible for requiring sound budget practices.

The Director of Financial Services/Budget Director will monitor current and plant funds accounts, excluding restricted contract and grant funds within the current funds category. If a department's expenditures exceed its budget, the Director of Financial Services/Budget Director will notify the department to process a budget transfer, fund transfer, or expenditure transfer.

*The university's financial system provides a budget check for funds during the requisition process. If funds are not available in the account, the Budget Director may authorize an override pending a budget or funds transfer.*

*The Purchasing system provides a budget check for funds when a department submits a requisition for a product or service. If the requisition exceeds available funds in the account, the Director of Financial Services may authorize the expenditure, pending a budget or funds transfer.*

**Source of Authority:** Vice President for Finance and Administration

**Cross Reference:** Departmental Accounting Responsibilities Policy, Index C-11

**Contact for Revision:** Director of Financial Services/Budget Director

**Forms:** None
Appendix 8

Building Design Standards (B-37) NEW

Original Implementation: July 21, 2009
Last Revision: None

1. Statement of purpose
This standard provides the building designer with general guidance regarding the university's intent to development a campus of buildings having a unified architectural vernacular without restricting building function or efficiency.

2. Terms followed by an asterisk (*) appear in Appendix A.

3. Building planners shall refer to the campus master plan and should be guided by its general intent.


5. Site standards

5.1. Building shall be setback from streets a sufficient distance to provide transition from city-streetscape to campus environment. Building setback dimensions should be governed by the height and mass of the proposed structure and the traffic volume of the adjacent street.

5.1.1. Minimum setbacks from public streets:
- North Street 100 feet
- University Boulevard 100 feet
- East College 50 feet
- Austin Street 50 feet
- Raguet Street 100 feet

5.1.2. Minimum setback from internal campus streets:
- Griffith Boulevard 100 feet
- Vista 40 feet
- Clark Boulevard 35 feet
- Clark Boulevard (at Kennedy Auditorium) 25 feet
- Alumni Drive 40 feet
- Aikman Street 40 feet
- Raguet Street 40 feet
- Hayter Street 40 feet
- Wilson Drive 25 feet

5.2 Building separation
Buildings shall be separated by distances governed by building height and mass; and by the pedestrian load along routes that pass between buildings.

5.3 Pedestrian Malls
Pedestrian malls - developed between the Steen Library and the Baker Pattillo Student Center and Raguet Street from Griffith Boulevard to

P-14
Aikman Drive shall be spacious openings with two lanes, each with 8 or more feet of width.

5.4 Sidewalks
- Major pedestrian route shall be 8 or more feet wide.
- Secondary pedestrian route shall be 5 feet or more wide.
- Maintenance access walls shall be sized to meet the service need but not less than 3 feet wide.

5.5 Site lighting shall be provided by campus standard pole lamps* located 75 feet apart. Individual spacing may vary to avoid conflict with driveways, intersections and utilities.

5.6 Site selection and building placement shall accommodate and prepare for future campus development.

5.7 Way-finding signs shall conform to SFA-Direction Signs System, undated (excerpts appear here as Appendix B).

5.8 Building identification signs on the main campus shall conform to Appendix C. The monument shall be cast stone with a cream white finish similar to Indiana limestone. A bronze University Seal shall be embedded at monument base. The text field shall be porcelainized steel, white letters on a purple field (CPEC 865-6 Custom Purple). The typeface shall be Univers over Amasis. The designer shall adjust type size and stretch to accommodate building name. Construction and attachment of the text field assembly shall allow the text field to be removed and replaced without modification of the monument.

5.9 Building identification signs at remote campus sites shall conform to Appendix C1. The monument shall be cast stone with a cream white finish similar to Indiana limestone. A bronze University Seal shall be embedded at monument base. The designer must proportion the monument to fit the site, road speed and set back requirements. The text field shall be porcelainized steel, white letters on a purple field (CPEC 865-6 Custom Purple). The typeface shall be Amasis over Univers Bold. The designer shall adjust type size and stretch to accommodate building name and proportions of the monument. Construction and attachment of the text field assembly shall allow the text field to be removed and replaced without modification of the monument.

5.10 Landscape designers shall refer to the SFASU Landscape Installation and Maintenance Standards, May 2009.

6. Architectural Style

6.1 Academic buildings shall reflect a stylistic relationship to the university’s legacy buildings*.

6.1.1 Major buildings* shall express their entrance by use of a podium, monumental stair or canopy.
- Pedestrian approach considerations should include one or more covered entrances.
- A passenger vehicular approach shall be provided with a drop off point within 40 feet of an entrance.
Appendix 8

- Service vehicles shall have a separate approach that comes within 30 feet of the building and provides parking for two trucks for every 40,000 s.f. of building area.
- A dumpster shall be located within 50 feet of the building's service entrance. Dumpsters shall be screened with brick enclosures. Provide task lighting, storm drains or hose bibs at dumpster locations.

6.1.2 Building height should be limited to 5 floors or 75 feet.
6.1.3 Exterior materials palette shall be compatible with the SFASU legacy buildings.
  - Dark brown and brown-black blends are desirable.
  - Stone or cast stone selected to be complement the brick selection should be used for detail.
6.1.4 Window shall be clear anodized aluminum, bronze anodized aluminum or white painted aluminum.
  - Glass shall be fixed, clear, green or bronze double glazing. Reflective finishes should be limited, if not discouraged.
  - Operable windows shall be provided when required by the educational program being housed.
6.1.5 Sloped roofs, if used, shall be architectural standing seam metal with a gray or gray-brown color compatible with the brick selection.

6.2 Residential Halls should reflect a stylistic relationship to Lumberjack Lodge, completed in 2005.
6.2.1 Building entrance
  - The building should have one or more entrances protected by a canopy of recessed entrance.
  - A passenger vehicular approach shall be provided with a drop off point within 30 feet of an entrance. Residence halls should be allowed a variance.
  - Service vehicles shall have a separate approach that comes within 20 feet of the building and provide parking for 1 service vehicle per 110 beds.
6.2.2 Dumpsters shall be located within 50 feet of a secondary building entrance (preferably a service entrance). Dumpster locations should be as discrete as practical and shall be screened but must allow easy access to residents and staff. Provide task lighting, storm drains or hose bibs at dumpster locations.
6.2.3 Exterior material palette shall be drawn from the Lumberjack Lodge, completed in 2005.
  - Brick shall be red and red with black-washed blend with stone of cast stone detailing.
  - Roofs should slop and have architectural standing seam metal roofing with a green or earth-green finish.
  - Window frames should be bronze anodized aluminum or bronze painted aluminum.
    - Glazing shall be double pain clear, bronze or earth-green.
o Operable window shall be provided in sleeping rooms.

o Fixed or operable glazing may be use in common areas.

7. Auxiliary buildings should reflect an architectural style that relates to the building function, blend with the campus surroundings and when appropriate relate to a legacy style (ref. to paragraph 6.1 above).

8. Parking structures
Parking structures should be constructed of exposed precast concrete with brick accents and detailing as exemplified by the Aikman Garage 2005.

9. Surface parking
Surface parking should be punctuated by island trees at a ratio of 1 tree well/island (approx. equal to two parking spaces) for each 30 cars parked.

10. Roads and bridges
Campus streets should be lined by concrete curb and gutter. Sidewalks should be separated from road pavements by a grass parkway that should be equal in width to the sidewalk but shall not be less than one-half the sidewalk width.

**Cross Reference:** None

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

**Contact for Revision:** Vice President for Finance and Administration

**Forms:** None
Appendix A
Stephen F. Austin State University
Building Design Standards

Definitions and Terms

**Legacy Building** – Stephen F. Austin Building, 1924; Thomas J. Rusk Building, 1926; Chemistry Building, 1938.

**Major Building** – a proposed new building with 3 or more floors or more than 40,000 square feet

**Shall** – As used in the Building Design Standards Policy, the designer will view the item as a current requirement.

**Should** – As used in the Building Design Standards Policy, the designer will view the item as a recommendation.

Appendix C

Main Campus Building
Stephen F. Austin State University

Appendix C
SFA Building Design Standards
Building Identification Sign
Appendix C1

Building Identification Sign

Stephen F. Austin State University
Distant Campus Building

Codes and Standards

Appendix C1
SFA Building Design Standards
Building Identification Sign
Central Stores (F-7)

Original Implementation: Unpublished
Last Revision: July 13, 2006 / July 21, 2009

Central Stores provides a supply of materials primarily to support maintenance activities. Additionally, a limited number of other items are provided to support instructional and administrative activities.

Purchases

Purchases from Central Stores will be allowed only upon presentation of a valid university account number, work request number, and authorized signature on sales receipt. Sales will not be made to overdrawn accounts without approval of the appropriate vice president.

Orders may be placed with Central Stores in the following manner:

1. in person at the Central Stores sales counter;
2. by telephone at extension 5303; or,
3. by on-line entry to Physical Plant home page

Returns

Returns with credit will be allowed for non-discontinued merchandise within ten (10) days of purchase. Defective merchandise will be replaced, or a refund made, when return is made within a reasonable period of time. The sales receipt (pick ticket) is required for all returns, replacements, or credits.

Delivery Services

Bulk items of Central Stores merchandise will be delivered without additional cost by Central Receiving. Small items and small quantities will not be routinely delivered. Orders may be picked up at the Central Stores sales counter.

Requests to Stock Merchandise

New merchandise will be added to the Central Stores stock upon the request of a department head or his/her designee when the item meets one or more of the following criteria:

1. the item is critical to operations and not available in the local marketplace;
2. the item is needed routinely by one or more departments;
3. institutional benefits can be shown either in having the item available when needed, or by saving money through ordering in bulk;
4. adequate physical facilities are available to store and protect the merchandise.

Special items stocked at the request of a department, which are not sold after a reasonable time (one year) will be charged to the requesting department and disposal of the items will be the responsibility of the requesting department.

**Source of Authority:** Vice President for Finance and Administration

**Cross Reference:** None

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

**Contact for Revision:** Director of Physical Plant

**Forms:** None
Check Cashing (C-6)

**Original Implementation:** September 1, 1988

**Last Revision:** July 13, 2006

July 21, 2009

The Business Office in the Austin Building cashes checks for faculty, staff and students with a University I.D. The check cashing limit is fifty dollars ($50) per day. If an extenuating circumstance exists in which a student or employee needs to cash a check in excess of $50, authorization must come from the Controller, the Bursar in the Business Office or the Bursar's designee. Checks returned to the University for nonsufficient funds, payment stopped, or account closed will be collected by CheckMate the University or an outside collection entity. Any returned check fees charged to the University by CheckMate an outside collection entity or the financial institution will be assessed to the individual. The University reserves the right to refuse personal checks from individuals who have a history of bad checks.

The University Business Office is not authorized to cash checks which are disbursed by the University (i.e., payroll checks, travel checks, etc.) except when used as payment on the payee's account.

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

**Source of Authority:** Vice President for Finance and Administration

**Cross Reference:** C-35 Returned Checks

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

**Contact for Revision:** Controller

**Forms:** None
Computing Software Copyright (D-43)

Original Implementation: July 27, 1999  
Last Revision: January 19, 2006; July 21, 2009

Purpose and Scope

Most software on computers at Stephen F. Austin State University is protected by Federal copyright laws. In addition to the copyright laws, there usually is a license agreement between the software seller and the purchaser to protect the software. Educational institutions are not exempt from legislation covering copyrights. The University's policy is to respect-adhere to the copyright protections given under Federal Law, and to adhere to the conditions of the license agreement. The following policies and procedures apply.

Policies and Procedures

1. Software provided through the University for use by faculty, staff, and students may-shall be used on computing equipment only as specified in appropriate to the specific software licenses.
2. Licensed software may-shall not be copied on University equipment except as specifically permitted by the software license (to create a backup copy, for example).
3. Faculty, staff, and students may not use unlicensed or unauthorized copies of software on University owned computers, or any computer connected to the University network.
4. The individual who normally uses a specific computer is responsible for ensuring and being able to documenting via license agreement or proof of purchase that the software used on that machine is licensed. An appropriate designated assignee is responsible when the same machine is used by several persons.
5. For a multi-user computing system, the director of the organizational unit owning the system, or the manager responsible for its operation, must-shall document licenses and inform users of licensing conditions and take reasonable actions to ensure compliance.
6. It is a violation of University policy knowingly to knowingly use or attempt to use software which is not authorized for use under normal operating procedures.
7. The University may audit software on University owned equipment at any time, with or without notice to the designated users. The University may request permission to audit software on non-University equipment that is connected to the University network as a condition of approval to use such equipment on the network.

Sanctions for Policy Violations

Unauthorized or unlicensed use of software is a serious matter and is without the consent of Stephen F. Austin State University. Faculty, staff, and students should bring known or suspected violations of these policies to the attention of supervisors or other responsible persons such as the Director of Information Technology Services. Any individual violating these policies is required to take immediate remedial action, e.g.,...
remove the unlicensed software from the machine. Persons refusing to do so are subject to University disciplinary procedures.

**Source of Authority:** Vice President for Finance and Administration

**Cross Reference:** Computer and Network Security, D-8.1

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

**Contact for Revision:** Director of Information Technology Services

**Forms:** None
Conflict of Interest in Sponsored Activities (A-11.5)

Original Implementation: January 30, 1996
Last Revision: October 30, 2007 - July 21, 2009

I.4. Policy Statement Relating to Conflict of Interest

A.1. These guidelines define general university policy and procedures regarding conflicts of interest in relationship to sponsored activities involving research, education, and university service. Their purpose is to protect the credibility and integrity of Stephen F. Austin State University's (SFASU) faculty and staff so that by ensuring public trust and confidence in the university's sponsored activities is ensured.

B.2. In accordance with federal regulations, the university has a responsibility to manage, reduce, or eliminate any actual or potential conflicts of interest that may be presented by a financial or related interest of an investigator related to a sponsored activity. Thus, the university requires that investigators disclose any significant financial or related interest that would reasonably appear to be affected by sponsored activities.

C.3. A potential conflict of interest occurs when there is a divergence exists between an individual's private interests of individuals and his or her professional obligations to the university, such that an independent observer might reasonably question whether the individual's professional actions or decisions are determined by considerations of personal gain, financial or otherwise. An actual conflict of interest depends on the situation and not on the character or actions of the individual.

D.4. For purposes of this policy, a conflict of interest exists when the university, through procedures described herein, reasonably determines that a significant financial interest could directly and significantly affect the design, conduct, or reporting of sponsored activities.

Effective interaction between universities conducting research and industry is essential to ensure the rapid application of scientific discoveries to the needs of the nation and to maintain the international competitiveness of domestic industry. Nonetheless, prudent stewardship of public funds includes protecting sponsored research from being compromised by the conflicting financial interests of any investigator responsible for the design, conduct, or reporting of sponsored activities.

F. The value of the results of sponsored research to the health and the economy of the nation must not be compromised by any financial interest that will, or may be reasonably expected to, bias the design, conduct, or reporting of the research. This policy seeks to maintain a reasonable balance between these competing interests, give the university the ability to identify and manage financial interests that may bias the research, and minimize reporting and other burdens on the investigator.
Appendix 8

G.5. The University will take all necessary steps to assure that any identified conflicts of interests will be managed, reduced, or eliminated prior to the University's expenditure of any funds under an award and certify to the funding agency that this has been done. Conflicts which cannot be satisfactorily managed, reduced, or eliminated must be disclosed to the funding agency. In some cases, it also might be appropriate to voluntarily report apparent conflicts of interest and the steps taken by SFASU to mitigate them (such as relationships between grant and University personnel).

HB. Definitions

A.1. Conflict of interest exists if the reviewer(s) of disclosures determines that a significant financial or related interest could directly and significantly affect the design, conduct, or reporting of sponsored activities.

B.2. The term investigator, as used in this policy, means the principal investigator, project director, co-principal investigator(s), and any other person who is responsible for the design, conduct, or reporting of research, educational, or service activities funded, or proposed for funding, by an external sponsor. In this context, the term investigator also includes the investigator's spouse and dependent children.

C.3. Sponsored activities include research, education, service, or training activities funded by an external sponsor.

D.4. Significant financial interest means anything of monetary value, including, but not limited to:

1.a. Salary or other payments for services (e.g., consulting fees or honoraria);

2.b. Equity interests (e.g., stocks, stock options, or other ownership interests); and

3.c. Intellectual property rights (e.g., patents, copyrights, and royalties from such rights).

The term does not include:

- Salary, royalties, or other remuneration from the University;

- Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;

- Income from service on advisory committees or review panels for public or nonprofit entities;

- An equity interest that, when aggregated for the investigator and the investigator's spouse and dependent children, meets both of the following tests: does not exceed $10,000 in value as determined through reference to
public prices or other reasonable measures of fair market value, and does not represent more than a five percent ownership interest in any single entity; and

- Salary, royalties or other payments that, when aggregated for the investigator and the investigator's spouse and dependent children over the next twelve months, are not expected to exceed $10,000.

HHC. Guidelines

A.1. Each investigator is required to disclose the following significant financial interests:

1.a. Any significant financial interest of the investigator that 

would-might

reasonably appear to be affected by the research or educational activities 

funded, or proposed for funding, by an external sponsor; or

2.b. Any significant financial interest of the investigator in an entity whose 

financial interest would-might reasonably appear to be affected by the research 

or educational activities funded, or proposed for funding, by an external 

sponsor.

2. Regardless of the above minimum requirements, faculty or staff members in their own 

best interest may choose to disclose any other financial or related interest that could 

present an actual conflict of interest or be perceived to present a conflict of interest.

B. Regardless of the above minimum requirements, a faculty or staff member in his or her own 

best interest may choose to disclose any other financial or related interest that could present an 

actual conflict of interest or be perceived to present a conflict of interest. Disclosure is a key 

factor in protecting one's reputation and career from potentially embarrassing or harmful 

allegations of misconduct.

C.3. Each investigator who has significant financial interest requiring disclosure shall 

complete a Significant Financial Interests Disclosure Form and attach all required 

supporting documentation. The completed disclosure form must be submitted with the 

proposal and Proposal Clearance Form (PCF) to the Office of Research and 

Sponsored Programs (ORSP) using normal university procedures. Supporting 

documentation that identifies the business enterprise or entity involved and the nature 

and amount of the interest should be submitted in a sealed envelope marked 

confidential and accompany the disclosure form and PCF.

D.4. As required by federal regulation, all significant financial interests must be 

disclosed prior to the time a proposal is submitted. All financial disclosures must be 

updated by investigators during the period of the award as new reportable significant 

financial interests are obtained. New reportable significant financial interests includes 

financial interests that become reportable due to an increase in value that meets the reporting 

threshold, as well as the acquisition of new interests that are reportable.
Appendix 8

F.5. The Director of Research and Sponsored Programs, or official designee, shall conduct an initial review of all financial disclosures. If the initial determination is made that there may be a potential for conflict of interest covered by this policy, then the disclosure packet shall be referred to an investigating committee. Committee members are appointed by the Provost and Vice President for Academic Affairs (VPAA) after consultation with the associate vice president for graduate studies and research Director of ORSP, with this person serving as chair. A conflict of interest exists when the investigating committee reasonably determines that a significant financial interest could directly and significantly affect the design, conduct, or reporting of the proposed sponsored activities. If a conflict of interest exists, the committee shall then determine what conditions or restrictions, if any, should be imposed by the institution to manage actual or potential conflicts of interest arising from disclosed significant financial interests.

F.6. Collaborators/subrecipients/subcontractors from other academic or not-for-profit institutions must either comply with this policy or provide a certification from their institutions that they are in compliance with federal policies regarding investigator significant financial interest disclosure and that their portion of the project is in compliance with their institutional policies. Subcontractors from commercial firms need not make a certification, except when the prime award requires a certification. The Public Health Service (PHS) requires a certification from any subcontractor, including commercial firms, stating that it is in compliance with federal policies regarding investigator significant financial interest disclosure and that its portion of the activity is in compliance with those policies.

IVC. Finding of Presence of Conflict of Interest

1. Resolution

1. Resolution of any potential or actual conflicts of interest shall not be required until after funding has been approved and prior to any expenditure of funds under the award.

2. The investigating committee, along with the investigator, shall proceed to resolve any actual or potential problems revealed by the initial review of financial disclosures. In order for the conflict to be managed, reduced, or eliminated, the committee may recommend:

1. Public disclosure of significant financial or related interests;
2. Monitoring of sponsored activities by independent reviewers;
   • Modification of the sponsored activity plan;
   •
3. Disqualification from participation in all or a portion of the activity funded that would be affected by the significant financial interests;
   •
5. Divestiture of significant financial interests; and/or
6. Severance of relationships that create actual or potential conflicts of interest.

c. If the investigating committee determines that imposing the above-referenced conditions or restrictions would either be ineffective or inequitable, and that the potential negative impacts that may arise from a significant financial interest are outweighed by interests of scientific progress, technology transfer, or the public health and welfare, the committee may recommend that, to the extent permitted by federal regulations, the sponsored activity go forward without imposing such conditions or restrictions. In these cases, the Provost and VPAA in consultation with the Director of ORSP shall make the final decision regarding resolution.

The approved resolution plan shall be documented in writing detailing the conditions or restrictions imposed upon the investigator in the conduct of the sponsored activity or in the relationship with the enterprise or entity.

d. Actual or potential conflicts of interest shall be satisfactorily managed, reduced, or eliminated in accordance with these guidelines and all required reports regarding conflicts of interest submitted to the sponsor prior to the expenditure of any funds under an award.

e. Records of investigator financial disclosures and of actions taken to manage actual or potential conflicts of interest shall be retained by the Office of Research and Sponsored Programs—ORSP until three (3) years after the later of the termination or completion of the award to which they relate, or the resolution of any government action involving those records.
Appendix 8

V.D. Enforcement

1. The provost and VP of academic affairs shall be responsible for determining and implementing sanctions on investigators who have violated this policy in terms of a conflict of interest resolution. The investigator shall be notified in writing of the recommended sanctions within twenty-one (20) calendar days. If the sanctions involve a recommendation for termination of employment, the university's academic termination procedures will be invoked. The university must take action appropriate for as warranted by the seriousness of the violation, including, but not limited to, one or more of the following, subject to existing university policies for institutional disciplinary action:

1. Termination
2. Removal from particular activity;
3. Special monitoring of future work;
4. Letter of reprimand;
5. Probation for specified period with conditions specified; and/or
   e. Termination.

B.2. The university shall follow federal regulations regarding the notification of the sponsoring agency in the event an investigator has failed to comply with this policy. The sponsor may take its own action as it deems appropriate, including the suspension of funding for the investigator until the matter is resolved.

C.3. Individuals may appeal the judgment and/or the sanction. A written statement of the grounds for the appeal must be submitted to the president of the university within thirty (30) working days of written notification of the sanctions. Grounds for appeal include, but are not limited to, previously unconsidered material evidence, sanctions not commensurate with the finding, and failure to follow the prescribed process. Upon receipt of a written appeal, the president will evaluate the evidence and make a determination. The president will open an investigation if the previously unconsidered material evidence so warrants and may open an investigation if circumstances so dictate. The president's decision will be conveyed to all involved parties in a timely fashion, but must be conveyed within thirty (30) working days. In the case of termination, the appropriate university policies on termination for cause shall be followed.

VIE. Other Policies
This policy has been developed in accordance with federal guidelines for sponsored activities. State ethics laws regarding employee conduct may also apply to situations involving potential conflicts of interest. Employees are encouraged to cross-reference the policies listed below and to alert their supervisor(s) of any situation that may be perceived as a potential conflict of interest.

**Cross Reference:** 42 CFR Part 50, Subpart F, 45 CFR Part 94, Faculty Handbook; E-15, Employee Conduct; E-56, Ethics Policy Statements

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

**Contact for Revision:** Associate Vice President for Graduate Studies and Director of Research and Sponsored Programs

**Forms:** Significant Financial Interest Disclosure Form
Delegated Purchasing Authority (C-10)

Original Implementation: Unpublished
Last Revision: July 10, 2007/July 21, 2009

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

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

The purchasing procurement department, under supervision of the director of purchasing and inventory procurement and property Services/HUB coordinator, has sole authority for the negotiation and purchase of all goods and services for the university with the exception of items listed in Policy D-20.5 Items Requiring Board of Regents Approval, and the following specific delegations that exist under proper administrative approval:

1. The director of the university libraries is authorized to purchase books, periodicals, journals, and other related materials needed to maintain university resource material collections.
2. The curator of the Stone Fort Museum is authorized to purchase general merchandise for resale in the museum gift shop.
3. The physical plant is authorized to make purchases up to $2000 with pre-assigned requisition numbers for completion by the purchasing office with the same number.
4. Employees are authorized to make procurement card purchases of items costing $2000 or less through the procurement card procedures; See Policy C-44 Procurement Card.
5. Employees without procurement cards may make purchases approved by the account manager, and request reimbursement ONLY when other purchase options are not possible or available. Taxes will not be reimbursed.
6. Employees are authorized to provide to vendors authorized PO numbers issued by the purchasing procurement office (phone PO). In most cases the requisition must be entered and approved on-line before the PO # is issued. When determined appropriate by the purchasing office, a Rush Order PO # may be issued without a requisition when determined appropriate by the procurement office. In such cases, the requisition must be entered on-line within 24 hours, and referencing the PO #.
7.5. Certain payments may be made by completing a voucher for submission to the controller's office. See Policy C-31 Purchase Voucher.

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

All official correspondence other than that delegated above; i.e., solicitations, purchase orders, change orders, cancellations, etc. shall be issued by the purchasing department. The director of purchasing & inventory procurement and property services/HUB coordinator is delegated authority to sign all titles and associated documents for the purchase, transfer or sale of vehicles, trailers, or marine equipment.

UNAUTHORIZED PURCHASES MADE OUTSIDE OF DELEGATED AUTHORITY

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

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

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

Memberships, subscriptions and other automatically recurring or renewable fees will not be considered unauthorized if the purchase order is dated later than the invoice.

Cross Reference: Policy D-20.5 Items Requiring Board of Regents Approval; Policy C-30 Purchase Requisition; Policy C-31 Purchase Voucher; Policy C-44 Procurement Card

Responsible for Implementation: Vice President for Finance and Administration

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

Forms: None
Duties and Responsibilities of Offices Reporting to the Provost and Vice President for Academic Affairs (E-13A)

Original Implementation: September 4, 1979
Last Revision: January 15, 2002 July 21, 2009

The Associate Vice President for Academic Affairs, Academic Deans, Associate Vice President for Dean of the Graduate School and Research, Registrar, Director of Admissions, Executive Director of Enrollment Management, Student Director of Financial Aid Director, Library Director, Instructional Technology Director, Information Technology Services Director, and Director of the Office of Research and Sponsored Programs (ORSP), Instructional Technology Directors and Director of the School of Honors report directly to the Provost and Vice President for Academic Affairs (VPAA). The duties and responsibilities of these officers are defined as follows:

Associate Vice President for Academic Affairs

1. The Associate Vice President for Academic Affairs (VPAA) provides leadership in the areas of academic planning, program implementation, the curriculum, and the application of new technologies to the teaching/learning process.
2. Among the responsibilities of the Associate VPAA are:
   a. Coordinate assessment activities of academic units within the University;
   b. Ensure compliance with Southern Association of Colleges and Schools (SACS) accreditation policies in the context of academic affairs;
   c. Perform other duties as assigned by the Provost and VPAA.

Academic Deans

1. Deans are responsible for fostering excellence in teaching, research/scholarly/creative activities, and service in their colleges.
2. Among the responsibilities of the Deans within the respective colleges of the Colleges are:
   a. Supervise, counsel, and evaluate department chairs, program directors, and faculty, and staff;
   b. Exercise leadership in budget preparation, establish funding priorities, monitor budget execution administration, within the college, and coordinate fund raising;
   c. Make recommendations on all personnel actions within the college;
   d. Facilitate college policy development, formulation and implementation;
   e. Facilitate-coordinate program-the development, operation, and evaluation assessment of programs;
   f. Interpret policy and adjudicate appeals and exceptions;
g. oversee degree plan preparation and qualification for graduation, and monitor student progress;

h. advise the Provost and VPAA/Vice President for Academic Affairs on matters affecting the instructional and research programs of the University;

i. discharge perform other duties as assigned by the Provost and VPAA/Vice President for Academic Affairs.

**Associate Vice President for Dean of Graduate Studies and Research**

1. The Dean of Associate Vice President for Graduate Studies and Research is responsible for the supervision of the University's graduate education concerns programs and for the oversite and management of the Office of Research and Sponsored Programs.

2. Among the responsibilities of the Associate Vice President—Dean of Graduate Studies are relating to graduate education are:
   a. recommend approval of graduate courses, programs, and degrees;
   b. serve as a resource person in budget, space, and personnel decisions affecting graduate education;
   c. recommend approval of faculty eligibility for teaching the instruction of graduate courses;
   d. establish and maintain standards and procedures by which graduate students are admitted, enrolled, supervised, retained, and awarded advanced degrees;
   e. assign and/or approve graduate committees, and accept final thesis, exhibition, or dissertation documents;
   f. chair the University Graduate Council which shall be advisory to the Associate Vice President;
   g. recommend funding for graduate assistantships, recommend oversee allocation of graduate assistantships to the colleges, monitor budget execution dispensation of graduate assistantship funds, and monitor graduate assistant appointments;
   h. prepare and administer the budget for the Office of Graduate Studies;
   i. interpret Graduate School program policy and adjudicate various appeals and exceptions;
   j. oversee the Masters in Interdisciplinary Studies degree;
   j:k. perform other duties as assigned by the Provost and VPAA;

3. Among the responsibilities of the Associate Vice President relating to research are:
   a. supervise, counsel, and evaluate the Director of the Office of Research and Sponsored Programs;
   b. provide leadership and direction in the development, evaluation, and institutional-level management of the Office of Research and Sponsored Programs;
   c. review and provide signature approval of all proposals for external funding routed through the Office of Research and Sponsored Programs;
   d. chair the University Research Council which is advisory to the Associate Vice President;
   e. coordinate the development of policies relating to the research enhancement program and federal and state regulations regarding the conduct of research and sponsored projects;
Appendix 8

f. prepare and administer the budget for the Office of Research and Sponsored Programs;

g. make recommendations on all personnel actions within the Office of Research and Sponsored Programs.

Registrar

1. The Registrar is responsible for the operation and development of the Office of the Registrar as a support service to the academic function of the University.

2. Among the duties and responsibilities of the Registrar are:

   a. prepare all registration materials, maintain software tables, oversee registration;
   b. prepare schedule of classes, interim rosters and Official Reporting Date Class Rosters, and grade sheets. At the conclusion of the semester, prepare and distribution post-semester reports to interested offices;
   c. initiate a student’s final graduation plan, prepare deficiency lists, tabulate honor rolls and rank in class;
   d. coordinate commencement procedures;
   e. maintain students’ academic records on a permanent basis;
   f. prepare and administer the budget for the office of the Registrar;
   g. make recommendations on all personnel actions within the office of the Registrar;
   h. prepare and maintain the official course inventory for the University as required by the Texas Higher Education Coordinating Board
   i. prepare and maintain the official degree audit program for the entire University as approved by the Texas Higher Education Coordinating Board
   j. select the highest-ranking graduating senior according to university policy
   k. prepare enrollment certification letters and reports upon request.

Director of Admissions

1. The Director of Admissions is responsible for the development and operation of Admissions as a support service to the academic function of the University.

2. Among the duties and responsibilities of the Director of Admissions are:

   a. recommend standards and develop procedures for the admission of undergraduate students;
   b. supervise the recruitment and admission of undergraduate students;
   c. articulate programs and courses with community colleges and other colleges and universities;
   d. compile and gather data for the Office of Institutional Research regarding new students enrollment for Coordinating Board reports;
   e. supervise the development of promotional material used for recruiting purposes;
   f. prepare and administer the budget for Admissions;
   g. make recommendations on all personnel actions within Admissions.

Executive Director for Enrollment Management
1. The Executive Director of Enrollment Management is responsible for direct oversight of the Office of Admissions and indirect oversight of the Academic Advising Center, SFA 101 program, and the Registrar’s Office.

2. Among the responsibilities of the Director are:
   a. provide leadership to the directors of the Academic Advising Center, SFA 101 program, and Registrar’s Office;
   b. serve as the Chief Admission Officer;
   c. prepare and administer the budget for the Office of Admissions and assist with budget preparations for the Academic Advising Center, SFA 101, and the Registrar’s Office;
   d. supervise the development of promotional material used for recruiting purposes;
   e. oversee the collection of data regarding student enrollment;
   f. articulate programs and courses with schools, colleges, and universities;
   g. supervise the recruitment and admission of undergraduate students;
   h. assist with university-wide retention efforts;
   i. make recommendations for all personnel actions within the Enrollment Management area;
   j. perform other duties as assigned by the Provost and VPAA.

Honors Director

The Director of the School of honors is responsible for supervision of the University’s School of Honors.

Among the duties of the Director of the School of Honors are:

supervise and evaluate all staff of the School of Honors;

exercise leadership for the School of Honors, its staff, and its students;

plan a schedule of Honors courses for the fall and spring semesters;

chair the University Honors Council;

review and approve Honors contracts;

supervise and award scholarships as directed by the Provost and the VPAA;

administer the budget for the School of Honors;

make policy recommendations on all personnel actions within the School of Honors;

perform other duties as assigned by the Provost and VPAA.

Library Director

7.1. The Library Director is responsible for the development and operation of various educational resource and information technology functions in addition to traditional library services.

8.2. Among the duties and responsibilities of the Library Director are:
Appendix 8

a. plan, organize, and direct library collection development as well as technical and information service programs;
b. prepare and oversee the administration of the budget for library operations;
c. oversee student tutoring services provided through the Academic Assistance and Resource Center;
d. provide generalized campus-wide technical student computing support through the Library Information Network Center;
e. plan and direct the University records management program and the University archives imaging services;
f. promote development of a coherent and effective campus library web portal through campus webmastering and Web Development Office services to facilitate access to information resources;
g. facilitate library policy development, formulation, and implementation;
h. seek grant opportunities to secure funding for library initiatives;
i. perform other duties as assigned by the Provost and VPAA.

Director of the Office of Instructional Technology Director (OIT)

1. The Director of Instructional Technology is responsible for coordinating, advising, and assisting academic units in integrating instructional technologies, including distance learning, into teaching, learning, research, and outreach.
2. Among the responsibilities of Instructional Technology the Director are:
a. serve as leader in recommending and evaluating instructional technology priorities and policies for the University;
b. collaborate with academic units to incorporate instructional technology into teaching/learning processes;
c. serve as an academic liaison in all University-wide computing and telecommunications and networking initiatives;
d. conduct strategic planning, needs assessments, and budget projection analysis for assessing instructional technology program development alternatives;
e. administer programs of technology training and instruction activities for faculty including training for distance learning delivery;
f. coordinate faculty and student services supportive of extended and distance learning curricula;
g. advise deans on integrity of external distance learning programs;
h. develop and promote internal and external partnerships, including collaborative instruction and the marketing of training and instruction to business, and industry, and the public sector;
i. seek prepare grant proposals to secure extramural funding in support of instructional technology program initiatives;
j. assist academic units in ongoing the assessment of instructional technology effectiveness;
k. prepare and administer the budget for the Office of Instructional Technology (OIT);
l. perform other duties as assigned by the Provost and VPAA.
Appendix 8

**Director of Information Technology Services (ITS)**

1. The Director of Information Technology Services is responsible for oversight of the University's Enterprise Resource Process system, local and wide area networks, telecommunications, computer support, and help desk operations.

2. Among the responsibilities of the Director are:
   a. provide leadership to the office of ITS;
   b. provide leadership to the Project Director in the Projects Office;
   c. communicate and implement the requirements of the Texas Department of Information Resources;
   d. prepare and administer the budget for ITS;
   e. create and implement a strategic plan for ITS;
   f. perform risk assessment and disaster recovery planning for ITS;
   g. perform other duties as assigned by the Provost and VPAA.

**Director of the Office of Research and Sponsored Programs (ORSP)**

1. The Director is responsible for the development and operation of ORSP.

2. Among the responsibilities of the Director are:

   a. plan, organize, and direct ORSP;
   b. conduct strategic planning of ORSP activities;
   c. review and provide signature approval of all proposals for external funding routed through the ORSP;
   d. chair the University Research Council;
   e. coordinate the development of policies relating to research and sponsored programs;
   f. prepare state and federal reports on research and sponsored program expenditures;
   g. provide oversight and guidance in the development of extramural grant applications and contractual agreements;
   h. coordinate the management of grant accounting activities with the Controller's Office;
   i. implement procedures for monitoring compliance with state and federal regulations and standards;
   j. prepare and administer the budgets for research enhancement, research development, and ORSP;
   k. make recommendations on all personnel actions within ORSP;
   l. perform other duties as assigned by the Provost and VPAA.

**Director of the Office of International Programs**

P-42
1. The Director of International Programs is responsible for supervising, coordinating, planning, and organizing the Office of International Programs (OIP).

2. Among the responsibilities of the Director are:
   a. supervise and monitor all staff of OIP, American English Language Institute, and Study Abroad Office;
   b. supervise all financial activity of OIP and related offices;
   c. coordinate issues and needs relevant to international students;
   d. market and manage international student recruitment;
   e. research, compile, review, and evaluate OIP activities;
   f. prepare periodic reports on operations of related activities of OIP;
   g. assist international students in applying to the University;
   h. assist in the development and implementation of international articulation agreements;
   i. design and conduct orientation workshops for international students and faculty members leading study abroad programs;
   j. facilitate the development and implementation of study abroad programs;
   k. perform other duties as assigned by the Provost and VPAA.

Director of the Financial Aid Office

1. The Director of Financial Aid is responsible for overseeing the operation of the Financial Aid Office.

2. Among the responsibilities of the Director are:
   a. manage and maintain efficient and effective administration and delivery of federal, state, and University financial aid programs;
   b. manage the preparation of reports submitted to federal, state, University, and external agencies;
   c. supervise personnel in the Financial Aid Office;
   d. develop and implement financial aid operating budgets;
   e. coordinate financial assistance with other student financial resources on campus;
   f. interface with federal and state agencies on matters of financial aid;
   g. implement procedures for monitoring compliance with financial aid standards;
   h. assist with University-wide retention efforts;
   i. counsel students and parents on financial aid;
   j. perform other duties as assigned by the Provost and VPAA.

Director of the School of Honors

1. The Director of the School of Honors is responsible for supervision of the University's School of Honors.

2. Among the duties of the Director are:
   a. exercise leadership for the School of Honors, its staff, and its students;
Appendix 8

b. supervise and assess the staff and programs of the School of Honors;
c. coordinate course schedules for the offering of Honors courses;
d. chair the University Honors Council;
e. review and approve Honors contracts;
f. supervise and award Honors scholarships;
g. administer the budget for the School of Honors;
h. perform other duties as assigned by the Provost and VPAA.

Source of Authority: 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
Energy Conservation (B-6)

Original Implementation: December 4, 1987
Last Revision: July 13, 2006/July 21, 2009

The University supports, and is committed to, the statewide energy conservation effort of the Texas Governor's Office, The General Appropriations Act, 79th Legislature and Section 447.004 Government Code Section 447.004.

The University has and will continue to maintain the most efficient operation of all utilities and equipment by the operation of: an automated energy management system replacement of HVAC/Electrical equipment in a timely and cost efficient manner, and a review of building operation, usage, and schedules.

It is the intent of the University to serve its academic and auxiliary needs with cooling and heating requirements based on approved operational schedules. The automation system is programmed to meet needs and any significant requirements not included in normal operations must be approved by Director of Physical Plant prior to changes being made.

Start and stop schedules are entered by Physical Plant personnel after approval by the Director of Physical Plant. Physical Plant should be given notice at least eight (8) work hours prior to event. If notice is given after normal work hours, the user may be charged overtime.

All local utility power shortage problems will be handled by the Physical Plant Department, the local energy supplier and the Vice President for Finance and Administration. The requirements so determined will be routed thru the appropriate organizational channels.

Users of University facilities that require an additional cost due to utility usage, will be charged a fee to cover the cost of the additional utility expense. The amount of the fee will be determined by the Physical Plant Department and approved by the Vice President for Finance and Administration.

Source of Authority: General Appropriations Act, President, Vice President for Finance and Administration

Cross Reference: None

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Physical Plant
**Forms:** None
Appendix 8

External Bank Accounts (C-54)

Original Implementation: July 13, 2006

Last Revision: July 13, 2006 July 21, 2009

No individual, department, program, or organization, including duly recognized student organizations, may open or be authorized to open any checking, savings, or investment accounts using the name of Stephen F. Austin State University (SFA) or its taxpayer identification number with any financial institution, including but not limited to banks, credit unions, savings and loans, or investment clubs, without the prior, written approval of the Controller.

Any external bank account approved by the Controller under this policy may not use Stephen F. Austin State University or any abbreviations for SFA in the name on the external bank account or on the check stock. University funds, including monies receipted from the university by student organizations through the student service fee allocation, may not be deposited in an external bank account.

The owner of any external bank account approved under this policy must provide a copy of the current bank signature card to the Controller. Additionally, the owner of any external bank account for a student organization shall adhere to the cash-handling procedures for student groups. These procedures are at: http://www.sfasu.edu/studentactivities/cash_handling.asp. University funds, including monies receipted from the university by student organizations through the student service fee allocation, may not be deposited in an external bank account.

Gifts made to the university must be deposited into the university's accounts maintained through the Controller's Office in accordance with the University Gift Reporting Policy (C-15), regardless if the money was initially solicited by the external organization.

In accordance with the Student Organization Formation and Recognition Policy (F-14), no employees of SFA should not—may be authorized to sign on any external student organization external bank account.

External bank accounts approved by the Controller for student organizations may be subject to audit.
Source of Authority: Vice President for Finance and Administration

Cross Reference: University Gift Reporting Policy (C-15), Student Organization Formation and Recognition Policy (F-14)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Vice President for Finance and Administration, Controller

Forms: None
File Maintenance for Faculty Personnel Files (A-60)

Original Implementation: October 31, 2000
Last Revision: July 10, 2007, July 21, 2009

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

Filed in Office of the Provost and Vice President for Academic Affairs (VPAA):

All full-time academic ranks, 9 month, 100% time, tenure and full-time non-tenure track, including Clinical Instructors.

1. Personnel Action Request form (green copy)
2. Recommendation for Appointment form
3. Signed contract issued by VPAA office
4. Curriculum vitae
5. Official transcripts from all degree granting institutions attended
6. Three letters of reference
7. Faculty Certification of Credentials (where necessary)

Filed in Office of College Dean:

Adjunct, designated- 4.5 to 9 months, non-tenure track

3.1. Personnel Action Request form (green blue copy)
2.2. Recommendation for Appointment form
3. Signed contract issued by dean’s office
4.3. Curriculum vitae
5.4. Official transcripts from all degree granting institutions attended
6.5. Three letters of reference

Graduate Teaching Assistant (when teacher of record)

1. Personnel Action Request form (green copy)
2. Curriculum vitae
3. Official transcripts from all degree granting institutions attended
4. Three letters of reference

Filed in Graduate Office:

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

1. Personnel Action Request form (green copy)

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

Cross Reference: Policy Manual, Faculty Handbook

Responsible for Implementation: Provost and Vice President for Academic Affairs

Contact for Revision: Provost and Vice President for Academic Affairs

Forms: None
Flag Display (D-15)

Original Implementation: Unpublished
Last Revision: July 13, 2006 July 21, 2009

The University Police Department will be responsible for ensuring that the United States and Texas flags are flying each day at the campus entrance on North Street. They will also ensure that the flags are appropriately lighted while flying at night. University Police will be responsible for replacing the flags when worn and for lowering the flags to half-mast when it is determined to fly them in such a manner.

Flags will be raised and lowered for football games on two flagpoles at the south end of the stadium by Athletics staff.

Flags will be raised and lowered for basketball games and other special events at the coliseum on the four flagpoles by Athletics staff.

Determination to lower flags to half-mast will be made by the Chief of University Police in conjunction with the university administration.

Source of Authority: Vice President for University Affairs

Cross Reference: None

 Responsible for Implementation: Vice President for University Affairs

Contact for Revision: Chief of University Police

Forms: None
Fleet Management (B-33)

Original Implementation: January 30, 2001
Last Revision: July 13, 2006 July 21, 2009

Stephen F. Austin State University (SFASU) has adopted the Fleet Management Plan mandated by House Bill 3125 of the 76th Texas Legislature. The fleet of vehicles owned and operated by SFASU shall follow guidelines set forth by government and private sector fleet "best practices" intended to increase State use and efficiency, reduce maintenance, and reduce operating costs.

SFASU Manager of Transportation shall serve as fleet manager and reporting official and shall be responsible for observation and implementation of agency fleet management policies and procedures. Responsibilities of the fleet manager include, but are not limited to, vehicle purchasing, replacement, and disposal, vehicle maintenance and repair, and vehicle assignment and use.

The Grounds and Transportation Automobile department shall serve as the SFASU motor pool and shall have responsibility for maintenance, repairs, records, and alternative fuel location for all campus vehicles. The fleet manager shall assign and meet with campus area coordinators to administer departmental vehicles and comply with reporting requirements of the State’s Office of Vehicles and Fleet Maintenance (OVFM).

The fleet manager shall develop vehicle-replacement criteria and shall notify a department when one of its vehicles meets the replacement criteria. Requests for vehicle replacements are the responsibility of each department and shall be considered during the annual budget process begun on a date following the date of notice.

Mandatory fueling requirements for SFASU vehicles include use of State retail fuel contracts, self-service or central fueling facilities, use of regular unleaded gasoline, and use of alternative fuels (where appropriate).

The number of vehicles in the SFASU fleet is capped at levels in effect October 1, 2000. Replacements are subject to departmental vehicle-replacement schedule. Exceptions will be considered for legislatively mandated program changes, federal program initiatives, or documented needs resulting from program growth or changes. SFASU President’s approval is required, for exceptions.

Fleet operations are subject to minimum use criteria, vehicle-operator training and driver certification requirements, vehicle-disposal procedures, preventive maintenance and warranty tracking, safety and accident reporting procedures, and standardized safety-inspection and registration renewals.
Operators of University-owned vehicles are required by The Texas Government Code and University Policy to report daily use of the vehicles. Reports are to be done daily using a State of Texas Vehicle Use Report form. The monthly report must be completely filled out, signed and sent to the Manager of Transportation by the 5th calendar day of the following month. The Manager of Transportation will report mileage to the State as required.

Source of Authority: Vice President for Finance and Administration

Cross Reference: State Office of Vehicle and Fleet Management Regulations; and House Bill 3125, 76th Texas Legislature; Tex. Gov't Code § 2171.101 et seq.; University Vehicles (Rental & 15 Passenger Vans) B-30

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director Of Physical Plant

Forms: None
Institutional Reserves Fund (C-55)

Original Implementation: July 13, 2006

Last Revision: None July 21, 2009

Definition and Purpose

An appropriate institutional reserves fund helps maintain financial strength, provides the foundation for debt management and issuance, protects against external volatility, and allows flexibility in planning for the needs of the University.

The institutional reserves fund balance refers to resources that are not allocated to any specific unit of the University, but are held centrally within the University's financial system. Additions to the institutional reserves fund balance include revenues that exceed expenditures. Deductions include the use of reserves to fund operating budgets, construction projects and unanticipated institutional requirements.

The purpose of an institutional reserves fund is to provide contingent support for potential significant financial occurrences, including:

- unanticipated or uninsured catastrophic events;
- temporary institutional revenue shortfalls or expenditure gaps;
- unforeseen legal obligations and costs;
- failures in central infrastructure; or
- failures of major business systems.

Institutional Reserves Fund Budgeting

The SFA Board of Regents through the Vice President of Finance and Administration shall set aside revenue to fund the reserves as an annual budget practice during periods of revenue growth and stability. During periods that revenue support is needed, the Board may choose to augment revenue by utilizing institutional reserves. Reasons that the Board would use reserves to support an annual operating budget include, but are not limited to:

- expenses that are fixed term in nature (usually 3 years or less);
transfers to other centrally allocated funds to support expenditures that should be funded from sources other than tuition or state appropriations;

- a general contingency for unplanned or unexpected financial needs that may arise during the fiscal year; and

- strategic analysis of reserves when the balance is significantly above the target.

### Institutional Reserves Fund Size

The target amount of reserves that an institution should maintain is determined using a calculation called the primary reserve ratio. The ratio is calculated by dividing expendable net assets by total expenses, net of depreciation and amortization. The higher education industry benchmark for the primary reserve ratio is .40. Consequently, this means that an institution's reserves fund goal should total be 40% of its annual operating budget, thus providing approximately five months of operational capacity.

A primary reserve ratio below .10 to .15 indicates that the institution's expendable net asset balances are critically low, since resources cover only one to two months of expenses. The low ratio also indicates the institution struggles to have sufficient resources for reinvestment. In addition, an institution with a low primary reserve ratio generally lacks sufficient resources for strategic initiatives and may have less operating flexibility. Consequently, when the primary reserve ratio calculation is .20 or less, the institution will take immediate steps to restore reserves, implement a reserves restoration commitment, and:

At the end of each fiscal year, the primary reserve ratio calculation will be used to measure the distance from the reserves target. The amount of the institutional reserves fund and the reserves gap will be reported to the Board of Regents when year end information is available.

Under normal circumstances, the institutional reserves fund should at a minimum, total 40% of the annual operating budget. In the event reserves are utilized, a restoration plan should include an appropriate three year target payback period.

**Source of Authority:** Board of Regents

**Cross Reference:** None

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

**Contact for Revision:** Vice President for Finance and Administration

**Forms:** None
Lease, Rental or Use of Off-Campus Facilities (B-35)

Original Implementation: July 15, 2003
Last Revision: July 13, 2006/July 21, 2009

The administration of Stephen F. Austin State University recognizes the significance of diligence in its efforts to ensure the safety of employees and students when utilizing off-campus facilities for university-sponsored events. This policy governs the use of private, off-campus facilities for short-term university-sponsored events such as off-campus leadership seminars, conferences or retreats involving students, faculty or staff, and other similar events. The policy additionally governs the use of private, off-campus facilities for long-term leased facilities utilized by campus departments and offices.

Private facilities providers are required to contractually address fire safety requirements, meet the prevailing local fire code, and have been inspected for fire safety. Off-campus facilities utilized for long-term leases must additionally meet ADA accessibility requirements and be inspected by Physical Plant prior to leasing the facilities. Contracts with private facilities providers should be secured for each university-sponsored event and long-term facilities lease, and each private facilities provider will be required to sign an Off-Campus Facilities Contract Addendum to attach to the contract. The Office of the General Counsel shall review each contract for approval prior to forwarding it to the President for signature. Copies of long-term leases shall be provided to and maintained by the Physical Plant. The originating department/office shall notify purchasing of the address of the leased facilities and any property that will be transferred to the leased facilities. A copy of each facility contract and addendum shall be maintained by the originating department/office for a period of two years after the termination of the contract.

Pyrotechnics are not allowed on University-leased premises, unless specifically approved in writing by the President.

Procedures for Off-Campus Facilities Use (University Sponsored Event):

1. Department/office sponsoring the off-campus event shall secure a contract with the private facility provider for the event. An Off-Campus Facilities Contract Addendum shall be signed by the private facility provider and attached to the contract.

2. The private facility provider contract, together with the required Off-Campus Facilities Contract Addendum shall be forwarded to the Office of the General Counsel for approval. Upon signature by the President, the original contract and attached addendum will be returned to the originating department/office for retention.

3. An original, fully signed contract and addendum shall be maintained by the department/office sponsoring the off-campus event for a period of two years after the date of the event.

Procedures for Off-Campus Facilities Use (Long-term Lease):
1. Department/office leasing the off-campus facility shall secure a contract/lease agreement with the private facility provider. An Off-Campus Facilities Contract Addendum shall be signed by the private facility provider and attached to the contract/lease agreement.

2. Before processing a contract/lease agreement, the department/office leasing the off-campus facility shall contact the Director of Physical Plant and request an inspection of the facility. Results of the inspection shall be provided to the Office of the General Counsel.

3. The private facility provider contract, together with the required Off-Campus Facilities Contract Addendum, shall be forwarded to the Office of the General Counsel for approval. Upon signature by the President, the original contract and attached addendum will be returned to the originating department/office for retention.

4. An original, fully signed contract and addendum shall be maintained by the department/office leasing the off-campus facility for a period of two years after the termination date of the lease.

5. Department/office shall notify Purchasing of the location of the leased facility for notification of University insurance carriers, as applicable. Purchasing should also be notified of any property that will be transferred to the leased facility and any applicable procedures followed.

6. Items containing potentially sensitive, private or confidential information are not to be stored in any leased premises unless specifically authorized in writing by the President. These items include but are not limited to computers, electronic or digital storage devices, and paper documents. Certain off-campus facilities may lack the security necessary to protect such sensitive information.

Source of Authority: President

Cross Reference: None

Responsible for Implementation: President

Contact for Revision: General Counsel

Forms: Off-Campus Facilities Contract Addendum
Memberships (C-17)

Original Implementation: September 1, 1982  
Last Revision: July 15, 2008; July 21, 2009

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.

Memberships must be processed electronically through the university’s online financial systems as an electronic “Purchase Requisition”.

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.

Memberships for the university library are exempt from this policy, unless using the Institutional Membership account.

Cross Reference: Texas Government Code, Section 2113.104  

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Procurement and Property Services/HUB Coordinator

Forms: None
Policy Statement Relating to Misconduct in Research

A. Stephen F. Austin State University strives to create a climate that promotes faithful adherence to high ethical standards in the conduct of scientific research, scholarship, and creative activities without inhibiting the productivity and creativity of the academic community. Misconduct in research/scholarly activity is an offense that damages the reputation not only of those involved but also of the entire educational community.

B. Misconduct in research means fabrication, falsification, plagiarism, or other practices that materially deviate from those that are commonly accepted within the scientific and scholarly community for proposing, conducting, or reporting research or other scholarly activity. It does not include honest errors or honest differences in interpretations or judgments.

C. Misconduct in research/scholarly activity is a major breach of the relationship between a faculty or staff member and the institution. In order to maintain the integrity of research projects, every investigator should keep an auditable record of experimental protocols, data, and findings. Co-authors on research reports or scholarly works of any type must have a bona fide role in the research and must accept responsibility for the quality of the work reported.

D. Any inquiry or investigation of allegations of misconduct in research/scholarly activity must proceed promptly and with due regard for the reputation and rights of all individuals involved.

E. The University will take all reasonable steps to assure that the persons involved in the evaluation of the allegations and evidence have appropriate expertise and that no person involved in the procedures is either biased against the accused person(s) or has a conflict of interest.

II. Procedures for Addressing Misconduct in Research/Scholarly Activity

A. Initial allegations, in writing, must be reported to the Vice President for Academic Affairs. If the Vice President for Academic Affairs has a possible conflict of interest, the allegations will be referred to the President of the University.

The Vice President for Academic Affairs shall informally review any allegations of
Appendix 8

misconduct in research and scholarship and determine whether the allegation warrants initiation of the inquiry process according to the policies and procedures for misconduct in research and scholarship, or whether other policies and procedures, such as those relevant to employment grievances should be invoked. The Vice President for Academic Affairs will counsel the individual(s) bringing the allegation as to the policies and procedures to be used. If the reporting individual chooses not to make a formal allegation but the Vice President for Academic Affairs believes that reasonable cause exists to warrant an inquiry, the inquiry process shall be initiated.

Even if the individual against whom the allegation is made (hereafter referred to as the respondent) leaves or has left the University before the case is resolved, the University may pursue an allegation of misconduct to its conclusion.

Once an allegation is made, the identity of the respondent will be held in strict confidence to the extent allowed by law to protect the individual involved.

Where the complainant seeks anonymity, the Vice President for Academic Affairs shall operate in such a way as to maintain the anonymity to the degree compatible with accomplishing the initial review. Such anonymity cannot, however, be assured. Further, anonymity of the complainant is neither desirable nor appropriate where the testimony or witness of the complainant is important to the substantiation of the allegations.

B Inquiry

1. Purpose

Whenever a warranted allegation or complaint involving the possibility of misconduct is made, the Vice President for Academic Affairs shall initiate an inquiry. In the inquiry stage, factual information is gathered and expeditiously reviewed to determine if an investigation of the charge is warranted. An inquiry is designed to separate allegations deserving of further investigation from frivolous, unjustified, or clearly mistaken allegations.

2. Structure

a. The Vice President for Academic Affairs shall, after a decision to proceed with an inquiry, appoint an individual to conduct an official inquiry. This individual will have no conflict of interest, hold no appointment in the departments of either the complainant or the respondent, and have appropriate expertise for evaluating the information relevant to the case. Every effort will be made following initial administrative review of the allegation to appoint an individual within fifteen (15) working days, but the individual must be appointed within thirty (30) working days.

b. Records of the inquiry are confidential to the extent allowed by law and are to be passed on to a Committee of Investigation if formal review is initiated. In
any case, the records shall be kept secure, and if no misconduct is found, the records should be destroyed in accordance with Texas law. At the option of the individual conducting the inquiry, proceedings either will be tape recorded or transcribed and the records will be made available to appropriate and involved parties upon request.

c. The inquiry phase will be completed within sixty (60) calendar days of its initiation unless the individual determines that circumstances clearly warrant a longer period. In such circumstances, the individual will advise the Vice President for Academic Affairs who will advise all relevant parties. The record of the inquiry will include documentation of the reason for exceeding the sixty (60) day period.

d. All principals in the inquiry may be accompanied by a representative for advice and counsel. However, since the inquiry is informal and intended to be expeditious, principals must speak for themselves.

3. Process

a. The Vice President for Academic Affairs is responsible for notifying all parties in writing of the allegations and of the procedures that will be used to examine the allegations. Further, they will be informed of the individual proposed to conduct the inquiry for the purpose of identifying in advance any actual or potential conflict of interest.

b. Information, expert opinions, records, and other pertinent data may be requested by the individual conducting the inquiry. All involved parties are obliged to cooperate with this individual by supplying such requested documents and information.

c. During the inquiry, access to copies of all documents reviewed by the individual conducting the inquiry will be assured to all appropriate parties. All materials will be considered confidential to the extent allowed by law and shared only with those with a need to know. During the inquiry, the Vice President for Academic Affairs and the individual conducting the inquiry are responsible for security of relevant documents. Copies of all documents and related communications are to be securely maintained in the Office of Research and Sponsored Programs.

d. All parties to the case, including the individual conducting the inquiry, shall have the opportunity to present evidence and to call witnesses.

4. Findings

a. The completion of an inquiry is marked by a determination of whether or not an investigation is warranted. The individual conducting the inquiry shall find no misconduct unless it is concluded, based on the preponderance of evidence for each allegation, that the allegation(s) have sufficient merit to call for an investigation. The outcome of the inquiry will be conveyed in writing to the Vice President for Academic Affairs, who will be responsible
for communication of the findings to the respondent within ten working days. The respondent shall be given the opportunity to comment in writing upon the findings and recommendations of the inquiry. If the respondent chooses to comment, such comments must be forwarded as soon as possible within ten (10) working days.

b. If the outcome of the inquiry indicates a need for formal investigation, the Vice President for Academic Affairs shall, after notification to the appropriate Dean(s) and legal counsel, initiate the investigative process. Under certain circumstances, as defined by the applicable federal regulations, the institution may be expected to notify the sponsoring agency or funding source prior to the initiation of an investigation. Factors used to determine the timing of such notification include the following: (1) There is an immediate health hazard involved; (2) There is an immediate need to protect federal funds or equipment; (3) There is an immediate need to protect the interests of the person(s) making the allegations or of the individual(s) who is(are) the subject(s) of the allegations as well as his/her(their) co-investigators and associates, if any; (4) It is probable that the alleged incident is going to be reported publicly; or (5) There is a reasonable indication of possible criminal violation.

c. If an allegation is found to be unsupported but has been submitted in good faith, no further action, other than informing all parties, will be taken. The proceedings of an inquiry, including the identity of the respondent, will be held in strict confidence to the extent allowed by law to protect the parties involved. If confidentiality is breached, the University will take reasonable steps to minimize the damage to reputations that may result from inaccurate reports.

d. If the individual conducting the inquiry finds the allegations to be unjust and malicious, those findings will be reported to the Vice President for Academic Affairs. At this time the Vice President for Academic Affairs may take such actions or impose such sanctions as are appropriate to the situation.

C. Investigation and Determination

1. Purpose

An investigation will be initiated when an inquiry results in a finding that investigation is warranted. The purpose of investigation is to explore the allegations further and determine whether misconduct in research and scholarship has been committed. The investigation will focus on accusations of misconduct as defined previously and examine the factual materials of each case. In the course of an investigation, additional information may emerge that justifies broadening the scope of the investigation beyond the initial allegations. The respondent will be informed in writing when significant new directions of investigation are undertaken.
2. Structure
   a. The Vice President for Academic Affairs will, after a decision to proceed with an investigation, and after consultation with the chair of the University Research Council, appoint an Investigating Committee of no less than three persons. At least two members will be senior faculty who are without conflict of interest, hold no appointment in the departments of either the complainant or the respondent, and have appropriate expertise for evaluating the information relevant to the case. The individual who conducted the inquiry shall not serve on the Investigating Committee. Following receipt of the inquiry report, every effort will be made to appoint an Investigating Committee within fifteen (15) working days, but the Committee must be appointed within thirty (30) working days.
   b. At its first meeting, the Committee will elect a chairperson to handle procedural and administrative matters.
   c. Hearings are confidential. Written notification of hearing dates and copies of all relevant documents will be provided by the Vice President for Academic Affairs in advance of scheduled meetings. Proceedings will be tape recorded, but not the Committee's deliberations, and the records will be made available to involved parties upon request.
   d. Every effort should be made to complete the investigation within 120 days; however, it is acknowledged that in some cases this time period may be difficult to meet. In such cases, the Investigating Committee shall compile a progress report, identify reasons for the delay, and notify the Vice President for Academic Affairs of the additional time necessary for the investigation. The Vice President for Academic Affairs shall convey to the funding agency such information as may be required by it at intervals as required by the agency.
   e. Both the principals and the Investigating Committee may discuss the issues personally or have a representative accompany them.

3. Process
   a. The Vice President for Academic Affairs is responsible for notifying all parties in writing of the allegations and of the procedures that will be used to examine the allegations. Further, they will be informed of the proposed membership of the Committee of Investigation for the purpose of identifying in advance any actual or potential conflict of interest.
   b. All parties to the case, including the Investigating Committee, may present evidence and call and examine or cross-examine witnesses. The investigation normally will include examination of all documentation, including, but not necessarily limited to, relevant research data and proposals, publications, correspondence, and memoranda of telephone calls. The Committee will make every attempt to interview all individuals involved in making the
allegation or against whom the allegation is made, as well as other individuals who might have information regarding key aspects of the allegations; complete summaries of these interviews will be provided to the interviewed party for comment or revision and included as part of the investigatory file. Additional hearings may be held, and the Committee may request the involvement of outside experts. The investigation must be sufficiently thorough to permit the Committee to reach a decision about the validity of the allegation(s) and the scope of the wrongdoing or to be sure that further investigation is not likely to alter an inconclusive result. In addition to making a judgment on the veracity of the charges, the Committee may recommend to the Vice President for Academic Affairs appropriate sanctions if warranted.

c. As the University is responsible for protecting the health and safety of research subjects, students, and staff, interim administrative action prior to conclusion of either the inquiry or the investigation may be indicated. Such action, ranging from slight restriction to complete suspension of respondent and notification of external sponsors, if indicated, is initiated by the Vice President for Academic Affairs.

d. All parties in the investigation are encouraged to cooperate by producing any additional data requested for the investigation. Copies of all materials secured by the Committee shall be provided to the respondent and may be provided to other concerned parties as judged appropriate by the Committee.

e. The respondent shall have an opportunity to address the charges and evidence in detail.

f. After all evidence has been received and hearings completed, the Investigating Committee shall meet in closed sessions to deliberate and prepare its findings and recommendations. The Committee shall find no academic misconduct unless a majority of the members conclude that the preponderance of the credible evidence substantiates the allegation(s).

g. All significant developments during the investigation as well as the findings and recommendations of the Committee will be reported by the Vice President for Academic Affairs to the research sponsor if appropriate.

4. Findings

a. Upon completion of the investigation, the Committee will submit to the Vice President for Academic Affairs a full written report that details the Committee's findings and recommendations. The Committee's findings are binding upon the Institution subject to appeal by the respondent.

b. This report shall also be sent to the respondent by the Vice President for Academic Affairs within ten (10) days of its receipt.

5. Resolution
a. Finding of Absence of Academic Misconduct

All research sponsors and others initially informed of the investigation will be informed in writing that allegations of misconduct were not supported. If the allegations are deemed to have been maliciously motivated, the Committee will report those findings to the Vice President for Academic Affairs. If the allegations, however incorrect, are deemed to have been made in good faith, no additional measures are indicated and efforts will be made to prevent retaliatory actions. In publicizing the finding of no misconduct, the University will be guided by whether public announcements will be harmful or beneficial in restoring any reputation(s) that may have been damaged. Usually, such decision will rest with the person who was innocently accused.

b. Finding of Presence of Academic Misconduct

The Vice President for Academic Affairs shall consider the recommendations of the Committee and shall be responsible for determining and implementing sanctions. The respondent shall be notified in writing of the recommended sanctions within twenty (20) days. If the sanctions involve a recommendation for termination of employment, the University academic termination procedures will be invoked. The University must take action appropriate for the seriousness of the misconduct, including, but not limited to, one or more of the following, subject to existing University policies:

1. Institutional Disciplinary Action including:
   i. Removal from particular project
   ii. Special monitoring of future work
   iii. Letter of reprimand
   iv. Probation for specified period with conditions specified
   v. Suspension of rights and responsibilities for a specified period, with or without salary
   vi. Financial restitution
   vii. Termination of employment/enrollment

2. Notification. The Vice President for Academic Affairs is responsible for notification of the outcome to all federal agencies, sponsors or other entities initially informed of the investigation. Consideration should be given to formal notification of involved parties such as:
   i. Sponsoring agencies, funding sources
   ii. Co-authors, co-investigators, collaborators, department, University publications
   iii. Editors of the journal(s) in which fraudulent research was published
   iv. State professional licensing boards
Editors of journals or other publications, other institutions, sponsoring agencies, and funding sources with which the individual has been affiliated

Professional societies

Interim sanctions may be imposed during the appellate process.

6. Appeal

Individuals may appeal the judgment of the Investigating Committee and/or the sanction. A written statement of the grounds for the appeal must be submitted to the President within thirty (30) days of written notification of the sanctions. Grounds for appeal include, but are not limited to, previously unconsidered material evidence, sanctions not commensurate with the finding, and failure to follow the prescribed process. Upon receipt of a written appeal, the President will evaluate the evidence and make a determination. The President shall reopen the investigation if the previously unconsidered material evidence so warrants and may reopen the investigation if circumstances so dictate. The President's decision will be conveyed to all involved in a timely fashion, but must be conveyed within thirty (30) working days. In the case of termination, the appropriate University policies on termination for cause shall be followed.

I. Introduction

A. Policy Statement

Stephen F. Austin State University (SFASU) strives to create a climate that promotes faithful adherence to high ethical standards in the conduct of scientific research, scholarship, and creative activities without inhibiting the productivity and creativity of the academic community.

Misconduct in research or scholarly/creative activity is a major breach of the relationship between a faculty or staff member and the institution. In order to maintain the integrity of research projects, every investigator should keep an auditable record of experimental protocols, data, and findings. Co-authors on research reports or scholarly/creative works of any type must have a bona fide role in the research or scholarly work and must accept responsibility for the quality of the work reported.

Any inquiry or investigation of allegations of misconduct in research or scholarly activity must proceed promptly and with due regard for the reputation and rights of all individuals involved. The University shall take all reasonable steps to assure that the persons involved in the evaluation of the allegations and evidence have appropriate expertise and that no person involved in the procedures is either biased against the accused person(s) or has a conflict of interest. Allegations of misconduct based on events that occurred six or more years ago shall not be subject to review under this policy, unless otherwise determined by the Deciding Official (DO) as defined in section II, Definitions.

Under 42 CFR Part 93, a finding of research misconduct requires three criteria to be met:

• a significant departure from accepted practices of the relevant research community;
Appendix 8

- intentional, knowing, or reckless misconduct; and
- proof by a preponderance of the evidence.

B. Scope

This policy applies to all research conducted at the University, including that supported by the Public Health Service (PHS, which includes the Centers for Disease Control and Prevention, the Health Resources and Services Administration, and the National Institutes of Health), the National Science Foundation, and other federal sponsors. Procedures set forth in this policy address the Requirements for Institutional Policies and Procedures as detailed in § 93.304 of 42 CFR Part 93. This policy also applies to any scholarly or creative activity (hereafter referred to as “scholarly activity”) and to any person paid by and/or subject to the rules and policies of SFASU (including faculty, research scientists, trainees, technicians and other staff members, students, and visiting professors).

This policy and its procedures shall apply when a University official receives an allegation of possible misconduct in scientific or other scholarly activity. Circumstances in individual cases may require variation from normal procedure to meet the best interest of the University or the external sponsor. Change from the normal procedures must ensure fair treatment of the subject of the allegation. Any significant variation should be approved in advance by the University's Research Integrity Officer (and the Office of Research Integrity (ORI) if applicable) and/or the Scholarly Misconduct Officer (SMO), defined below. The University's designated RIO is the Director of Research and Sponsored Programs and the SMO is the Dean of the Graduate Studies, unless otherwise assigned by the President.

II. Definitions

A. Allegation means a disclosure of possible research or scholarly misconduct through any means of communication. The disclosure may be by written or oral statement or other communication to an institutional or HHS official.

B. Complainant means a person who in good faith makes an allegation of research or scholarly misconduct.

C. Deciding Official (DO) means the institutional official who makes final determinations on allegations of research or scholarly misconduct and any institutional administrative actions. The DO shall not be the same individual as the Research Integrity Officer or the Scholarly Misconduct Officer and should have no direct prior involvement in the institution's inquiry, investigation, or allegation assessment. A DO's appointment of an individual to assess allegations of research or scholarly misconduct, or to serve on an inquiry or investigation committee, is not considered to be direct prior involvement.

D. Evidence means any document, tangible item, or testimony offered or obtained during a research or scholarly misconduct proceeding that tends to prove or disprove the existence of an alleged fact.
E. Good faith as applied to a complainant or witness, means having a belief in the truth of one’s allegation or testimony that a reasonable person in the complainant’s or witness’s position could have based on the information known to the complainant or witness at the time. An allegation or cooperation with a research or scholarly misconduct proceeding is not in good faith if it is made with knowing or reckless disregard for information that would negate the allegation or testimony. Good faith as applied to a committee member means cooperating with the purpose of helping an institution meet its responsibilities under 42 CFR Part 93. A committee member does not act in good faith if his/her acts or omissions on the committee are dishonest or influenced by personal, professional, or financial conflicts of interest with those involved in the misconduct proceeding.

F. HHS means the United States Department of Health and Human Services.

G. Inquiry means preliminary information gathering and preliminary fact-finding that meets the criteria and follows the procedures of 42 CFR §§ 93.307-93.309.

H. Investigation means the formal development of a factual record and the examination of that record leading to a decision not to make a finding of research or scholarly misconduct or to a recommendation for a finding of research or scholarly misconduct which may include a recommendation for other appropriate actions, including administrative actions.

I. Office of Research Integrity or ORI means the office to which the HHS Secretary has delegated responsibility for addressing research integrity and misconduct issues related to PHS supported activities.

J. Preponderance of the evidence means proof by information that, compared with that opposing it, leads to the conclusion that the fact at issue is more probably true than not.

K. PHS support means PHS funding, or applications or proposals therefore, for biomedical or behavioral research, biomedical or behavioral research training, or activities related to that research or training, that may be provided through: PHS grants, cooperative agreements, or contracts or subgrants or subcontracts under those PHS funding instruments; or salary or other payments under PHS grants, cooperative agreements or contracts.

L. Records of research or scholarly misconduct proceedings (records) means: (1) the scholarly records, research records, and other evidence secured for the misconduct proceeding pursuant to this policy and for research misconduct pursuant to 42 CFR §§ 93.305, 93.307(b), and 93.310(d), except to the extent the Research Integrity Officer (or Scholarly Misconduct Officer as applicable) determines and documents that those records are not relevant to the proceeding or that the records duplicate other records that have been retained; (2) the
Appendix 8

documentation of the determination of irrelevant or duplicate records; (3) the inquiry report and final documents (not drafts) produced in the course of preparing that report, including the documentation of any decision not to investigate, as required by 42 CFR § 93.309(c) for research misconduct; (4) the investigation report and all records (other than drafts of the report) in support of the report, including the recordings or transcripts of each interview conducted; and (5) the complete record of any appeal within the institution from the finding of misconduct.

M. Research Integrity Officer (RIO) means the institutional official responsible for: (1) assessing allegations of research misconduct to determine if they fall within the definition of research misconduct, are covered by 42 CFR Part 93, and warrant an inquiry on the basis that the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified; (2) overseeing inquiries and investigations; and (3) other responsibilities as described in this policy.

N. Research or scholarly misconduct (misconduct) means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results, or in conducting/reporting/publishing scholarly or creative activities. Fabrication is making up data or results and recording or reporting them. Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research or other scholarly record. Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit. Research or scholarly misconduct does not include honest error or differences of opinion.

O. Research or scholarly misconduct proceeding means any actions related to alleged research misconduct that is within 42 CFR Part 93 for research misconduct or similar actions relating to the scholarly misconduct, including but not limited to, allegation assessments, inquiries, investigations, ORI oversight reviews, hearings and administrative appeals.

P. Research or scholarly record means the record of data or results that embody the facts resulting from scholarly activity and scientific inquiry, including but not limited to, research proposals, laboratory records, physical and electronic, progress reports, abstracts, theses, oral presentations, internal reports, journal articles, or other forms of scholarly works, reports or publications and any documents and materials provided to HHS or an institutional official by a respondent in the course of the research misconduct proceeding.

Q. Respondent means the person against whom an allegation of research or scholarly misconduct is directed or who is the subject of a misconduct proceeding.
R. Retaliation means an adverse action taken against a complainant, witness, committee member or the RIO/SMO/DO by the University or one of its institutional members in response to: (1) a good faith allegation of research or scholarly misconduct; or (2) good faith cooperation with a misconduct proceeding.

S. Scholarly Misconduct Officer (SMO) means the institutional official responsible for: (1) assessing allegations of scholarly misconduct to determine if they fall within the definition of scholarly misconduct and warrant an inquiry on the basis that the allegation is sufficiently credible and specific so that potential evidence of scholarly misconduct may be identified; (2) overseeing inquiries and investigations; and (3) handling other responsibilities as described in this policy.

III. Rights and Responsibilities

A. Research Integrity Officer (RIO)

The President of the University shall appoint the RIO who shall have primary responsibility for implementation of the institution’s policies and procedures on research misconduct. Responsibilities of the RIO include the following duties related to research misconduct proceedings:

- Consult confidentially with persons uncertain about whether to submit an allegation of research misconduct;
- Receive allegations of research misconduct;
- Inform the General Counsel of allegations of research misconduct and seek advice at appropriate junctures in the process;
- Assess each allegation of research misconduct in accordance with Section V.A. of this policy to determine whether it falls within the definition of research misconduct and warrants an inquiry;
- As necessary, take interim action and notify ORI of special circumstances, in accordance with Section IV.F. of this policy;
- Sequester research data and evidence pertinent to the allegation of research misconduct in accordance with Section V.C. of this policy and maintain it securely in accordance with this policy and applicable law and regulation;
- Provide confidentiality to those involved in the research misconduct proceeding as required by 42 CFR § 93.108, other applicable law, and institutional policy.
• Notify the respondent and provide opportunities for him/her to review/comment/respond to allegations, evidence, and committee reports in accordance with Section III.C. of this policy;

• Inform respondents, complainants, and witnesses of the procedural steps in the research misconduct proceeding;

• Appoint the chair and members of the inquiry and investigation committees, ensure that those committees are properly staffed and that there is expertise appropriate to carry out a thorough and authoritative evaluation of the evidence;

• Determine whether each person involved in handling an allegation of research misconduct has an unresolved personal, professional, or financial conflict of interest and take appropriate action, including recusal, to ensure that no person with such conflict is involved in the research misconduct proceeding;

• In cooperation with other institutional officials, take all reasonable and practical steps to protect or restore the positions and reputations of good faith complainants, witnesses, and committee members and counter potential or actual retaliation against them by respondents or other institutional members;

• Keep the Deciding Official and others who need to know apprised of the progress of the review of the allegation of research misconduct;

• Notify and make reports to ORI as required by 42 CFR Part 93;

• Ensure that administrative actions taken by the institution and ORI are enforced and take appropriate action to notify other involved parties, such as sponsors, law enforcement agencies, professional societies, and licensing boards of those actions; and

• Maintain records of the research misconduct proceeding and make them available to ORI in accordance with Section VIII.F. of this policy.

B. Scholarly Misconduct Officer (SMO)

The President of the University appoints the SMO who has primary responsibility for implementation of the institution's policies and procedures for allegations of scholarly misconduct. Responsibilities of the SMO parallel the duties related to research misconduct proceedings as they apply to scholarly misconduct.

In the event that an allegation of scholarly misconduct involves elements of research misconduct at any level, the RIO has primary responsibility for
implementation of the institution's policies and procedures.

C. Complainant

The complainant is responsible for making allegations in good faith, maintaining confidentiality, and cooperating with the inquiry and investigation. As a matter of good practice, the complainant should be interviewed at the inquiry stage and given the transcript or recording of the interview for correction. The complainant must be interviewed during an investigation, and be given the transcript or recording of the interview for correction.

D. Respondent

The respondent is responsible for maintaining confidentiality and cooperating with the conduct of an inquiry and investigation. The respondent is entitled to:

- A good faith effort from the RIO or SMO to notify the respondent in writing at the time of or before beginning an inquiry;

- An opportunity to comment on the inquiry report and have comments attached to the report;

- Notification of the outcome of the inquiry, and receipt of a copy of the inquiry report that includes a copy of, or refers to, 42 CFR Part 93 and the institution's policies and procedures on research misconduct or scholarly misconduct, as applicable to the allegation;

- Notification in writing of the allegations to be investigated within a reasonable time after the determination that an investigation is warranted, but before the investigation begins (within 30 days after the University decides to begin an investigation), and notification in writing of any new allegations, not addressed in the inquiry or in the initial notice of investigation, within a reasonable time after the determination to pursue those allegations;

- An interview during the investigation, an opportunity to correct the recording or transcript, and inclusion of the corrected recording or transcript in the record of the investigation;

- An opportunity during the investigation to interview any witness who has been reasonably identified by the respondent as having information on relevant aspects of the investigation, to have the recording or transcript provided to the witness for correction, and to have the corrected recording or transcript included in the record of investigation; and
Appendix 8

- Receipt of a copy of the draft investigation report and, concurrently, a copy of, or supervised access to the evidence on which the report is based, and notification that any comments must be submitted within thirty (30) days of the date on which the copy was received and that the comments shall be considered by the University and addressed in the final report.

Respondent shall be given the opportunity to admit that research or scholarly misconduct occurred. With the advice of the RIO or SMO and the University's General Counsel, the Deciding Official may terminate the institution's review of an allegation that has been admitted if the institution's acceptance of the admission and any proposed settlement is approved by ORI as applicable for research misconduct.

As provided in 42 CFR § 93.314(a), for research misconduct or similarly for scholarly misconduct, the respondent shall have the opportunity to request an institutional appeal in accordance with Section VIII. D. of this policy.

E. Deciding Official

The Provost and Vice President for Academic Affairs is the Deciding Official (DO) and shall receive the inquiry report and after consulting with the RIO or SMO, decide whether an investigation is warranted for scholarly misconduct, or for research misconduct under the criteria in 42 CFR § 93.307(d). Any finding that an investigation is warranted must be made in writing by the DO and must be provided to ORI for research misconduct, together with a copy of the inquiry report meeting the requirements of 42 CFR § 93.309, within thirty (30) days of the finding. If it is found that an investigation is not warranted, the DO and the RIO shall ensure that detailed documentation of the inquiry is retained for at least seven (7) years after termination of the inquiry, so that ORI may assess the reasons why the University decided not to conduct an investigation.

The DO shall receive the investigation report and, after consulting with the RIO and other appropriate officials, decide the extent to which the University accepts the findings of the investigation and, if research misconduct is found, decide what, if any, institutional administrative actions are appropriate. The DO shall ensure that the final investigation report, the findings of the DO and a description of the any pending or completed administrative action are provided to ORI for research misconduct, as required by 42 CFR § 93.315.

For any matter involving a Vice President, the President shall be the DO. In any matter involving the President or other staff reporting to the Regents, the Board of Regents shall be the DO.

IV. General Policies and Principles
A. Responsibility to Report Misconduct

All institutional members shall report observed, suspected, or apparent research misconduct to the RIO and any scholarly misconduct to the SMO. Any official who receives an allegation of research misconduct must report it immediately to the RIO. If an individual is unsure whether a suspected incident falls within the definition of research misconduct or scholarly misconduct, he or she may meet with or contact the RIO or SMO to discuss the suspected misconduct informally, which may include discussing it anonymously and/or hypothetically. If the circumstances described by the individual do not meet the definition of research or scholarly misconduct, the RIO or SMO shall refer the individual or allegation to other University offices or officials with responsibility for resolving the problem.

At any time, an institutional member may have confidential discussions and consultations about concerns of possible misconduct with the RIO or SMO and shall be counseled about appropriate procedures for reporting allegations.

B. Cooperation with Misconduct Proceedings

Institutional members shall cooperate with the RIO or SMO and other University officials in the review of allegations and the conduct of inquiries and investigations. Institutional members, including respondents, have an obligation to provide evidence relevant to misconduct allegations to the RIO, the SMO, or other University officials.

C. Confidentiality

The RIO and the SMO shall, as required by 42 CFR § 93.108: (1) limit disclosure of the identity of respondents, complainants, and witnesses to those who need to know in order to carry out a thorough, competent, objective and fair misconduct proceeding; and (2) except as otherwise prescribed by law, limit the disclosure of any records or evidence from which research subjects might be identified to those who need to know in order to carry out a research misconduct proceeding. The RIO and the SMO should use written confidentiality agreements or other mechanisms to ensure that the recipient does not make any further disclosure of identifying information.

D. Protecting Complainants, Witnesses, and Committee Members

Institutional members may not retaliate in any way against complainants, witnesses, or committee members. Institutional members should immediately report any alleged or apparent retaliation against complainants, witnesses or committee members to the RIO or SMO, who shall review the matter and, as necessary, make all reasonable and practical efforts to counter any potential or actual retaliation and protect and restore the position and reputation of the
person against whom the retaliation is directed.

E. Protecting the Respondent

As requested and as appropriate, the RIO, the SMO, and other University officials shall make all reasonable and practical efforts to protect or restore the reputation of persons alleged to have engaged in research or scholarly misconduct, but against whom no finding of misconduct is made.

During the misconduct proceeding, the RIO or SMO is responsible for ensuring that respondents receive all the notices and opportunities provided for in 42 CFR Part 93 (for research misconduct allegations) and the policies and procedures of the University. Respondents may consult with legal counsel or a non-lawyer personal adviser (who is not a principal or witness in the case) to seek advice and may bring the counsel or personal adviser to interviews or meetings on the case. University counsel must be present in any meeting where other counsel is present.

F. Interim Administrative Actions and Notifying ORI of Special Circumstances

Throughout research misconduct proceedings, the RIO shall review the situation to determine if there is any threat of harm to public health, federal funds and equipment, or the integrity of the PHS supported research process. In the event of such a threat, the RIO shall, in consultation with other University officials and ORI, take appropriate interim action to protect against any such threat. Interim action might include additional monitoring of the research process and the handling of federal funds and equipment, reassignment of personnel or of the responsibility for the handling of federal funds and equipment, additional review of research data and results or delaying publication. The RIO shall, at any time during a research misconduct proceeding, notify ORI immediately if he/she has reason to believe that any of the following conditions exist:

- Health or safety of the public is at risk, including an immediate need to protect human or animal subjects;
- HHS resources or interests are threatened;
- Research activities should be suspended;
- There is a reasonable indication of possible violations of civil or criminal law;
- Federal action is required to protect the interests of those involved in the research misconduct proceeding;
- The research misconduct proceeding may be made public prematurely and HHS action may be necessary to safeguard evidence and protect the rights
V. Stage 1 - Conducting the Assessment and Inquiry

A. Assessment of Allegations

Upon receiving an allegation of misconduct, the RIO in the case of research or the SMO in the case of scholarly activities shall immediately assess the allegation to determine whether it is sufficiently credible and specific so that potential evidence of misconduct may be identified, whether it is within the jurisdictional criteria of 42 CFR § 93.102(b) and 42 CFR § 93.103 for research, and whether the allegation falls within the definition of research or scholarly misconduct in this policy. An inquiry must be conducted if these criteria are met.

The assessment period should be concluded within a week. In conducting the assessment, the RIO or the SMO need not interview the complainant, respondent, or other witnesses, or gather data beyond any that may have been submitted with the allegation, except as necessary to determine whether the allegation is sufficiently credible and specific so that potential evidence of misconduct may be identified. The RIO or SMO shall, on or before the date on which the respondent is notified of the allegation, obtain custody of, inventory, and sequester all records and evidence needed to conduct the misconduct proceeding, as provided in paragraph C. of this section.

B. Initiation and Purpose of the Inquiry

If the RIO or SMO determines that the criteria for an inquiry are met, the inquiry process shall be immediately initiated. The purpose of the inquiry is to conduct an initial review of the available evidence to determine whether to conduct an investigation. An inquiry does not require a full review of all the evidence related to the allegation.

C. Notice to Respondent; Sequestration of Research Records

At the time of or before beginning an inquiry, the RIO or SMO must make a good faith effort to notify the respondent in writing, if the respondent is known. If the inquiry subsequently identifies additional respondents, they must be notified in writing. On or before the date on which the respondent is notified, or the inquiry begins, whichever is earlier, the RIO or SMO must take all reasonable and practical steps to obtain custody of all the records and evidence needed to conduct the misconduct proceeding, inventory the records and evidence and sequester them in a secure...
manner, except that where the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments. The RIO may consult with ORI for advice and assistance in this regard.

D. Appointment of the Inquiry Committee

The RIO or SMO, in consultation with other University officials as appropriate, shall appoint an inquiry committee and committee chair within ten (10) days of the initiation of the inquiry or as soon thereafter as practical. The inquiry committee must consist of individuals who do not have unresolved personal, professional, or financial conflicts of interest with those involved with the inquiry and should include individuals with the appropriate expertise to evaluate the evidence and issues related to the allegation, interview the principals and key witnesses, and conduct the inquiry.

E. Charge to the Committee and First Meeting

The RIO or SMO shall prepare a charge for the inquiry committee that:

- Sets forth the time for completion of the inquiry, unless extenuating circumstances require and extension of time;

- Describes the allegations and any related issues identified during the allegation assessment;

- States that the purpose of the inquiry is to conduct an initial review of the evidence, including the testimony of the respondent, complainant and key witnesses, to determine whether an investigation is warranted, not to determine whether research misconduct or scholarly misconduct definitely occurred or who was responsible;

- States that an investigation is warranted if the committee determines: (1) the allegation may have substance, based on the committee’s review during the inquiry; and (2) in the case of research, there is a reasonable basis for concluding that the allegation falls within the definition of research misconduct and is within the jurisdictional criteria of 42 CFR § 93.102(b); and

- Informs the inquiry committee that they are responsible for preparing or directing the preparation of a written report of the inquiry that, in the case of research misconduct, meets the
requirements of this policy and 42 CFR § 93.309(a).

At the committee's first meeting, the RIO or SMO shall review the charge, discuss the allegations, any related issues, and the appropriate procedures for conducting the inquiry, assist with organizing plans for the inquiry, and answer any questions. The RIO or SMO shall be available throughout the inquiry to advise the committee as needed.

F. Inquiry Process

The inquiry committee shall normally interview the complainant, the respondent and key witnesses as well as examining relevant research records and materials. Then the inquiry committee shall evaluate the evidence, including the testimony obtained during the inquiry. After consultation with the RIO or SMO, the committee members shall decide whether an investigation is warranted based on the criteria in this policy and 42 CFR § 93.307(d), as applicable to the allegation. The scope of the inquiry is not required to and does not normally include deciding whether misconduct definitely occurred, determining definitely who committed the misconduct or conducting exhaustive interviews and analyses. However, if a legally sufficient admission of misconduct is made by the respondent, misconduct may be determined at the inquiry stage if all relevant issues are resolved. In that case, for instances of research misconduct the institution shall promptly consult with ORI to determine the next steps that should be taken. See Section III.C.

G. Time for Completion

The inquiry, including preparation of the final inquiry report and the decision of the DO on whether an investigation is warranted, must be completed within sixty (60) calendar days of initiation of the inquiry, unless the RIO or SMO determines that circumstances clearly warrant a longer period. If the RIO or SMO approves an extension, the inquiry record must include documentation of the reasons for exceeding the sixty-day period.

VI. The Inquiry Report

A. Elements of the Inquiry Report

A written inquiry report must be prepared that includes the following information, as applicable to the allegation: (1) the name and position of the respondent; (2) a description of the allegations of research misconduct; (3) the PHS support, including, for example, grant numbers, grant applications, contracts and publications listing PHS support; (4) the basis for recommending or not recommending that the allegations warrant
an investigation; and (5) any comments on the draft report by the respondent or complainant.

The University's General Counsel shall review the report for legal sufficiency. Modifications should be made as appropriate in consultation with the RIO or SMO and the inquiry committee. The inquiry report shall include: (1) the names and titles of the committee members and experts who conducted the inquiry; (2) a summary of the inquiry process used; (3) a list of the research records reviewed; (4) summaries of any interviews; and (5) any other actions should be taken if an investigation is not recommended.

B. Notification to the Respondent and Opportunity to Comment

The RIO or SMO shall notify the respondent whether the inquiry found an investigation to be warranted, include a copy of the draft inquiry report for comment within ten (10) days, the University's policies and procedures on misconduct; and for allegations of research misconduct include a copy of or refer to 42 CFR Part 93. The institution shall notify the complainant whether the inquiry found an investigation to be warranted and provide relevant portions of the inquiry report to the complainant for comment within ten (10) days. A confidentiality agreement shall be a condition for access to the report.

Any comments that are submitted shall be attached to the final inquiry report. Based on the comments, the inquiry committee may revise the draft report as appropriate and prepare it in final form. The committee shall deliver the final report to the RIO or SMO.

C. Institutional Decision and Notification

1. Decision by Deciding Official

The RIO or SMO shall transmit the final inquiry report and any comments to the DO, who shall determine in writing whether an investigation is warranted. The inquiry is completed when the DO makes this determination.

2. Notification to ORI

For allegations of research misconduct, within thirty (30) calendar days of the DO's decision that an investigation is warranted, the RIO shall provide ORI with the DO's written decision and a copy of the inquiry report. The RIO shall also notify those University officials who need to know of the DO's decision. The RIO must provide the following information to ORI upon request: (1) the
institutional policies and procedures under which the inquiry was conducted; (2) the research records and evidence reviewed, transcripts or recordings of any interviews, and copies of all relevant documents; and (3) the charges to be considered in the investigation.

3. **Documentation of Decision Not to Investigate**

If the DO decides that an investigation is not warranted, the RIO or SMO shall secure and maintain for seven (7) years after the termination of the inquiry sufficiently detailed documentation of the inquiry to permit a later assessment by ORI of the reasons why an investigation into research misconduct was not conducted. These documents must be provided to ORI or other authorized HHS personnel upon request.

**VII. Stage 2 - Conducting the Investigation**

**A. Initiation and Purpose**

The investigation must begin within thirty (30) calendar days after the determination by the DO that an investigation is warranted. The purpose of the investigation is to develop a factual record by exploring the allegations in detail and examining the evidence in depth, leading to recommended findings on whether misconduct has been committed, by whom, and to what extent. The investigation shall also determine whether there are additional instances of possible misconduct that would justify broadening the scope beyond the initial allegations. This is particularly important where the alleged research misconduct involves clinical trials or potential harm to human subjects or the general public or if it affects research that forms the basis for public policy, clinical practice, or public health practice. The findings of the investigation shall be set forth in an investigation report.

**B. Notifying ORI and Respondent; Sequestration of Research Records**

On or before the date on which the investigation into research misconduct begins, the RIO must: (1) notify the ORI Director of the decision to begin the investigation and provide ORI a copy of the inquiry report; and (2) notify the respondent in writing of the allegations to be investigated. Also, the RIO or SMO must give the respondent written notice of any new allegations of misconduct within a reasonable amount of time of deciding to pursue allegations not addressed during the inquiry or in the initial notice of the investigation.
The RIO or SMO shall, prior to notifying respondent of the allegations, take all reasonable and practical steps to obtain custody of and sequester in a secure manner all scholarly records, research records and evidence needed to conduct the misconduct proceeding that were not previously sequestered during the inquiry. Where the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments. The need for additional sequestration of records for the investigation may occur for any number of reasons, including the institution's decision to investigate additional allegations not considered during the inquiry stage or the identification of records during the inquiry process that had not been previously secured. The procedures to be followed for sequestration during the investigation are the same procedures that apply during the inquiry.

C. Appointment of the Investigation Committee

The RIO or SMO, in consultation with other University officials, as appropriate, shall appoint an investigation committee and the committee chair within ten (10) days of the beginning of the investigation or as soon thereafter as practical. The investigation committee must consist of individuals who do not have unresolved personal, professional, or financial conflicts of interest with those involved with the investigation and should include individuals with the appropriate expertise to evaluate the evidence and issues related to the allegation, interview the respondent and complainant and conduct the investigation. Individuals appointed to the investigation committee may also have served on the inquiry committee.

D. Charge to the Committee and the First Meeting

I. Charge to the Committee

The RIO or SMO shall define the subject matter of the investigation in a written charge to the committee that:

- Describes the allegations and related issues identified during the inquiry;

- Identifies the respondent;

- Informs the committee that it must conduct the investigation as prescribed in paragraph E. of this section;

- Defines research or scholarly misconduct;
Appendix 8

- Informs the committee that it must evaluate the evidence and testimony to determine whether, based on a preponderance of the evidence, misconduct occurred and, if so, the type and extent of it and who was responsible;

- Informs the committee that in order to determine that the respondent committed misconduct it must find that a preponderance of the evidence establishes that: (1) misconduct, as defined in this policy, occurred (respondent has the burden of proving by a preponderance of the evidence any affirmative defenses raised, including honest error or a difference of opinion); (2) that there is a significant departure from accepted practices of the relevant research/scholarly community; and (3) the respondent committed the misconduct intentionally, knowingly, or recklessly; and

- Informs the committee that it must prepare or direct the preparation of a written investigation report that meets the requirements of this policy and 42 CFR § 93.313, as applicable to the allegation.

2. First Meeting

The RIO or SMO shall convene the first meeting of the investigation committee to review the charge, the inquiry report, and the prescribed procedures and standards for the conduct of the investigation, including the necessity for confidentiality and for developing a specific investigation plan. In the case of research misconduct, the investigation committee shall be provided with a copy of this policy and 42 CFR Part 93. The RIO or SMO shall be present or available throughout the investigation to advise the committee as needed.

E. Investigation Process

The investigation committee and the RIO or SMO must:

- Use diligent efforts to ensure that the investigation is thorough and sufficiently documented and includes examination of all records and evidence relevant to reaching a decision on the merits of each allegation;

- Take reasonable steps to ensure an impartial and unbiased investigation to the maximum extent practical;

- Interview each respondent, complainant, and any other available person who has been reasonably identified as having information
regarding any relevant aspects of the investigation, including witnesses identified by the respondent, and record or transcribe each interview, provide the recording or transcript to the interviewee for correction, and include the recording or transcript in the record of the investigation; and

- Pursue diligently all significant issues and leads discovered that are determined relevant to the investigation, including any evidence of any additional instances of possible misconduct, and continue the investigation to completion.

F. Time for Completion

The investigation is to be completed within 120 days of beginning it, including conducting the investigation, preparing the report of findings, providing the draft report for comment and sending the final report to ORI in the case of research misconduct. However, if the RIO determines that the research misconduct investigation shall not be completed within this 120-day period, a written request for an extension shall be submitted to ORI, setting forth the reasons for the delay. The RIO shall ensure that periodic progress reports are filed with ORI, if ORI grants the request for an extension and directs the filing of such reports. Similarly but without external reporting, the SMO shall document and approve any extensions of time for completion of the scholarly misconduct investigations.

VIII. The Investigation Report

A. Elements of the Investigation Report

The investigation committee and the RIO or SMO are responsible for preparing a written draft report of the investigation that:

- Describes the nature of the allegation of misconduct, including identification of the respondent;

- In the case of research misconduct, describes and documents the PHS support, including, for example, the numbers of any grants that are involved, grant applications, contracts, and publications listing PHS support;

- Describes the specific allegations of misconduct considered in the investigation;

- Includes the institutional policies and procedures under which the investigation was conducted, unless, in the case of research misconduct proceedings, those policies and procedures were
provided to ORI previously;

- Identifies and summarizes the records and evidence reviewed and identifies any evidence taken into custody but not reviewed; and

- Includes a statement of findings for each allegation of misconduct identified during the investigation. Each statement of findings must: (1) identify whether the misconduct was falsification, fabrication, or plagiarism, and whether it was committed intentionally, knowingly, or recklessly; (2) summarize the facts and the analysis that support the conclusion and consider the merits of any reasonable explanation by the respondent, including any effort by respondent to establish by a preponderance of the evidence that he or she did not engage in misconduct because of honest error or a difference of opinion; (3) in the case of research misconduct, identify the specific PHS support; (4) identify whether any publications need correction or retraction; (5) identify the person(s) responsible for the misconduct; and (6) in the case of research misconduct, list any current support or known applications or proposals for support that the respondent has pending with non-PHS federal agencies.

B. Comments on the Draft Report and Access to Evidence

1. **Respondent**

   The RIO or SMO must give the respondent a copy of the draft investigation report for comment and, concurrently, a copy of, or supervised access to the evidence on which the report is based. The respondent shall be allowed thirty (30) days from the date the draft report is received to submit comments to the RIO or SMO. The respondent's comments must be included and considered in the final report.

2. **Complainant**

   On a case-by-case basis within the University's discretion, the University may provide the complainant a copy of the draft investigation report, or relevant portions of it, for comment. The complainant's comments must be submitted within thirty (30) days of the date on which the draft report is received and the comments must be included and considered in the final report. See §§ 93.312(b) and 93.313(g).

3. **Confidentiality**
In distributing the draft report, or portions thereof, to the respondent and/or complainant, the RIO or SMO shall inform the recipient of the confidentiality under which the draft report is made available and may establish reasonable conditions to ensure such confidentiality by requiring that the recipient sign a confidentiality agreement.

C. Decision by Deciding Official

The RIO or SMO shall assist the investigation committee in finalizing the draft investigation report, including ensuring that the respondent's and complainant's comments are included and considered, and transmit the final investigation report to the DO, who shall determine in writing: (1) whether the institution accepts the investigation report, its findings, and the recommended institutional actions; and (2) the appropriate institutional actions in response to the accepted findings of research or scholarly misconduct. If this determination varies from the findings of the investigation committee, the DO shall, as part of the written determination, explain in detail the basis for rendering a decision different from the findings of the investigation committee. The DO may return the report to the investigation committee with a request for further fact-finding or analysis.

When a final decision on the case has been reached, the RIO or SMO shall notify both the respondent and the complainant in writing. In the case of research misconduct, after informing ORI, the DO shall determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case. The RIO is responsible for ensuring compliance with all notification requirements of funding or sponsoring agencies.

D. Appeals

Respondents and complainants may appeal the judgment of the Investigating Committee and/or the sanction. A written statement of the grounds for the appeal must be submitted to the DO within thirty (30) days of written notification of the sanctions. Grounds for appeal include, but are not limited to, previously unconsidered material evidence, sanctions not commensurate with the finding, and failure to follow the prescribed process. Upon receipt of a written appeal, the DO shall evaluate the evidence and make a determination. The DO shall reopen the investigation if the previously unconsidered material evidence so warrants and may reopen the investigation if circumstances so dictate. The DO's decision shall be conveyed to all involved in a timely fashion, but must be
conveyed within thirty (30) working days. In the case of termination, the appropriate University policies on termination for cause shall be followed.

The appeal process must be completed within 120 days of its filing, or for research misconduct cases, unless ORI finds good cause for an extension, based upon the institution's written request for an extension that explains the need for the extension. If ORI grants an extension, it may direct the filing of periodic progress reports (42 CFR 93.314). Similarly, but without external review, an extension of time may be granted by the University for completion of the appeal process in scholarly misconduct cases for good cause.

E. Notice to ORI of Institutional Findings and Actions

Unless an extension has been granted for research misconduct cases, the RIO must, within the 120-day period for completing the investigation or the 120-day period for completion of any appeal, submit the following to ORI: (1) a copy of the final investigation report with all attachments and any appeal; (2) a statement of whether the institution accepts the findings of the investigation report or the outcome of the appeal; (3) a statement of whether the institution found misconduct and, if so, who committed the misconduct; and (4) a description of any pending or completed administrative actions against the respondent.

F. Maintaining Records for Review by ORI

The RIO must maintain and provide to ORI upon request "records of research misconduct proceedings" as that term is defined by 42 CFR § 93.317. Unless custody has been transferred to HHS or ORI has advised in writing that the records no longer need to be retained, records of research misconduct proceedings must be maintained in a secure manner for seven (7) years after completion of the proceeding or the completion of any PHS proceeding involving the research misconduct allegation. The RIO is also responsible for providing any information, documentation, research records, evidence or clarification requested by ORI to carry out its review of an allegation of research misconduct or of the institution's handling of such an allegation.

IX. Completion of Cases; Reporting Premature Closures to ORI

Generally, all inquiries and investigations shall be carried through to completion and all significant issues shall be pursued diligently. The RIO must notify ORI in advance if there are plans to close a case at the inquiry, investigation, or appeal stage on the basis that respondent has admitted guilt, a settlement with the respondent has been reached, or for any other reason, except: (1) closing of a case at the inquiry stage on the basis that
an investigation is not warranted; or (2) a finding of no misconduct at the investigation stage, which must be reported to ORI as prescribed in this policy and 42 CFR § 93.315.

X. Institutional Administrative Actions

If the DO determines that research or scholarly misconduct is substantiated by the findings, he or she shall decide on the appropriate actions to be taken, after consultation with the RIO or SMO. The administrative actions may include:

- Withdrawal or correction of all pending or published abstracts and papers emanating from the research or scholarly activity where misconduct was found;

- Removal of the responsible person from the particular project, letter of reprimand, special monitoring of future work, probation, suspension, salary reduction, or initiation of steps leading to possible rank reduction or termination of employment;

- Restitution of funds to the grantor agency as appropriate; and

- Other action appropriate to the misconduct.

XI. Other Considerations

A. Termination or Resignation Prior to Completing Inquiry or Investigation

The termination of the respondent's institutional employment, by resignation or otherwise, before or after an allegation of possible research misconduct has been reported, shall not preclude or terminate the research misconduct proceeding or otherwise limit any of the institution's responsibilities under 42 CFR Part 93. For scholarly misconduct, resignation or termination from employment prior to a final outcome in the investigation may be grounds to terminate the inquiry/investigation within the discretion of the University.

If the respondent, without admitting to research misconduct, elects to resign after the institution receives an allegation of research misconduct, the assessment of the allegation shall proceed, as well as the inquiry and investigation, as appropriate based on the outcome of the preceding steps. If the respondent refuses to participate in the process after resignation, the RIO and any inquiry or investigation committee shall use their best efforts to reach a conclusion concerning the allegations, noting in the report the respondent's failure to cooperate and its effect on the evidence.

B. Restoration of the Respondent's Reputation
Following a final finding of no research or scholarly misconduct, including ORI concurrence where required by 42 CFR Part 93, the RIO or SMO shall, at the request of the respondent, undertake all reasonable and practical efforts to restore the respondent's reputation. Depending on the particular circumstances and the views of the respondent, the RIO or SMO should consider notifying those individuals aware of or involved in the investigation of the final outcome, publicizing the final outcome in any forum in which the allegation of misconduct was previously publicized, and expunging all reference to the misconduct allegation from the respondent's personnel file (to the extent permitted by law). Any institutional actions to restore the respondent's reputation should first be approved by the DO.

C. Protection of the Complainant, Witnesses and Committee Members

During the misconduct proceeding and upon its completion, regardless of whether the institution or ORI determines that research misconduct occurred as applicable, the RIO or SMO shall undertake all reasonable and practical efforts to protect the position and reputation of, or to counter potential or actual retaliation against, any complainant who made allegations of misconduct in good faith and of any witnesses and committee members who cooperate in good faith with the misconduct proceeding. The DO shall determine, after consulting with the RIO or SMO, and with the complainant, witnesses, or committee members, respectively, what steps, if any, are needed to restore their respective positions or reputations or to counter potential or actual retaliation against them. The RIO or SMO is responsible for implementing any steps the DO approves.

D. Allegations Not Made in Good Faith

If relevant, the DO shall determine whether the complainant's allegations of misconduct were made in good faith, or whether a witness or committee member acted in good faith. If the DO determines that there was an absence of good faith he/she shall determine whether any administrative action should be taken against the person who failed to act in good faith.

Source of Authority: Vice President for Academic Affairs

Cross Reference: None 42 CFR Part 93

Responsible for Implementation: Provost and Vice President for Academic Affairs
Contact for Revision: Associate Vice President for Graduate Studies and Research Director of Research and Sponsored Programs and Dean of Graduate Studies

Forms: None
Payment Card Acceptance and Security (C-61) NEW

Original Implementation: July 21, 2009
Last Revision: None

Purpose

The purpose of this policy is to apply best security practices to ensure the protection of payment card information by complying with Payment Card Industry (PCI) Data Security Standards (DSS). This policy is supplemental to any other information security policies currently in effect at Stephen F. Austin State University (university).

Resources Covered

All computers, electronic devices, or other resources at the university used in the processing, transmitting and storing of cardholder information are governed by this policy and subject to PCI-DSS requirements. This includes servers which store payment card information; workstations which are used to enter payment card information into a central system; cash registers, point-of-sale terminals connected to a phone line or the university network; and any other devices through which the payment card information is transmitted. Also covered are Website storefronts that redirect customers to another website to enter payment information. In addition, all paper forms or receipts containing cardholder data are also covered under this policy.

Covered Groups

This policy applies to all university departments, faculty, staff, students, temporaries, vendors, associated entities, or any others who process, transmit, store or handle cardholder information in physical or electronic format on behalf of the university. This policy also applies to any affiliated organizations with cardholder information that is processed, transmitted or stored on systems connected to the university network or through assets or equipment owned by the university.

Definitions

Affiliated Organizations: An entity that uses systems connected to the university network or assets or equipment owned by the university to process, transmit or store cardholder information.

Cardholder: The customer to whom a credit card or debit card has been issued or the individual authorized to use the card.

Payment card information: Any personally identifiable information associated with a cardholder (e.g., cardholder name, account number, expiration date, address, social security number, personal identification number and card validation code).
Payment card: General term which includes both debit cards and credit cards.

Payment Processor: Any individual, department, school, or other functional area accepting payment cards in exchange for goods or services on behalf of university or an affiliated organization.

Payment Card Industry (PCI) Data Security Standards (DSS) are the result of collaboration between the five major credit card brands to develop a single approach to safeguarding cardholder data. The PCI standard defines a series of best practices for handling, transmitting and storing cardholder data.

Responsibilities

1. The Vice President of Finance and Administration (VPFA) is responsible for oversight of the PCI compliance program (program). The VPFA will designate specific responsibility for the development, implementation and administration of the program.

2. The designated program representative(s) will review and approve all requests to accept payment cards, perform all necessary actions to ensure PCI compliance and respond to any suspected payment card information threat.

3. Payment card processors will establish and maintain documented procedures for complying with this policy and PCI-DSS.

Requirements

1. PCI-DSS compliance is mandatory for any department or affiliated organization that accepts, captures, stores, transmits and/or processes payment card information.

2. Only authorized and properly trained employees, vendors, and temporaries may accept and/or access payment card information.

3. Each person who has access to payment card information is responsible for protecting the information.

4. Payment card processors must obtain advance approval from the VPFA’s designated program representative(s) before accepting payment cards for payment of goods or services, or before entering into any contracts or purchases of software and/or equipment related to payment card processing. Once approved, copies of contracts must be forwarded to the designated program representative(s).

5. Payment Processors are required to use the university’s preferred electronic payment service. Exceptions may be granted only after a request from the Payment Processor has been reviewed and approved by the designated program representative(s). When an exception has been granted, the Payment Processor remains responsible for ensuring the vendor providing electronic payment services is PCI compliant and provides ongoing certification of compliance.

6. Payment Processors who have been granted an exception from using the university’s electronic payment system and process payment cards on a personal
computer (PC) must designate that PC for the exclusive use of payment card processing. Any PC designated exclusively for payment card processing must be configured and maintained by Information Technology Services (ITS).

7. Payment cards cannot be processed stored or transmitted using the university's network unless the following two requirements have been met: (1) the designated program representative has reviewed and approved the request to accept payment cards, and (2) the designated program representative has verified existence of all technical controls required by the PCI-DSS and other applicable university policies.

8. Contracts with third parties with access to cardholder data must include standard language that requires adherence to the PCI-DSS.

9. All systems used to process, store or transmit payment card data must be registered with the designated program representative.

10. Suspected theft of payment card information must be reported immediately to the Controller's Office or the VPFA. Any suspected breach in the network should be immediately reported to the Director of Information Technology.

11. Printed receipts or other physical materials containing cardholder information must be stored in a secure environment until they are processed.

12. Unencrypted wireless, email, fax and campus mail are not recognized as secure methods for transmitting or accepting cardholder data. Cardholder data must not be transmitted in an unsecure manner.

13. Payment card information must be kept as required by State of Texas record retention guidelines.

14. Payment card information must be destroyed in a secure manner as soon as it is no longer needed.

Enforcement:

Periodic reviews may be performed to validate compliance with this policy. If the requirements of this policy are not followed, suspension of payment card options will result. Substantial fines may also be imposed by credit card companies if a security breach and subsequent compromise of payment card data occurs.

Cross Reference: PCI Security Standards, Receipts and Deposits (C-5), State of Texas Record Retention Guidelines

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revisions: Vice President for Finance and Administration

Forms: Application for Exception from Use of University Preferred Electronic Payment Service, Statement of Intent to Comply with the University Policy for Payment Card Acceptance and Security, Payment Card Processor Registration Form, Confidentiality Statement
Appendix 8

Payments to Human Research Subjects (A-72) NEW

Original Implementation: July 21, 2009
Last Revision: None

It is recognized that during the conduct of research studies utilizing human subjects that participants may incur personal costs for which they are entitled to reimbursement. It is also desirable in some instances to provide a reward or recognition to participants for the time and effort they have devoted to participation in a research project.

At the time of application to the Institutional Research Board (IRB) for approval of the conduct of research studies utilizing human subjects, the principal investigator (PI) should present a rationale to establish the appropriate level of compensation for participants in the study, if any.

a. Any reimbursement or incentive to participants in a research study must not involve coercion or constitute undue inducement or influence an individual’s decision to participate in the study.

b. Subject to university policy, compensation may be offered as cash, gift cards, gifts (e.g., t-shirts or coffee mugs), and/or reimbursement for personal expenses such as travel and child care costs. Gifts should be provided to participants at the completion of the relevant activity. Payments by check should be avoided as they require disclosure of personal information to the business office.

1. Use of Grant Funds - Reimbursements or incentives for participation in a research study must be detailed in the grant application and in the application to the SFASU IRB by method and amount. The payments must be approved by the funding agency and the SFASU IRB.

2. Informed Consent - It is critical that participants are informed during the consent process that if, either in one or multiple studies in a given calendar year, the total payments and/or gift values exceed $100, their social security number (SSN) and contact information shall be provided to the Business Office for tax purposes. Further, study participants should be informed that if they receive payments that total more than $599, they shall receive a tax form from SFASU at the end of the calendar year.

Finally, participants should be told that they can elect not to receive payments to avoid disclosure of this information to the Business Office.

3. Documentation - PIs are required to maintain a tracking list or spreadsheet with individual code numbers and payments. If compensation is by gift or gift card, the PI must record the individual’s name, SSN, address, and signature at the time of payment. Unless the study guarantees participant anonymity, the PI must also keep a master list linking code numbers and individual participant names, which must be
kept in a password protected computer and/or locked filing cabinet. The tracking spreadsheet or other documentation with study and individual code numbers must be kept indefinitely to allow for an audit of expenditures if required.

**Cross Reference:** Ethical Principles and Guidelines for the Protection of Human Subjects in Research: The Belmont Report; Title 45, Part 46 of the Code of Federal Regulations, as amended; 45 C.F.R. §46.

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

**Contact for Revision:** Director of the Office of Research and Sponsored Programs

**Forms:** Business Office forms and IRB forms
Physical Plant Charges (B-21)

**Original Implementation:** December 7, 1987  
**Last Revision:** July 13, 2006/July 21, 2009

Funding for repairs to campus buildings comes from several sources and the type and use of the building determines the source of funding. Funding is as provided below:

Educational and General Buildings (i.e., offices, classrooms, library, etc.) - Maintenance of these buildings and building equipment is the responsibility of the Physical Plant Department and is paid from funds budgeted for that purpose.

The Physical Plant Department may charge Educational and General accounts for the following material and services.

1. Materials taken from stock not used in maintenance projects.
2. Repair of equipment.
3. Set-up charges.
4. Paint requests when redecorating.
5. Materials and labor for millwork.
6. Vehicle rentals and gasoline.
7. Minor alterations that change the structure of the facility.
8. Replacement of lost keys or lock changes due to lost keys.
9. Call back expenses that are not caused by normal maintenance requirements.

**Source of Authority:** Vice President for Finance and Administration

**Cross Reference:** None

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

**Contact for Revision:** Director of Physical Plant

**Forms:** None
Appendix 8

Prohibition of Campus Violence (D-55) NEW

Original Implementation: July 21, 2009
Last Revision: None

Stephen F. Austin State University recognizes that threatening and violent behavior is contrary to its mission as an educational institution. Such behavior while on university premises, at university sponsored activities, in electronic communities/instructional sites or off-campus conduct that adversely affects the university and/or the pursuit of its objectives will not be tolerated. The university encourages all members of the university community to promptly report any emergency or crime to the SFA University Police (UPD).

I. General Policy Guidelines

A. Scope
This policy applies 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.

B. Definitions
Violent behavior includes any behavior, whether intentional or reckless, which results in bodily injury to one's self, another person and/or damage to property.

Threatening behavior includes any behavior, whether intentional or reckless, that by its nature would be interpreted by a reasonable person as intent to harm one's self, another person or damage property belonging to another. Threats may be oral, written, or communicated through conventional mail, electronic, fax, or telephonic means and may be direct or implied.

Campus violence encompasses threatening and violent behavior. Campus violence can include, but is not limited to, the following:

- Physically assaulting a person, including slapping, hitting, punching, pushing, poking or kicking; or threats to inflict physical harm;
- Arson, sabotage, equipment vandalism, damaging or destroying property, throwing or hitting objects;
- Displaying a weapon or an object that appears to be a weapon in a threatening manner; carrying a firearm of any kind onto university owned or controlled property (except those permitted by state law or university policy); or using a weapon to harm someone;
- Using greater physical size/strength to intimidate another; intimidating or threatening gestures, bullying or hazing;
- Intimidating, threatening, hostile or abusive language directed toward another person that communicates the intention to engage in violence against that
person and leads a reasonable person to expect that violent behavior may occur;
• Stalking another person.

C. **Campus Violence Prohibited**
Any student who engages in campus violence while on university premises, at university sponsored activities, in electronic communities/instructional sites or off-campus conduct that adversely affects the university and/or the pursuit of its objectives may be removed and/or barred from the premises pending the outcome of an investigation and any disciplinary action deemed necessary as determined through the regular student disciplinary process (see University Policy D-34.1, Student Code of Conduct).

II. Procedures

A. **Reporting Immediate Emergencies or Crimes**
Any person who experiences, is aware of, or witnesses campus violence, or who has reason to suspect that campus violence is occurring that may be of a criminal nature or poses clear and present danger should immediately contact the University Police Department.

B. **Protective or Restraining Orders**
Any student who takes out a protective or restraining order against another person, or receives a protective or restraining order which lists university owned or leased premises as a protected area, shall provide UPD with a copy of such order, and when possible a photograph of the person against whom the order has been issued.

C. **Sanctions**
Students who violate this policy may be subject to disciplinary action up to and including suspension or expulsion, may be removed from campus pending investigation and completion of the student disciplinary process according to the university’s interim suspension policy, and/or arrested and be subject to legal action.

D. **Filing of False Reports**
Any person who knowingly and intentionally files a false report shall be subject to disciplinary action that may include dismissal, expulsion, and/or legal action.

E. **Retaliation Prohibited**
A student who retaliates in any way against an individual who has brought a complaint in good faith pursuant to this policy or participated in good faith in an investigation of such a complaint is subject to disciplinary action including suspension or expulsion.
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
Appendix 8

Property Inventory and Management (C-42)

Original Implementation: September 28, 1996
Last Revision: January 27, 2009

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 Procurement and Property Services Department. Property responsibility is delegated by the president of the university through the director of Procurement and Property Services 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 Procurement and Property Services and Property Managers - The director of Procurement and Property Services 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 records.

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 procurement, 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

The Property Office is in the process of converting all property to RFID tags. While that conversion is on-going, once per year an Annual Property Inventory Audit will be conducted one of two ways:

1. PHYSICAL COUNT: The 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. Missing or Stolen Property Reports 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.

2. RFID SCAN: The department head is responsible to assign one individual (the department head may be this individual) to identify and open doors, cabinets, storage areas, etc. for property to be scanned by property staff. If available and at the property manager’s discretion, scanners may be checked out to departments to complete scanning. After scanning is complete, the property managers will produce exception reports, which will be generated and forwarded to the department head and designee for resolution. Missing or Stolen Reports may be required. After all exceptions have been resolved an updated property list will be forwarded to the department head and designee for review and updating of responsible party names and property condition, and approval by signature and return of the Approval of Annual Property Inventory form.

Annual Property Inventory Deadlines

Departments failing to complete the Annual Property Inventory and return the official property report and certification or respond to exceptions and return the Approval of Annual Property Inventory 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.

*Items containing potentially sensitive, private or confidential information are not to be stored in any leased premises unless specifically authorized in writing by the President. These items include but are not limited to computers, electronic or digital storage devices, and paper documents. Certain off-campus facilities may lack the security necessary to protect such sensitive information.*

**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. 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.

*All property sales, including scrap metal, are to be overseen by the Property Office. All funds from sale proceeds will be deposited to the General Fund (if originally purchased from state funds) or the Surplus Account (if originally purchased with local funds), unless otherwise approved by the vice president for finance and administration. Such approval will be restricted to situations where the proceeds will be returned to an income-generating department such as the soils lab, beef farm, etc. or where the proceeds will provide an off-set to a large project purchase such as a road bus, etc.*

**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 procurement and property services, 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 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 Procurement
- Director of ITS (computers only)
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.

**Cross Reference:** Texas Government Code, Chapters 403.271(a) through 403.278 Tex Gov't Code §§ 403.271-278; Tex Gov't Code § 2054.003(3)(A); Tex Gov't Code § 2175; Tex Gov't Code § 2203.004; Property Liability Policy B-34

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

**Contact for Revision:** Director of Procurement and Property Services/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)
Appendix 8

Purchase of Electronic and Information Resources (C-62)
NEW

Original Implementation: July 21, 2009
Last Revision: None

All electronic and information resources (EIR) developed, procured or changed by an institution of higher education shall comply with the standards and specifications of Chapter 206 and/or Chapter 213 of 1 TAC, Part 10 unless an exception is approved by the president in accordance with 1 TAC, Part 10, Chapter 213, Subchapter C.

The term "electronic and information resources" as used in this policy refers to the definition in 1 TAC Part 10, Chapter 213, Subchapter A: information technology and any equipment or interconnected system or subsystem of equipment, that is used in the creation, conversion, duplication, or delivery of data or information. The term electronic and information resources includes, but is not limited to, telecommunications products (such as telephones), information kiosks and transaction machines, websites, multimedia, and office equipment such as copiers and fax machines. The term does not include any equipment that contains embedded information technology that is used as an integral part of the product, but the principal function of which is not the acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. For example, HVAC (heating, ventilation, and air conditioning) equipment such as thermostats or temperature control devices, and medical equipment where information technology is integral to its operation, is not information technology.

To comply with this requirement, the university will include the following statement on all purchase orders and contracts for the electronic and information resources: Contractor represents and warrants (the “Electronic and Information Resources (EIR) Accessibility Warranty”) that the electronic and information resources and all associated information, documentation and support that it provides to the university under the agreement (collectively, the “EIRs”) comply with the applicable requirements set forth in Title 1, Chapter 213 of the Texas Administrative Code and Title 1, Chapter 206, Rule §206.70 of the Texas Administrative Code (as authorized by Chapter 2054, Subchapter M of the Texas Government Code). To the extent contractor becomes aware that the EIRs, or any portion thereof, do not comply with the EIR Accessibility Warranty, then contractor represents and warrants that it will, at no cost to the university, either (1) perform all necessary remediation to make the EIRs satisfy the EIR Accessibility Warranty or (2) replace the EIRs with new EIRs that satisfy the EIR Accessibility Warranty. In the event the contractor fails or is unable to do so, then the university may terminate the agreement and contractor will refund to the university all amounts the university has paid under the agreement within thirty (30) days after the termination date.
If a vendor is unable to comply with this statement, and no other vendor is available to provide the EIR, and the department has a need that cannot be met with a different EIR, then the department and the procurement office will complete an "Electronic and Information Resources (EIR) Accessibility Exception Request" for review by general counsel and approval by the president.


Responsible for Implementation: President

Contact for Revision: Director of Procurement and Property Services/HUB Coordinator

Forms: Electronic and Information Resources (EIR) Accessibility Exception Request
Purchase Requisition (C-30)

Original Implementation: Unpublished
Last Revision: October 30, 2007/July 21, 2009

Specific requests by a department to purchase goods or services begins with the completion of an electronic "Purchase Requisition" that must be approved by the account manager or his/her designee. Approval levels will be documented via FRS Approval Structures maintained by the purchasing office.

Requisition approvals are built and maintained in the Banner System by the procurement office. In addition to departmental approvals, other conditional approvals are in place for the following types of requisitions:

- Advertising, marketing and printed publications—must be approved by the Office of Public Affairs
- Computer Replacement Funds—must be approved by the Procurement Office
- Insurance—must be approved by the Safety and Risk Management Office
- Memberships—must be approved by the president or a vice president or the president or his/her designee
- Printing, Advertising, Web Design—must be approved by the Office of Public Affairs
- Research and Sponsored Programs Funds—must be approved by the Office of Research and Sponsored Programs
- Requisitions $100,000 or greater—must be approved by the Director of Procurement
- Travel Requisitions—must be approved by the dean or his/her designee, if applicable and the division

Electronic requisitions are submitted through the Banner System following the guidelines outlined in the Requisitions, Approvals and Receiving Manual. The following purchase orders may be created without a requisition, at the discretion of the purchaser:

1. Procurements that have been approved by the Board of Regents with the source of funding clearly defined;
2. Blanket contracts for recurring services particularly those that are for the benefit of the entire University: i.e., utilities, etc.

When a purchase order is created without a requisition, the end user will be notified by email that the purchase has been charged to their account.
The purchase of highly technical items may require special assistance from the end user. In such cases, it is the responsibility of the end user to provide technical support in the preparation of specifications and in the evaluation of solicitations. If review of solicitation responses prior to award is specifically desired, please state a comment to this affect in document text on the "Purchase Requisition".

Items that can be purchased from the same vendor should be grouped on the same requisition.

Requisition processing within the purchasing procurement department differs depending upon source of funds, dollar value, and the type of good or service being acquired, and department need. Requisitions will usually be processed into purchase orders within one day to six weeks. See policy C-7, Best Value Procurement.

*Purchases from agency accounts may not be submitted on a purchase requisition.* See Policy C-31, Purchase Voucher.

The "Purchase Requisition" is to be generated electronically. On-line requisitions are entered through the FRS System following the guidelines outlined in the FRS Purchasing Software Manual. Contact the purchasing office for more information if you do not currently have this access. The manual is available in PDF format at URL http://www.sfasu.edu/purchasing/manuals.asp. For training, contact the purchasing office.

**Cross Reference:** Best Value Procurement (C-7), Purchase Voucher (C-31)

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

**Contact for Revision:** Director of Procurement and Property Services/HUB Coordinator

**Forms:** None
Purchase Voucher (C-31)

Original Implementation: September, 1990
Last Revision: January 30, 2007, July 21, 2009

Normally, purchases for goods or services are processed in accordance with Policy C-10, Delegated Purchasing Authority. Some purchases, however, do not involve ordering goods or waiting for a vendor's invoice. These transactions are initiated on a purchase voucher. Examples of items for which purchase vouchers should be used are for the following:

1. Overnight mail services (no voucher required if using the Purchasing Department Preferred Vendor Contract)
2. Licensing fees (except software licensing fees)
3. Notary bonds
4. Refunds
5. Postage
6. Prepayment of registration fees for business conferences, workshops and seminars (these may also be paid with the P-Card)
7. Settlement agreements
8. All purchases from agency accounts

The Purchase Voucher Form may be accessed online at https://apache.sfasu.edu/sfa_forms/purchasevoucher.shtml. It may be completed online, or printed out and completed manually. Once completed, the hard copy must be signed by the account manager, and forwarded with supporting documentation to the Controller's Office, Box 13035, for processing.

Payments which have been inappropriately initiated on a purchase voucher will be returned to the originating department for proper processing through the Purchasing Procurement Department.

Questions regarding the preparation of forms mentioned in this policy should be directed to the Purchasing Procurement Department or the Controller's Office.

Cross Reference: Delegated Purchasing Authority (C-10)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Controller; Director of Purchasing and Inventory, Procurement and Property Services/HUB Coordinator
Forms: Purchase Voucher
Restrictions on Purchasing and Contracting with Certain Vendors (C-48)

Original Implementation: January 25, 2000
Last Revision: July 10, 2007, July 21, 2009

DEFINITIONS

Warrant Hold – status identifying vendors who are delinquent in payments to the state of Texas and prohibiting the state comptroller from issuing payment to the vendor. Determination of this status is required up to 7 days before “contracting” with any vendor and may prevent the university from being able to “contract” with the vendor. Warrant Hold information is maintained in the State Comptroller’s TINS (Texas Identification Number System). The university’s financial system will terminate and prevent the use of any vendor that is on warrant hold.

EPLS – Federal government’s Excluded Parties List System identifying Specially Designated Nationals (SDN) with whom the United States President’s Executive Order 13224 prohibits any government entity from doing business. EPLS verification is required for all contracts, except p-card transactions.

Contract - As defined by the state comptroller in Notice to State Agencies #FM00-35, dated 12/2/99, a "contract" is a commitment of agency funds for the purchase of goods or services. This definition includes P-cards, vouchers, purchase orders and contracts.

RESPONSIBILITY FOR DETERMINATION

It will be the responsibility of the department placing the order to insure that the selected vendor is NOT on warrant hold or the EPLS up to 7 days before the “contract” date, but no later than the “contract” start date for the following types of transactions. It is the responsibility of the SFA Controller’s Accounts Payable office to insure that the selected vendor is NOT on warrant hold prior to processing a payment.

Procurement – purchase orders: purchasing places the order:
  - standing orders
  - purchase orders or contracts completed from a requisition submitted for order placement by purchasing

Library – library Bood Purchases made by the Library:
  - Cardholders - library-delegated purchases
Satisfactory Academic Progress for Financial Aid Recipients (A-40)

Original Implementation: September, 1985
Last Revision: January 30, 2007, July 21, 2009

Federal regulations mandate minimum standards of "satisfactory progress" for students receiving financial assistance. These requirements apply to the student's entire academic history, whether financial aid was received or not, and to all types of aid: Grants, Loans, and Work-Study. The standards for determining progress at the University are composed of three separate measurements: Grade point average (GPA), Credit hour requirements, and Maximum hours allowed. For a-students to be eligible to receive federal and state student financial assistance at Stephen F. Austin State University (SFASU), the students must maintain satisfactory progress in their course of study. All students must be enrolled in a degree or teaching certificate program. Newly enrolled undergraduate students must be admitted "in good standing."

NOTE: Students who are admitted to SFASU as a Non-Degree, Provisional (except graduate students who will be given one semester to remove provisional status), Transient, Summer Prep, Career Interest or Self-Improvement, Audit Courses, AARC (090) tutoring, or on academic suspension, will NOT be eligible to receive financial aid. When the student is admitted to a degree program, Special Student status is changed, or suspension status is removed, an eligible student may then be considered for financial assistance.

GRADE POINT AVERAGE (GPA)

The grade point average This is the qualitative-quantitative measurement used for academic work at this University. For financial aid purposes, a student must maintain a cumulative GPA of 1.6 or better as a Freshman, 2.0 or better as a Sophomore through Senior and 3.0 or better as a graduate students. Grade point averages will be checked on an annual basis.

CREDIT HOUR REQUIREMENTS

This is the quantitative measurement of the minimum number of hours completed each year at SFASU. A year is defined as Summer I, Summer II, Fall, and Spring sessions. In order to receive financial assistance, Freshmen must complete 60% of the hours attempted. All other students must complete at least 75% of the hours attempted.

Credit hours will be considered satisfactorily completed if one of the following grades is earned: A, B, C, D, or P. Grades of F, W, WH, WF, WP, or QF are not satisfactory. If a graduate students receives a WH for Thesis/Dissertation Research or Thesis/Dissertation Writing, the hours will not be counted as hours attempted.
due to the length of time needed to complete this degree requirement. However, there is a
two-year time limit on the research and writing of a thesis or dissertation assigned by the academic department.

If you withdraw from the University prior to the end of the semester or receive unsatisfactory grades - all F's, or receive a combination of all W's, F's, or QF's, you will be denied for future financial assistance. W's, F's, and QF's will be checked for unsatisfactory progress after the end of each semester. You may reapply after satisfactory progress has been met.

Financial aid is given to students enrolled for remedial courses (098 & 099). These courses are considered attempted hours and are counted as earned hours for determining satisfactory progress for financial aid purposes. A student must make a grade of A, B, C, D, or P to remain in compliance.

Repeated classes are treated the same as any other class.

**MAXIMUM HOURS ALLOWED**

The stated maximum allowable hours at each level of study are for all students regardless of the number of changes in major or concentration. The student's entire academic record at SFASU (including prerequisite courses) is used to calculate the maximum requirements. Course work transferred to SFASU will count toward the maximum number of allowable credit hours. Maximum hours allowed shall be checked after each semester.

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<thead>
<tr>
<th>Enrollment Status at University</th>
<th>Maximum Number of Credit Hours by Degree Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>Undergraduate</td>
<td>19580 attempted semester hours*</td>
</tr>
<tr>
<td>Post-Baccalaureate</td>
<td>36 attempted semester hours</td>
</tr>
<tr>
<td>Graduate: Masters</td>
<td>54 attempted semester hours</td>
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<tr>
<td>MFA &amp; MBA</td>
<td>90 attempted semester hours</td>
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<tr>
<td>Ph.D. &amp; Ed.D.</td>
<td>96 attempted semester hours</td>
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</tbody>
</table>

* For undergraduate programs that exceed 120 hours, the maximum number of hours allowed will be set at one and a half times the normal program length.

Students who are not in compliance are not ineligible for assistance until they have made up the credit hour deficiency from the last evaluation period and/or brought their GPA up to the qualitative standard indicated. Once the deficiency is made up, the students should notify the Financial Aid Office.

Students who are not making satisfactory academic progress may file a written appeal to the Financial Aid Office. Students have thirty (30) days after notification of denial of financial aid to file an appeal with the Financial Aid Office. Appeals shall then go
Appendix 8

before be submitted to a committee for review, and all students will be notified of the committee’s decision in writing. Appeals should include all documentation, which supports any mitigating circumstances concerning the failure to maintain the expected level of satisfactory progress. All decisions made by the committee are final. Students have thirty (30) days after notification of denial of financial aid to file an appeal with the Financial Aid office. Students shall be notified of the committee’s decision in writing.

Cross Reference: None 34 C.F.R. § 668.34; 20 U.S.C. 1091(d)

Responsible for Implementation: Provost and Vice President for Academic Affairs

Contact for Revision: Director of Financial Aid; Provost and Vice President for Academic Affairs

Forms: None
Service Awards (E-45)

Original Implementation: October 4, 1984
Last Revision: July 13, 2006; July 21, 2009

Human Resources (for non-academic employees) and the Faculty Service Award Committee appointed by the Provost/Vice President for Academic Affairs (for faculty) coordinate an annual service award program to recognize employees for years of service to Stephen F. Austin State University. Service pins and certificates of appreciation are awarded to employees with ten, twenty, thirty, or forty years of service. Award recipients are identified on the basis of years of service as recorded in the individual’s personnel records in Human Resources.

Department heads are notified of those employees who are eligible to receive awards. Questions concerning an individual’s eligibility should be directed to Human Resources for staff and to the Provost/Vice President for Academic Affairs for faculty. Arrangements for staff recognition are carried out by Human Resources. Arrangements for the faculty recognition ceremony are carried out by the Faculty Service Award Committee in conjunction with the office of the Provost/Vice President for Academic Affairs.

In conjunction with the staff service award program each year, two classified and two non-classified staff employees are selected from nominated staff employees to receive the President’s Award in recognition for outstanding service to the University. This award includes a $500 cash award and a plaque that is presented at the annual award ceremony.

Source of Authority: General Appropriations Act, President, Director of Human Resources, Provost/Vice President for Academic Affairs

Cross Reference: Non-Academic Employee Handbook

Responsible for Implementation: President

Contact for Revision: Director of Human Resources

Forms: None
Small-Size Classes (A-46)

Original Implementation: November 4, 1977
Last Revision: April 13, 2006, July 21, 2009

1. This policy applies to courses whose primary mode of instruction is lecture, laboratory, or seminar.
2. Small-size classes are undergraduate classes with less than 10 registered students and graduate classes with less than 5 registered students. Minimum enrollment requirements for off-campus, face to face courses are addressed in Policy A-34r, Off-Campus Courses.
3. No small-size classes shall be offered in any term except as authorized by the Board of Regents of Stephen F. Austin State University.
4. Only small-size classes that meet one or more of the following requirements may be authorized to be taught:
   a. A course required for graduation. (The course must not be offered each semester or term; and, if cancelled, may affect the date of graduation of those enrolled.)
   b. A course required of majors in this field that should be completed in a given semester (term) in order to keep the proper sequencing in of courses.
   c. A course in a newly established degree program, concentration, or support area.
   d. Interdepartmental (cross-listed) courses taught as a single class by the same faculty at the same station, provided that the combined courses do not constitute a small class.
   e. The first time offering of a course.
   f. A course the class size of which is limited by accreditation or state licensing standards.
   g. A course the class size of which is limited by the availability of laboratory or clinical facilities.
   h. A class voluntarily offered by a faculty member in excess of the institutional teaching load requirement and for which the faculty member receives no additional compensation.
5. A small-size class of the same course may not be offered in consecutive semesters or summer terms.
6. The University shall file a small class report with the Coordinating Board through its uniform reporting system as required by state law or agency regulations.

Procedure:

1. A Department Chair submits a small class form to the appropriate Dean requesting approval to offer small-size class(es).
2. The Dean approves/disapproves the request and forwards the form to the Provost and Vice President for Academic Affairs (VPAA), with a copy to the Registrar.

3. The Provost and Vice President VPAA approves/disapproves the request and sends copies of the small class form to the Dean and the Registrar.

4. The Provost and Vice President VPAA submits the report of small-size classes to the Board of Regents for final approval.

Source of Authority: Texas Education Code, sec. 51.403 et seq.; Board of Regents; President; Provost and Vice President for Academic Affairs

Cross Reference: Faculty Handbook; Texas Educ. Code, § 51.403

Responsible for Implementation: Provost and Vice President for Academic Affairs

Contact for Revision: Provost and Vice President for Academic Affairs

Forms: Small-size Class Request Form (below)

SMALL SIZE CLASS APPROVAL

To: ____________________________

Associate Provost/Vice President for Academic Affairs

Through: ____________________________

College Dean

From: ____________________________

Department Chair

Date: ____________________________

Approval is requested to offer the following small-size class(es):
## Approval

<table>
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<th>Class/Section</th>
<th>Enrolled</th>
<th>Justification</th>
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P-124
Student Conduct Code (D-34.1)

Original Implementation: January 1998  
Last Revision: July 15, 2008 / July 21, 2009

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 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.

Conduct 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 non-university authorities. The determinations and any sanctions resulting from university disciplinary proceedings will be independent of any non-university 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 (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:
Appendix 8

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 Illicit 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, 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. *These conditions can include substance abuse evaluation, treatment, and/or counseling. Any cost for services or treatment not offered as a student service on campus will be the responsibility of the student.*

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 harm, or causing reasonable apprehension of physical harm, to any person. This includes, but is not limited to, stalking, terroristic threats, and physical or 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. 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 or products on university property or at university-sponsored activities, including, but not limited to, intercollegiate and intramural athletic events on university grounds, 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.

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.

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 or learning 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); Computer & Network Security (Policy D-8.1); Digital Millennium Copyright (Policy D-42); Computing Software Copyright (Policy D-43); Acceptable Use of Information (Policy F-40); Discrimination Complaints/Sexual Harassment (Policy E-46); Discipline and Discharge (Policy E-11)

Responsible for Implementation: Vice President for University Affairs

Contact for Revision: Dean of Student Affairs

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Rules of Procedure in Student Disciplinary Matters

Contents

I. Introduction
II. Definitions
III. Rights of Charged Students in Disciplinary Proceedings
IV. Rights of Victims in Disciplinary Proceedings
V. Evidence and Burden of Proof
VI. Confidentiality Standards
VII. Penalties
VIII. Residence Hall Policy Violation Procedures
   A. Informal Disposition for Residence Hall Policy Violations
      1. Informal Hearing Procedures
      2. Right of Appeal
      3. Status During Appeal
      4. Record of Hearing
   B. Formal Disposition for Residence Hall Policy Violations
      1. Formal Hearing Procedures
      2. Right of Appeal
      3. Status During Appeal
      4. Record of Hearing
IX. Student Conduct Code Violation Procedures
    A. Informal Disposition for Student Conduct Code Violations
       1. Informal Hearing Procedures
       2. Right of Appeal
       3. Status During Appeal
       4. Record of Hearing
    B. Formal Disposition for Student Conduct Code Violations
       1. Formal Hearing Procedures
       2. Scope of the Committee
       3. Determinations and Official Report
       4. Other Procedural Questions
       5. General Rules of Decorum
       6. Right of Appeal
       7. Status During Appeal
       8. Record of Hearing

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, 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 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.

Student Conduct Code: University Policy D-34.1, 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 the 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 members 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 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 or to hear appeals. 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 delegated to the judicial officer. The VPUA may designate additional staff members to serve as hearing officers as the need arises. All 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;

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 begins at the end of 5pm on the first business day following the date of the decision of the hearing officer or board considering the case. A suspension also 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 and begins at the end of 5pm on
the first business day following the decision of the hearing officer or board considering the case. 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, the judicial officer shall provide notice to the student at the first reasonable opportunity.

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

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

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

**VIII. Residence Hall Policy Violation Procedures**

The hall director shall receive the report of any alleged infraction of Residence Hall Policy and the Student Conduct Code that occurs in a residence hall.
Appendix 8

Infractions that constitute Student Conduct Code violations shall be forwarded to the judicial officer. Alleged Residence Hall Policy infractions shall be adjudicated by Residence Hall Hearing Procedures. Student Code of Conduct violations shall be referred to the judicial officer in the Office of Student Rights and Responsibilities.

In the event of multiple infractions involving both Residence Hall Policy and the Student Conduct Code, each infraction shall be heard separately by the appropriate hearing officer. In Residence Hall Policy violation cases, the hall director shall notify the charged student, through a university-recognized medium, 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 director shall make every effort for the hall hearing to be held within five (5) working days of the alleged 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 at the first meeting. The charged student will also be presented with the option of having the hall director informally resolve the incident or having the case heard before the Residence Hall Judicial Board. The hall director shall also have the right to refer the case to the Residence Hall Judicial Board.

A. Informal Disposition for Residence Hall Policy Violations
   1. Informal Hearing Procedures for Residence Hall Policy Violations

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

   2. Right of Appeal for an Informal Hearing of Residence Hall Policy Violations
The charged student may appeal the decision of the hall director to the judicial officer who has final authority in the matter. The student must file the appeal within three (3) working days of the hall director's decision. Grounds for an appeal are limited to procedural irregularities. The student must file the signed and dated written appeal in the Office of Student Rights and Responsibilities prior to no later than 5 p.m. on the day of the deadline. The written appeal must contain the charged student's university identification number, date of the disciplinary action being appealed, the nature of the charges, the grounds which merit an appeal, and any extenuating circumstances the charged student wishes to have considered. The judicial officer shall review the full record of the case and the appeal documents and may affirm, reverse or remand the case for further proceedings and shall notify, through a university-recognized medium, the charged student and the Residence Life Center of the decision on the appeal.

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

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

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

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

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

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

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

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

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

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

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

The decision of the Judicial Board may be appealed in writing within three (3) working days to the judicial officer who has final authority over the matter. Grounds for an appeal are limited to procedural irregularities. The student must file a signed and dated written appeal must be filed in the judicial officer’s Office of Student Rights and Responsibilities office prior to no later than 5 p.m. on the day of the deadline. The written appeal must contain the charged student’s university identification number, date of the disciplinary action being appealed, the nature of the charges, the grounds which merit an appeal, and any extenuating circumstances the charged student wishes to have considered. The judicial officer shall review the full record of the case and the appeal documents and may affirm, reverse or remand the case for further proceedings and shall notify, through a university-recognized medium, the charged student and the hall director of the decision on the appeal.

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

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

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

The hearing record shall be maintained by the Residence Life Department 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.

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**III. Student Conduct Code Violation Procedures**

P-141
The Judicial Office Office of Student Rights and Responsibilities 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 Office Office of Student Rights and Responsibilities shall notify, through a university-recognized medium, the charged student, through a university-recognized medium, of the necessity of a hearing to adjudicate the alleged violation through a university-recognized medium. The notice shall include the date of the alleged violation and the specific provision of the Student Conduct Code in question.

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 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 at the initial meeting.

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.

A. Informal Disposition for Student Conduct Code Violations

1. Informal Hearing Procedures for Student Conduct Code Violations

If the charged student selects an informal hearing, the incident report shall serve as evidence of the violation. The judicial officer shall serve as the official who initiates the charge of misconduct, serve as hearing officer, make a determination and impose any sanction. The charged student's advisor may advise the charged student but may not participate in the hearing by asking questions or addressing the judicial officer. In the event the charged student does not appear for the initial hearing scheduled with the judicial officer, the charged student shall be sent a second notice within
two (2) working days. If the charged student does not respond to the second notice, the charged student may be suspended from the university. Student’s case may be considered and a final decision determined in the absence of the student 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 or expulsion

There are two (2) appeal options for the sanctions of suspension or expulsion. A student may appeal either the finding/decision OR the sanction. The written appeal must be submitted according to one of the following procedures within 5 working days of the judicial officer’s decision. A student must remain off campus until his/her appeal is accepted by the proper authority and permission is granted to continue to reside on campus and/or to attend classes until the completion of the appeal process:

i. Appeal of Findings:

The determination of the judicial officer of a student’s responsibility in a case that results in a sanction of suspension or expulsion 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. The student must file the signed and dated written appeal in the committee chair’s office no later than 5 p.m. the day of the deadline. The written appeal must contain: the charged student’s university identification number, date of the disciplinary action being appealed, the nature of the charges, a specific request to have the case reheard before the committee, and a request(s) to continue to reside on campus and/or attend classes during the appeal process. 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 judicial officer's sanction of suspension or expulsion to the vice president for university affairs 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 no later than 5 p.m. the day of the deadline and. The written appeal 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 and a request(s) to continue to reside on campus and/or attend classes during the appeal process.

The vice president may assign the appeal to the dean of student affairs. In this case, the dean of student affairs will serve as the final level of appeal.

iii. Sanctions other than suspension or expulsion:

The charged student may appeal the decision of the judicial officer to the Student Conduct Committee who has final authority in the matter, within five (5) working days of the judicial officer's decision. Grounds for an appeal are limited to the following: procedural irregularities severe enough to have denied the student a fair hearing; lack of clear and convincing evidence to support the hearing outcome; new information pertinent to the case that was unknown to the student at the time of the hearing; or an excessive or inappropriate sanction. The student must file the signed and dated written appeal must be filed in the office of the Student Conduct Committee chair prior to no later than 5 p.m. the day of the deadline and. The written appeal 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.
Appendix 8

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, modify, reverse or remand the case findings or sanctions for further proceedings and shall notify, through a university-recognized medium, the charged student and the judicial officer of the decision on the appeal.

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

In cases of suspension or expulsion where an appeal is filed within the required time, a charged student may petition the appropriate appeal officer, either the conduct committee chair, or the vice president for university affairs VPUA or designee, in writing for permission to continue to reside on campus and/or 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 sanctions other than suspension or expulsion, where an appeal is filed within the required time, the terms of the sanction are not enforced pending final determination of the appeal. In the event a sanction is upheld, any final disciplinary action imposed shall be effective from the date of the final appellate authority decision.

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

The hearing record shall be maintained by the office of the Office of Student Rights and Responsibilities 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 appropriate university officials 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
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 the case is referred to the Committee 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. The charged student will be allowed 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. *Formal hearings will be scheduled as quickly as reasonably possible. Formal hearings generally will not be scheduled when classes are not in session or during dead week or finals week.*

   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 *as quickly as it is reasonably possible.* 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 *may result in the charged student's case being considered and a final decision determined by the*
Appendix 8

committee in the absence of the student case being referred back to and/or the judicial officer being instructed to place a bar upon the charged student who may then suspend the charged student from the university or have a bar placed on all university files and accounts preventing the conduct of university business until the charged student appears for disposition of the case in compliance with these rules.

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

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

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

2. **Scope of the Committee**

The Student Conduct Committee may:

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

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

c. question witnesses or other evidence introduced by either the university or the charged student;
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. call additional witnesses or require additional investigation;

f. dismiss, amend or add any action or charges or permit informal disposition upon request of the charged student;

g. bring charges against additional students as a result of the evidence presented in a hearing;

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

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

3. Determinations and Official Report of the Student Conduct Committee

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

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

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

5. General Rules of Decorum for a Formal Hearing of Student Conduct Code Violations
All requests to address the committee shall be addressed to the chair. The chair shall rule on all requests and may consult with the committee's legal 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. **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. 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. *In cases of suspension or expulsion, a student must remain off campus until his/her appeal is accepted by the vice president for university affairs or designee and permission is granted to continue to reside on campus and/or to attend classes until the completion of the appeal process.*

The student must file a signed and dated written appeal must be filed in the vice president for university affairs' office prior to noon later than 5 p.m. on the day of the deadline. *The written appeal 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, and, in cases of suspension or expulsion, a request(s) to continue to reside on campus and/or attend classes during the appeal process.* 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. In this case, the dean of student affairs will serve as the final level of appeal.

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 continue to reside on campus and/or attend classes pending final determination of the appeal. The vice president for university affairs, or their designee, may permit either or both of these requests for 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.

7.8. 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 appropriate university officials 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
Terminal Degree Policy (E-73) NEW

Original Implementation: July 21, 2009
Last Revision: None

Stephen F. Austin State University is committed to maintaining a high quality faculty. Toward that end, the university aspires to recruit and retain faculty members with terminal degrees in their disciplines. A terminal degree is defined as the generally accepted highest degree in a field of study.

1. As a general rule, possession of an earned doctorate or other recognized terminal degree from an accredited institution in an area appropriate to the individual’s discipline shall be required for appointment to a tenure track or tenured faculty position.

2. Exceptions to the requirement of a terminal degree may be made by the Provost and Vice President for Academic Affairs (VPAA), but only upon recommendation by the chair of the department and dean of the college. One or more of the following circumstances may justify approval of an exception to the requirement of an earned doctorate:
   (a) The faculty member has demonstrated, in well-documented form, preparation and experience appropriate to the discipline that meets accreditation standards.
   (b) The faculty member has demonstrated exceptional preparation and experience to offer instruction in a discipline when the faculty member possesses a doctorate in another area.

3. Terminal degree requirements for appointment to a tenure track position shall be clearly stated in any vacancy announcement.

4. Where appropriate, an offer of employment shall provide the time period in which the terminal degree must be completed.

5. Verification of a completed terminal degree shall require an official transcript sent directly to the Office of Academic Affairs by the degree-granting institution.

Cross Reference: Policy A-49, Academic and Professional Preparation; Policy E-1A, Academic Appointments and Titles

Responsible for Implementation: Provost and Vice President for Academic Affairs

Contact for Revision: Provost and Vice President for Academic Affairs

Forms: None
Appendix 8

Vehicle Repair and Maintenance (B-31)

Original Implementation: Unpublished
Last Revision: July 13, 2006 / July 21, 2009

The Physical Plant Auto Shop is located at the Grounds and Transportation Department on the corner of University Drive and Starr Avenue. The shop provides for complete repair and maintenance service for University-owned trucks, automobiles, and small equipment such as lawnmowers, chain saws, etc. The Physical Plant Auto Shop maintains an inventory listing of all University-owned vehicles and schedules annual maintenance inspections. Department heads are notified in writing by the Manager of Transportation that those vehicles in their charge are to be delivered to the Auto Shop for an annual inspection. The Auto Shop will conduct a complete and thorough preventive maintenance inspection and make any repairs necessary. Expenses incurred for service on departmentally owned vehicles will be charged to the department.

In the event of a breakdown of a University-owned vehicle off campus during normal working hours, the individual responsible for that vehicle should contact the Transportation Department at 468-5107 for instructions regarding repair or if after normal working hours, the individual incurring the breakdown should contact University Police at 468-2608. The University Police will notify the Transportation Department of location and nature of problem. Transportation will determine if the repair is to be made by a garage or service center in the area of the breakdown or if the vehicle should be towed to campus. Transportation must authorize all off-campus repair prior to any work being done. Expenses incurred for the repair of a departmentally owned vehicle will be charged to the department.

Repair and maintenance of vehicles leased by the University is performed in accordance with the terms of the lease agreement.

Operators of University-owned vehicles are required by The Texas Government Code and University Policy to report daily use of the vehicles. Reports are to be done daily using a State of Texas Vehicle Use Report form. The monthly report must be completely filled out, signed, and sent to the Manager of Transportation by the 5th calendar day of the following month. The Manager of Transportation will report mileage to the State as required.

Source of Authority: Vice President for Finance and Administration

Cross Reference: Tex. Gov't Code § 2171.101 et seq.; University Vehicles (Rental & 15 Passenger Vans) B-30N/A
Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Physical Plant

Forms: None