

Stephen F. Austin State University

MINUTES OF THE BOARD OF REGENTS



**Nacogdoches, Texas
July 15 and 16, 2013
Volume 282**

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**Stephen F. Austin State University
Minutes of the Meeting of the Board of Regents
Nacogdoches, Texas
July 15 and 16, 2013
Austin Building 307
Meeting 282**

Monday, July 15, 2013

The regular meeting of the Board of Regents was called to order in open session at 8:02 a.m. Monday, July 15, 2013, in the Austin Building Board Room by Chair Steve McCarty.

Dr. Pattillo introduced and welcomed newly appointed student regent, Matthew Logan, and welcomed Jill Still, newly appointed vice president for university advancement. Regent David Alders offered a prayer for the family of Rachel McBroom, daughter of Matthew and Jackie McBroom, who recently died in a swimming accident in Alto, Texas.

PRESENT:

Board Members: Mr. Steve McCarty, Chair
 Mr. David Alders
 Dr. Scott Coleman
 Mr. Bob Garrett
 Ms. Brigettee Henderson
 Mr. Matt Logan, student member
 Mr. Barry Nelson
 Mr. Ken Schaefer
 Mr. Ralph Todd
 Ms. Connie Ware

President: Dr. Baker Pattillo

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

General Counsel: Mr. Damon Derrick

Other SFA administrators, staff, and visitors

*The Building and Grounds Committee convened at 8:06 a.m. and adjourned at 8:40 a.m.
The Finance and Audit Committee meeting convened at 8:40 a.m. and adjourned at 1:55*

p.m. The Academic and Student Affairs Committee convened at 1:55 p.m. and adjourned at 2:30 p.m.

The board chair reconvened the Committee of the Whole at 2:40 p.m. and immediately called for an executive session to consider the following items:

Deliberations Regarding the Purchase, Exchange, Lease, Sale or Value of Real Property (551.072).

Deliberations Regarding Negotiated Contracts for Prospective Gifts or Donations (551.073).

Considerations of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to, executive director of alumni affairs, coordinator of board affairs, director of audit services, general counsel, vice presidents and the president. (551.074).

Consultation with Attorney regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to, EEOC Filings, Intellectual Property, recent Supreme Court decisions, institutional compliance, *Christian Cutler v. Baker Pattillo, et al.*, *Progressive County Mutual Insurance Company v. SFASU*, and *In re: Dr. and Mrs. J.E. Watkins Scholarship Trust* (551.071).

The executive session ended at 6:16 p.m. and the Board of Regents meeting returned to open session and recessed for the evening with no further action.

Tuesday, July 16, 2013

The chair reconvened the board meeting in open session at 9:03 a.m. on Tuesday, July 16, 2013.

PRESENT:

Board Members: Mr. Steve McCarty, Chair
 Mr. David Alders
 Dr. Scott Coleman
 Mr. Bob Garrett
 Ms. Brigettee Henderson
 Mr. Matt Logan, student member
 Mr. Barry Nelson
 Mr. Ken Schaefer
 Mr. Ralph Todd
 Ms. Connie Ware

President: Dr. Baker Pattillo

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

General Counsel: Mr. Damon Derrick

Other SFA administrators, staff, and visitors

Regent Ware led the pledge to the flags and Regent Alders provided the invocation.

RECOGNITIONS

Dr. Richard Berry introduced faculty members promoted in April to the rank of professor. He recognized those awarded the honor of professor emeritus, Warren Fisher and John Lewis. Dr. Berry also introduced a student from the Rusche College of Business who recently made a perfect score in the Business Major Field Test, Glenn McMahon of Coppell, Texas. Gina Oglesbee introduced a new member of her audit staff, Justin McAninch. Officers of the Purple Haze Association were introduced by Dr. Steve Westbrook.

APPROVAL OF MINUTES

BOARD ITEM 13-27

Upon motion by Regent Garrett, seconded by Regent Coleman, with all members voting aye, it was ordered that the minutes of the April 22 and 23, 2013, regular meeting of the Board of Regents be approved as presented.

ADMINISTRATION

BOARD ITEM 13-28

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

A performance evaluation was conducted, and Baker Pattillo was reelected president of Stephen F. Austin State University, at an annual salary of \$315,525, effective September 1, 2013.

A performance evaluation was conducted, and Damon Derrick was reelected general counsel at an annual salary of \$127,629, effective September 1, 2013.

A performance evaluation was conducted, and Gina Oglesbee was reelected director of audit services at an annual salary of \$114,736, effective September 1, 2013.

A performance evaluation was conducted, and Judy Buckingham was reelected coordinator of board affairs at an annual salary of \$39,520, effective September 1, 2013.

PERSONNEL

BOARD ORDER 13-29

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

FACULTY APPOINTMENTS FOR 2013 – 2014

BUSINESS

Marcus Cox, Assistant Professor of Management, Marketing and International Business, M.A. (Stephen F. Austin State University), at an academic year salary of \$95,000 for 100 percent time, effective September 1, 2013, contingent upon completion of doctorate by August 31, 2013.

Gina Harden, Assistant Professor of Management, Marketing and International Business, M.A. (University of Texas), at an academic year salary of \$95,000 for 100 percent time, effective September 1, 2013, contingent upon completion of doctorate by August 31, 2013.

EDUCATION

Vicki DePountis, Assistant Professor of Human Services, Ed.D. (Texas Tech University), at an academic year salary of \$55,000 for 100 percent time, effective September 1, 2013.

Antonio Estudillo, Assistant Professor of Human Sciences, M.A. (Gonzaga University), at an academic year salary of \$54,000 for 100 percent time, effective September 1, 2013, contingent upon completion of doctorate by August 31, 2013.

Ali Hachem, Assistant Professor of Secondary Education and Educational Leadership, M.Ed. (Qatar University), at an academic year salary of \$57,000 for 100 percent time, effective September 1, 2013, contingent upon completion of doctorate by August 31, 2013.

Scott Wayne Slough, Professor of Secondary Education and Educational Leadership and Chair of the Department of Secondary Education and Educational Leadership, Ed.D. (University of Houston), at an annual salary of \$112,000 for 100 percent time, effective June 1, 2013.

Miranda Terry, Assistant Professor of Kinesiology and Health Science, Ph.D. (University of Illinois), at an academic year salary of \$54,000 for 100 percent time, effective September 1, 2013.

Deborah Williams, Assistant Professor of Elementary Education, Ed.D. (Texas A&M University), at an academic year salary of \$53,000 for 100 percent time, effective September 1, 2013.

Tingting Xu, Assistant Professor of Elementary Education, M.S. (Florida State University), at an academic year salary of \$54,000 for 100 percent time, effective September 1, 2013, contingent upon completion of doctorate by August 31, 2013.

FINE ARTS

Manny Brand, Professor of Music and Director of the School of Music, Ph.D. (University of Miami), at an annual salary of \$115,000 for 100 percent time, effective June 14, 2013.

William Nieberding, Assistant Professor of Art, Ph.D. (Ohio State University), at an academic year salary of \$46,000 for 100 percent time, effective September 1, 2013.

Johanna Warwick, Assistant Professor of Art, MFA (Massachusetts College of Art and Design), at an academic year salary of \$46,000 for 100 percent time, effective September 1, 2013.

LIBERAL AND APPLIED ARTS

Glenn Bracey, Visiting Instructor of Social and Cultural Analysis, M.S. (Texas A&M University), at a four-and-one-half-month salary of \$21,500 for 100 percent time, effective September 1, 2013.

Carlos Cuadra, Assistant Professor of Languages, Cultures and Communications, Ph.D. (University of Colorado), at an academic year salary of \$47,000 for 100 percent time, effective September 1, 2013.

Richard Davis, Assistant Professor of Mass Communication, Ph.D. (University of Oklahoma), at an academic year salary of \$47,000 for 100 percent time, effective September 1, 2013.

Scott Hutchens, Professor of Psychology and Chair of the Department of Psychology, Ph.D. (Texas Tech University), at an annual salary of \$113,000 for 100 percent time, effective August 15, 2013.

Candice Kowalski, Lecturer of Psychology, M.A. (Stephen F. Austin State University), at an academic year salary of \$34,000 for 100 percent time, effective September 1, 2013.

Sylvia Middlebrook, Visiting Assistant Professor of Psychology, Ph.D. (Texas Women's University), at an academic year salary of \$46,000 for 100 percent time, effective September 1, 2013.

Bob Polewan, Assistant Professor of Psychology, Ph.D. (University of Massachusetts), at an academic year salary of \$47,000 for 100 percent time, effective September 1, 2013.

Eralda Tarpley, Visiting Assistant Professor of English, M.A. (Stephen F. Austin State University), at an academic year salary of \$46,000 for 100 percent time, effective September 1, 2013.

Latoya Wesley, Assistant Professor of Psychology, Ph.D. (Howard University), at an academic year salary of \$47,000 for 100 percent time, effective September 1, 2013.

LIBRARY

Dillon Wackerman, Archivist of Steen Library, M.L.S. (San Jose State University), at an annual salary of \$44,054 for 100 percent time, effective July 1, 2013.

SCIENCES AND MATHEMATICS

Kalanka Jayalath, Assistant Professor of Mathematics and Statistics, M.S. (Sam Houston State University), at an academic year salary of \$52,500 for 100 percent time, effective September 1, 2013, contingent upon completion of doctorate by August 31, 2013.

STAFF APPOINTMENTS FOR 2013 – 2014

ATHLETICS

Michael Boynton, Assistant Head Coach Men's Basketball, at a 10.5-month salary of \$70,000 for 100 percent time, effective May 13, 2013.

Stephen Gentry, Assistant Coach Men's Basketball, at a 10.5-month salary of \$70,000 for 100 percent time, effective May 13, 2013.

Korbin Pate, Coordinator of Athletics Video Productions, at an annual salary of \$35,000 for 100 percent time, effective April 8, 2013.

CHARTER SCHOOL

Jana McCall, Teacher, at a 10.5-month salary of \$55,100 for 100 percent time, effective May 1, 2013.

CONTROLLER'S OFFICE

Ashley Weisinger, Accountant II, at an annual salary of \$44,000 for 100 percent time, effective May 6, 2013.

DEVELOPMENT OFFICE

Lauren Light, Coordinator of Annual Giving, at an annual salary of \$32,000 for 100 percent time, effective June 3, 2013.

LIBRARY

Durga Achanta, Database Administrator, at an annual salary of \$50,000 for 100 percent time, effective May 6, 2013.

PUBLIC AFFAIRS AND MARKETING

Dixon Cartwright, Communication Specialist, at an annual salary of \$37,080 for 100 percent time, effective May 23, 2013.

RESIDENCE LIFE

Mica Williams, Hall Director, at an annual salary of \$28,500 for 100 percent time, effective June 24, 2013.

CHANGES OF STATUS FOR 2013 – 2014

ADMISSIONS

Lerin Blackmon, from Administrative Assistant in Educator Certification at an annual salary of \$26,100 for 100 percent time, to Admissions Counselor at an annual salary of \$32,000 for 100 percent time, effective May 6, 2013.

Vivian Watkins, from Admissions Counselor at an annual salary of \$32,472 for 100 percent time, to Admissions Coordinator at an annual salary of \$42,344 for 100 percent time, effective March 18, 2013.

BUDGET OFFICE

Jessica Barrett, from Administrative Supervisor for the Physical Plant at an annual salary of \$46,575 for 100 percent time, to Budget Analyst at an annual salary of \$55,000 for 100 percent time, effective April 22, 2013.

DISABILITY SERVICES

Shannon Stanton, from Interpreter at an annual salary of \$19,569 for 50 percent time, to Senior Interpreter at an annual salary of \$38,000 for 100 percent time, effective April 15, 2013.

EDUCATION

Sara Cole, from Academic Advisor at an annual salary of \$38,677 for 100 percent time, to Certification Officer/ Post Baccalaureate Initial Certification Manager at an annual salary of \$44,290 for 100 percent time, effective June 3, 2013.

FINANCIAL AID

Rachele Nixon, from Assistant Director of Financial Aid at an annual salary of \$51,869 for 100 percent time, to Interim Director of Student Financial Aid at an annual salary of \$51,869 for 100 percent time, with a stipend of \$1,000 per month for three months for interim duties, effective June 1, 2013.

LIBERAL AND APPLIED ARTS

Kimberly Squyres, from Adjunct Faculty at an academic year salary of \$36,000 for 100 percent time, to Lecturer of Languages, Cultures and Communication, at an academic year salary of \$36,000 for 100 percent time, effective September 1, 2013.

PHYSICAL PLANT

Allison Ford, from Accounting Clerk II at an annual salary of \$30,797 for 100 percent time, to Administrative Supervisor for the Physical Plant, at an annual salary of \$46,500 for 100 percent time, effective June 1, 2013.

PRESIDENT'S OFFICE

Wini Turner, from Budget Analyst at an annual salary of \$70,416 for 100 percent time, to Assistant to the President/Budget Analyst at an annual salary of \$70,416 for 100 percent time, effective April 1, 2013.

PUBLIC AFFAIRS AND MARKETING

Rachel Clark, from Marketing Communications Assistant at an annual salary of \$34,000 for 100 percent time, to Editorial Coordinator at an annual salary of \$36,000 for 100 percent time, effective June 1, 2013.

Amy Roquemore, from Editorial Coordinator at an annual salary of \$45,552 for 100 percent time, to Assistant Director of Marketing and Communication Editorial Services at an annual salary of \$65,000 for 100 percent time, effective May 1, 2013.

RESIDENCE LIFE

Nechelle McClinton, from Hall Director at an annual salary of \$28,250 for 100 percent time, to Area Coordinator at an annual salary of \$33,301 for 100 percent time, effective July 1, 2013.

Brian Pace, from Student Assistant at an hourly salary of \$7.25 for 50 percent time, to Hall Director at an annual salary of \$28,500 for 100 percent time, effective June 3, 2013.

SCIENCES AND MATHEMATICS

Sara Bishop, from Associate Professor of Nursing at an academic year salary of \$70,764 to Interim Director of Nursing at an 11-month salary of \$91,500 for 100 percent time, effective July 15, 2013.

STUDENT CENTER

Curtis Brantley, from Custodial Worker I at an annual salary of \$16,641 for 100 percent time, to Facilities Manager, at an annual salary of \$32,000 for 100 percent time, effective June 1, 2013.

STUDENT ENGAGEMENT

Jamie Bouldin, from Assistant Director of Student Affairs at an annual salary of \$39,977 for 100 percent time, to Assistant Director of Student Engagement at an annual salary of \$39,997 for 100 percent time, effective April 1, 2013.

Lacey Claver, from Interim Assistant Director and Coordinator of Student Activities at an annual salary of \$38,000 for 100 percent time with an additional \$500 per month stipend for interim duties, to Assistant Director of Student Engagement at an annual salary of \$44,000 for 100 percent time, effective June 1, 2013.

Sylvester Harris, from Student Assistant at an hourly salary of \$21.66 for 50 percent time, to Student Engagement Coordinator at an annual salary of \$38,000 for 100 percent time, effective June 1, 2013.

Amanda Horne, from Interim Director of Student Activities at an annual salary of \$45,703 for 100 percent time with an additional \$500 per month stipend for interim duties, to Director of Student Engagement at an annual salary of \$52,000 for 100 percent time, effective May 1, 2013.

UNIVERSITY POLICE DEPARTMENT

Paul Jordan, from Sergeant at an annual salary of \$46,286 for 100 percent time, to Interim Director of Parking/Sergeant at an annual salary of \$46,286 for 100 percent time with an additional \$500 per month stipend for interim duties for five months, effective April 15, 2013.

RETIREMENTS

The following retirements were accepted:

Melissa Boiles, Academic Assistance and Resource Center
Linda Boozer, Science, Technology, Engineering and Mathematics (STEM) Center
Robert Kinsell, Professor of Art
Mike O'Rear, Director of Financial Aid
Frank Shockley, Instructor of Forestry

TENURE

Academic tenure was awarded to the following individuals, effective fall semester 2013.

Scott Hutchens, Psychology
Scott Slough, Secondary Education and Educational Leadership

FACULTY DEVELOPMENT LEAVE FOR 2013-2014

WHEREAS, the board considered the following: Under law passed by the legislature and policies approved by the Board of Regents within funds available, faculty members may apply for one semester leave at full pay or one academic year leave at half pay. Applications are reviewed by an elected faculty committee which makes recommendations to the provost/vice president for academic affairs. Following review by the president, recommendations are made to the Board of Regents.

THEREFORE, the faculty members listed below were awarded faculty development leave for the semester indicated.

Fall 2013: Jerry Williams, Social and Cultural Analysis

BOARD ORDER 13-30

Upon motion by Regent Henderson, seconded by Regent Schaefer, with all members voting aye, it was ordered that the following personnel item be approved.

HOLIDAY SCHEDULE FOR 2013-2014

WHEREAS, the board members considered the following: Fifteen holidays are allowed by the state for 2013-2014. The following schedule will allow SFA to be closed for Labor Day, two days at Thanksgiving, eight working days during Christmas, five working days during Spring Break, Memorial Day, and Independence Day, which totals 18 days. Employees will be required to take two days of vacation or compensatory time on December 30 and 31, and one day of vacation or compensatory time on March 14. Campus buildings will be shut down for 12 days during the Christmas break, and nine days during Spring Break, which will result in significant energy savings.

| | |
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| September 2 | Labor Day |
| November 28-29 | Thanksgiving Break |

| | |
|-----------------------|------------------|
| December 23-January 1 | Christmas Break |
| March 10-14 | Spring Break |
| May 26 | Memorial Day |
| July 4 | Independence Day |

THEREFORE, the holiday schedule for 2013-2014 was approved as presented.

ACADEMIC AND STUDENT AFFAIRS

BOARD ORDER 13-31

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

INTERCOLLEGIATE ATHLETIC POLICIES AND PROCEDURES MANUAL REVISIONS

WHEREAS, the board members considered the following: in accordance with NCAA requirements the university adopted an Intercollegiate Athletic Policies and Procedures Manual in 1994. This policy manual is annually reviewed and approved by the board in its July meeting and at other times when necessary. Needed revisions to the current medical policy are included in Appendix 1.

THEREFORE, the revisions to the Athletic Policies and Procedures Manual were approved as presented in Appendix 1.

“PURPLE PRIDE” LICENSING

WHEREAS, the board members considered the following: Dr. David Creech, associate director of the SFA Mast Arboretum, and Dawn Stover, research associate program coordinator for the SFA Mast Arboretum, have invented a novel cultivar of *Prunus angustifolia*, named “Purple Pride”. The university has filed for patent protection, currently pending, and desires to take the plant to market. The university’s Intellectual Property policy states: “Agreements which grant third party the right to make, use, or sell a patented invention, invention know-how, or trade secret that has been disclosed and assigned to, or is otherwise owned by the university shall require approval by the Board of Regents.” The university currently has, or is in the process of obtaining, license agreements with three nurseries. The SFA Mast Arboretum desires to license to additional nurseries.

THEREFORE, the president was authorized to enter into a licensing agreement with TreeSearch Farms, as reviewed and approved by the general counsel.

ACADEMIC AND STUDENT AFFAIRS POLICY REVISIONS

The Board of Regents adopted the following policy revisions as presented in Appendix 7:

Compliance with the Americans with Disability Act and the ADA Amendments (D-41)

Computer System Access (F-37)
Course Grades (A-54)
Dual Employment (E-12)
Emergency Operations Plan (D-11)
Missing Student Notification (D-56)
Outside Employment (E-35)
Overtime and Compensatory Time (E-36)
Policy Development and Format
Prohibition of Enrollment Inducement of Military Service Members (A-82) NEW
Reasonable Workplace Accommodation for Disabilities (E-67)
Vacation/Sick Leave/Compensatory Time Reporting – Faculty and Exempt Staff Employees (E-54)

LEGAL SERVICES – INTELLECTUAL PROPERTY

WHEREAS, the board members considered the following: Under Section 402.0212 of the Texas Government Code, the Office of the Attorney General must approve of any contract for legal services between an attorney and the university. Additionally Title 1, Section 57 of the Texas Administrative Code requires the university to issue a Request for Qualifications for outside counsel prior to seeking the attorney general's permission to enter into such a contract. The university issued RFQ LEGAL-2013 seeking counsel wishing to be included on the university's pre-approved list of law firms or attorneys in the field of intellectual property. Outside counsel would ordinarily be selected from that list as needed by the university. The request for qualifications and list is valid through August 31, 2016.

THEREFORE, the Board of Regents approved selection of these firms for inclusion on the university's pre-approved list of outside counsel in the field of intellectual property through August 31, 2016: Andrews Kurth LLP; Baker & McKenzie; Baker Williams Matthiesen LLP; Chalker Flores, LLP; Fulbright & Jaworski, LLP; John Lindsay, Esq.; Landrum IP; Meyertons, Hood, Kivlin, Kowert & Goetzel; Parker Highlander, PLLC; and Sims IP PLLC. The president was authorized to sign any associated contracts for legal services not requiring specific board deliberation.

LEGAL SERVICES – IMMIGRATION

WHEREAS, the board members considered the following: Under Section 402.0212 of the Texas Government Code, the Office of the Attorney General must approve of any contract for legal services between an attorney and the university. Additionally Title 1, Section 57 of the Texas Administrative Code requires the university to issue a Request for Qualifications for outside counsel prior to seeking the attorney general's permission to enter into such a contract. The university issued RFQ LEGAL-2013 seeking counsel wishing to be included on the university's pre-approved list of law firms or attorneys in the field of immigration law. Outside counsel would ordinarily be selected from that list as needed by the university. The request for qualifications and list is valid through August 31, 2016.

THEREFORE, the Board of Regents approved selection of these firms for inclusion on the university's pre-approved list of outside counsel in the field of immigration law through August 31, 2016: Akula & Associates, P.C.; Barlow Garsek & Simon, LLP; Fulbright & Jaworski, LLP; Haglund Law Firm, P.C.; and Jackson Lewis LLP. The president was authorized to sign any associated contracts for legal services not requiring specific board deliberation.

BUILDING AND GROUNDS

BOARD ORDER 13-32

Upon motion by Regent Schaefer, seconded by Regent Ware, with all members voting aye, it was ordered that the following building and grounds items be approved.

APPROVAL OF THE FISCAL YEAR 2013-14 CAPITAL PLAN

WHEREAS, the board members considered the following: The university has a long term campus master plan that addresses capital renewal, planned maintenance and renovation projects. The 2013-14 capital plan includes academic, student life, building, and life safety initiatives.

THEREFORE, the Board of Regents approved the \$4,979,230 fiscal year 2013-14 capital plan by project. The board approved project funding as listed in Appendix 2, the source of funds as presented, and authorized the president to sign associated purchase orders or contracts.

INTERAGENCY CONTRACT WITH THE GENERAL LAND OFFICE FOR NATURAL GAS

WHEREAS, the board members considered the following: A Request for Proposal (RFP) was issued in 2008 and again in 2011 for a natural gas supplier. In accordance with Texas Administrative Code Title 31, Part 1, Chapter 8, the Texas General Land Office (GLO) must review proposals received for natural gas contracts. In both 2008 and 2011, the GLO determined that SFA would receive a better value using the GLO contract, and the university purchased natural gas through the agency.

The GLO monitors natural gas futures prices and offered the university the opportunity to lock in fixed pricing for portions of 2014 and 2015 volumes. The price locks extended the GLO contract with partial volume guaranteed rates through August 31, 2015. Based on past history and market advice, the university believes the best value is to extend this GLO contract. Annual expenditures are approximately \$1-1.3 million.

THEREFORE, the Board of Regents ratified the extension of the GLO contract through August 31, 2015, with two additional years of renewal subject to administrative approval. The president was authorized to sign any associated contracts or amendments.

BUILDING AND GROUNDS POLICY REVISIONS

The Board of Regents adopted the following policy revisions as presented in Appendix 7:

Assembly and Demonstrations (D-23)

Driver Certification (D-10)

Fire and Life Safety (D-60) NEW

FINANCIAL AFFAIRS

BOARD ORDER 13-33

Upon motion by Regent Coleman, seconded by Regent Garrett, with all members voting aye, it was ordered that the following financial affairs items be approved.

SELECTION OF A MARKETING CREATIVE DESIGN FIRM

WHEREAS, the board members considered the following: At the January 29, 2013, board meeting, the regents selected SimpsonScarborough as the university's marketing consultant. SimpsonScarborough presented a marketing analysis at the April 22, 2013 regents' meeting that included a recommendation to hire a marketing creative design firm to assist the university with its marketing needs. A request for proposals (RFP) was issued for a creative design firm and finalists were selected to make presentations to the regents at the July 15, 2013 meeting.

On July 15, the Finance and Audit Committee heard presentations from the three finalists for the selection of a marketing creative design firm to assist the university with its marketing needs. The interviewed firms were: Thinkhaus Creative, Inc., Richards/Carlberg and Ologie.

Discussion issues in the selection included:

- experience working with SimpsonScarborough, the university's contracted marketing research firm
- experience with Texas institutions of higher education
- use of multimedia, social media, Facebook, twitter, etc.
- ability to provide media buying services

The committee voted unanimously to recommend to the full board that the university enter into negotiations with Richards/Carlberg.

THEREFORE, the Board of Regents approved Richards/Carlberg as the most qualified firm to serve as the creative design firm to provide marketing services to SFA. The president was authorized to sign the contract and any associated documents.

REQUEST FROM THE DIVISION OF UNIVERSITY ADVANCEMENT: NAME CHANGE FOR THE OFFICE OF PUBLIC AFFAIRS AND MARKETING

WHEREAS, the board members considered the following: The division of University Advancement requests a change in the name of the office of Public Affairs and Marketing to the office of University Marketing Communications. This name change is a recommendation from the Marketing and Communications Assessment Report dated April 2013 submitted by the marketing audit firm of SimpsonScarborough.

THEREFORE, the Board of Regents approved the name change for the office of Public Affairs and Marketing to the office of University Marketing Communications.

ACKNOWLEDGE RECEIPT OF AUDIT SERVICES REPORT

The Board of Regents received the audit services report as presented including Public Funds Investment Act Audit Report, Dean of Liberal and Applied Arts Audit Report; Social Media Audit Report; external audits and review by State Comptroller and State Auditor; Risk Assessment; Quality Assurance Review; and update on annual audit plan.

SELECTION OF A FINANCIAL ADVISOR

WHEREAS, the board members considered the following: The university issued a Request for Proposals (RFP) for a financial advisor to assist with bond issuances, refinancing and arbitrage calculation. Six responses were evaluated by university staff.

THEREFORE, the Board of Regents authorized the university to enter into negotiations with First Southwest Company for bond issuance-related services to be provided from the contract award through August 31, 2018 with the option to renew for five additional one-year periods, subject to administrative approval. The president was authorized to sign the contract.

BOARD ORDER 13-34

Upon motion by Regent Coleman, seconded by Regent Ware, with all members voting aye, it was ordered that the following financial affairs items be approved.

ADOPTION OF THE FISCAL YEAR 2013-14 CAPITAL PLAN BUDGET

WHEREAS, the board members considered the following: The university has a long term campus master plan that addresses capital renewal, planned maintenance and renovation projects. The 2013-14 capital plan includes academic, student life, building, and life safety initiatives.

THEREFORE, the Board of Regents adopted the \$4,979,230 fiscal year 2013-14 capital budget. The board approved project funding as listed in Appendix 3, the source of funds as presented, and authorized the president to sign associated purchase orders or contracts.

ADOPTION OF THE FISCAL YEAR 2013-14 INSTITUTIONAL BUDGET

WHEREAS, the board members considered the following: In accordance with Article III of the State of Texas General Appropriations Act for the 2014-15 biennium, the recommended institutional budget totaling \$237,087,075 for fiscal year 2013-14 is submitted for approval. The proposed budget includes faculty promotions, staff reclassifications, and a 3% merit pool for faculty and staff. A detailed Higher Education Fund allocation is included in Appendix 4.

THEREFORE, the Board of Regents approved the submitted institutional budget totaling \$237,087,075 for fiscal year 2013-2014.

BOARD ORDER 13-35

Upon motion by Regent Coleman, seconded by Regent Ware, with all members voting aye, it was ordered that the following financial affairs items be approved.

APPROVAL OF CONTRACT FOR PERKINS LOAN SERVICES

WHEREAS, the board members considered the following: The Perkins Loan Program is a federal financial aid loan program that provides low-interest loans to help needy students finance higher education costs. An institution's revolving Perkins loan fund is replenished by ongoing activities such as collections on outstanding Perkins loans made by the institution. A Request for Proposals (RFP) was issued in 2008 for Perkins Loan Servicing and was awarded to Affiliated Computer Services. The company provided Perkins loans services such as billing and collections, response to borrower inquiries, processing of borrower loan documents, default aversion, submission to credit bureaus, and ensuring that the loans are administered in compliance with federal regulations. The award was for two years with an option to renew for four additional two-year terms. Xerox Education Services purchased Affiliated Computer Services and now provides outstanding Perkins Loan collection services for the university. Expenditures to date are \$92,054.41.

THEREFORE, the Board of Regents authorized the university to renew the contract for Perkins loan servicing with Xerox Education Services for two years at an amount not to exceed \$50,000, with additional years of renewal subject to administrative approval. The president was authorized to sign the contract.

VENDING SERVICES CONTRACT

WHEREAS, the board members considered the following: The current contract for out-sourced vending services at SFA expires on August 31, 2013.

A Request for Proposals for vending services was issued in March with the responses received in mid-April. An evaluation of the three responses to this request (Appendix 5)

determined that the proposal submitted by Accent Food Services provides the best combination of value and service for the university.

THEREFORE, the Board of Regents authorized the president to sign a vending services contract with Accent Food Services for a five-year term commencing September 1, 2013.

GRANT AWARDS

WHEREAS, the board members considered the following: To date, the university has received multi-year grant awards totaling \$25,724,457 that include funds allocable to fiscal year 2013. This includes \$100,378 in new awards since the last report. Of the multi-year total, grant awards allocable to fiscal year 2013 are \$8,144,862 which reflects an increase of \$417,591 since the last report. Federal financial aid awards increased by \$542,703.

The grant awards result from extensive faculty research and service engagement across many academic disciplines. The grants include direct federal, federal pass through, state and private awards.

THEREFORE, the Board of Regents approved and ratified the additional grant awards allocable to fiscal year 2013 that total \$417,591 and financial aid awards that total \$542,703. The grant awards are detailed in Appendix 6.

APPROVAL TO INVEST WITH TEXAS PUBLIC INSTITUTIONS

WHEREAS, the board members considered the following: Chapter 2256 of the Texas Government Code, known as the Public Funds Investment Act, governs authorized investments of state entities. Currently, Section 51.0031 of the Texas Education Code allows a higher education institution that has at least twenty five million dollars in endowment book value funds to invest all of its funds in accordance with the prudent person standard, thereby being exempted from the investment restrictions of the Public Funds Investment Act.

S.B.1019, which was passed during the 83rd regular legislative session, amended Section 51.0031 of the Texas Education Code to allow an institution that had less than twenty five million dollars in endowment book value funds to invest its funds with a state institution that had endowment funds in excess of twenty five million. S.B.1019 was signed by the governor and becomes effective on September 1, 2013.

THEREFORE, the Board of Regents authorized the university to invest university funds with one or more institutions that meet the exclusion provision of the legislation. The president was authorized to sign the associated contract(s) with the institution(s).

FINANCIAL AFFAIRS POLICY REVISIONS

The Board of Regents adopted the following policy revisions as presented in Appendix 7:

Agency Accounts (C-01.2)
Contracting Authority (C-9)
Interagency and Interlocal Contracts (C-18)
Interdepartmental Transfer (IDT) (C-19)
Investments (C-41)
Procurement Training (C-65) NEW
Property Inventory and Managements (C-42)
Travel (C-49)
Vendor Protests (F-35)

LEGAL SERVICES - PUBLIC FINANCE AND BOND ISSUANCE

WHEREAS, the board members considered the following: Under Section 402.0212 of the Texas Government Code, the Office of the Attorney General must approve of any contract for legal services between an attorney and the university. Additionally Title 1, Section 57 of the Texas Administrative Code requires the university to issue a Request for Qualifications for outside counsel prior to seeking the attorney general's permission to enter into such a contract. The university issued RFQ LEGAL-2013 seeking counsel wishing to be included on the university's pre-approved list of law firms or attorneys in the field of public finance and bond issuance. Outside counsel would ordinarily be selected from that list as needed by the university. The request for qualifications and list is valid through August 31, 2016.

THEREFORE, the Board of Regents approved selection of these firms for inclusion on the university's pre-approved list of outside counsel in the field of public finance and bond issuance through August 31, 2016: Andrews Kurth LLP; Fulbright & Jaworski, LLP; Hardwick Law Firm, LLC; Haynes and Boone, LLP; Mahomes Bolden PC; and McCall, Parkhurst & Horton LLP. The administration further recommends that the president be authorized to sign any associated contracts for legal services not requiring specific board deliberation.

LEGAL SERVICES – FINANCIAL

WHEREAS, the board members considered the following: Under Section 402.0212 of the Texas Government Code, the Office of the Attorney General must approve of any contract for legal services between an attorney and the university. Additionally Title 1, Section 57 of the Texas Administrative Code requires the university to issue a Request for Qualifications for outside counsel prior to seeking the attorney general's permission to enter into such a contract. The university issued RFQ LEGAL-2013 seeking counsel wishing to be included on the university's pre-approved list of law firms or attorneys in the field of financial law. Outside counsel would ordinarily be

selected from that list as needed by the university. The request for qualifications and list is valid through August 31, 2016.

THEREFORE, the Board of Regents approved selection of these firms for inclusion on the university's pre-approved list of outside counsel in the field of financial law through August 31, 2016: Andrews Kurth LLP; Barlow Garsek & Simon, LLP; Fulbright & Jaworski, LLP; and Haglund Law Firm, P.C.. The administration further recommends that the president be authorized to sign any associated contracts for legal services not requiring specific board deliberation.

AMENDMENT OF THE AUDIT PLAN FOR FISCAL YEAR 2012-13

WHEREAS, the board members considered the following: According to the *Board Rules and Regulations*, the director of audit services shall annually submit information on the annual audit plan, work schedule and staffing plan to the president for his review and to the Board of Regents for their approval. In addition, the *International Standards for the Professional Practice of Internal Auditing* state that "the chief audit executive must communicate the internal audit activity's plans and resource requirements, including significant interim changes, to senior management and the board for review and approval."

THEREFORE, the Board of Regents amended the fiscal year 2013 audit plan to increase by 320 hours by the addition of a Risk and Compliance Auditor effective July 1, 2013.

UNDER ARMOUR SPONSORSHIP AGREEMENT

WHEREAS, the board members considered the following: The university has been approached by Under Armour to enter into an exclusive sponsorship agreement for the university's athletics program. The agreement would provide the university with \$35,000 of Under Armour products in Year One, and an additional \$30,000 of Under Armour products each year for the duration of the contract. The university would receive additional products free of charge when certain dollar levels of university purchases of Under Armour products had been reached. In exchange, Under Armour would be granted exclusive rights to provide products to the athletic program and coaching staff and use university trademarks to promote the relationship between the university and Under Armour. The agreement would be for an initial term of five years.

THEREFORE, the Board of Regents authorized the president to sign an exclusive sponsorship agreement with Under Armour for outfitting the university's athletic programs, as reviewed and approved by the general counsel.

REPORTS

The university president made a report on the following topics:

Upcoming Dates

Legislative Update

90th Anniversary Celebration on September 18, 2013

August Commencement

NCAA Committees

Dr. Dana Cooper, faculty senate chair, made a report on the following topics:

Introductions, Goals for the 2013-14 Year, Faculty Activities and Accomplishments

Marquice Hobbs, SGA president, gave a report on the following topics:

Watermelon Bash, Matt Pickens Scholarship, Fall Initiatives

The meeting was adjourned at 10:22 a.m.

Athletic Department Policy Revisions

| <u>POLICY NAME</u> | <u>POLICY #</u> | <u>ACTION/CHANGE</u> |
|--------------------------|-----------------|------------------------------------------|
| Printing | 406 | Update copier section |
| SA Recruitment | 502A | minor change |
| SA Eligibility | 502C | minor change |
| SA Financial Aid | 502D | minor |
| Textbooks | 503C | Complete rewrite |
| Drug Testing Policy | 506B | Major rewrite on positive test penalties |
| SA Transfer Release | 506F | minor changes |
| Seperation | 508G | minior changes |
| Staff Meetings | 508H | minor changes |
| Travel: Prospective SA's | 601C | minor changes to meet NCAA rules |
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PRINTING

The Department of Intercollegiate Athletics is committed to following all University and NCAA rules and regulations related to printing. As the quality of printed materials distributed by the Department affects its public image, every effort must be made to ensure that the highest quality of printing is obtained within established guidelines and budgetary constraints. All printing services must be obtained in accordance with Departmental purchasing procedures. (See Policy 404, Purchasing Procedures, in this Manual for additional information.)

The SFA Public Affairs Office reviews and proof reads all printing service requests before a job is sent to either University Printing or an off-campus printer.

Staff member's requests are expected to be in compliance with all applicable NCAA rules and regulations. In general, the cost-center's budget is charged directly for requested printing services.

On-Campus Printing

The University Printing is able to provide some of the basic printing needs for the Department. The Sports Information Office requests estimates for printing services from the University Printing when ever possible. In the event that the University Printing has the capability to fulfill the required print job, the Assistant Athletic Director for Business Affairs completes a purchase request on the University's FRS. The Media Relations Office completes a Printing Request form at University Printing in the Rusk Building. This form includes "specs" for each job and the account number for each job. Most printing jobs are charged against the requesting sport's budget.

Off-Campus Printing

Due to the specialized printing needs and deadline requirements of certain printing jobs, the Department generally utilizes off-campus printing services. When outside printing services are required, the state bid system is utilized. Generally, vendor selection is based on the Department's prior association with the printer, lowest bid, quality and the printer's experience with similar printing specifications.

All printing requests for off-campus printing must be approved by the Assistant Athletic Director for Business Affairs and processed according to University and

Departmental policies and procedures for purchasing (see Policy 404, Purchasing Procedures in this Manual).

Photocopiers

The Department provides ~~photocopiers in various convenient locations throughout the Department. Smaller copiers are to be used for small numbers of~~ *copies a copier in the fieldhouse and coliseum. The fieldhouse copier can be accessed through staff computers for printing of documents. Departmental staff should avoid printing large numbers of copies on personal printers and should use the fieldhouse copier instead. The coliseum copier cannot be accessed by computer.* Departmental photocopiers are **only** to be used for official Departmental business. **Staff members are not to copy items for their personal use.**

Users should be aware of the copyright protection granted by law (Title 17, U.S. Code). Since each user is liable for any infringement of the law, staff members are encouraged to use good judgment when photocopying materials.

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There are maintenance agreements for the routine servicing and repair of the photocopiers. Departmental staff are expected to follow the printed instructions to remedy minor problems. In the event a maintenance call must be made on a copier, the person assigned responsibility for the photocopier in a specific area is the only staff member authorized to make such a call.

SFA

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502A:1

STUDENT-ATHLETES: RECRUITMENT

Participation in athletics is an important component of the student-athlete's college experience, although academic achievement must remain of primary concern. Athletic success gained and maintained through the recruitment of student-athletes who possess the necessary skills to successfully compete on both levels at Stephen F. Austin State University. Therefore, the University endeavors to recruit only those individuals who have demonstrated exceptional abilities in the classroom as well as on the playing field.

Moreover, the University prides itself in conducting its recruiting program with integrity. The Department of Intercollegiate Athletics has established rules within each sport which meet or exceed the rules and regulations established by the NCAA and the Southland Conference to govern recruiting activities. As the University's delegated administrator of the athletics program, the Director of Athletics accepts full responsibility for actions related to recruiting taken by Departmental staff members. The Director ensures that all recruiting activities are carefully coordinated and documented by each Head Coach and monitored by the Associate Athletic Director for Compliance & Student Services to ensure total compliance with established guidelines and procedures.

To achieve full compliance, it is particularly important that each staff member involved in recruiting activities be knowledgeable of established recruiting rules and regulations and any revisions related to them. They include, but are not necessarily limited to the following:

- Offers and Inducement;
- Contracts;
- Evaluation Periods;
- Publicity
- Use of Funds;
- Tryouts
- High School All-Star Games;
- Official and Unofficial Visits (Transportation, Visitation and Entertainment);
- Pre-College Expenses:
- Specialized Sports Camps, Coaching Schools and Clinics; and
- Booster Activities

The Associate Athletic Director for Compliance & Student Services with assistance from the Assistant Athletic Director for Student Services, is responsible for monitoring recruiting rules and regulations and informing staff members involved with recruiting operations of all pertinent updates and changes in a timely manner. Furthermore, the Associate Athletic Director for Compliance & Student Services is available to assist recruiting staff in the interpretation of NCAA rules and regulations, and to answer specific questions concerning recruiting. The Associate Athletic Director for Compliance & Student Services may request assistance from the Director of Athletics, or directly consult with NCAA or Southland Conference staff when questions concerning compliance issues arise.

All rules and regulations relevant to recruiting are carefully detailed in Bylaw 13 of the *NCAA Manual*

502A:2

Recruiting Violations

Recruiting violations, however unintentional, have resulted in adverse publicity and sanctions for many colleges and universities throughout the United States. The Department's best defense against recruiting violations is a thorough knowledge of strict adherence to all pertinent NCAA rules and regulations by all Departmental staff when recruiting student-athletes.

All representatives of the Department involved in recruiting and/or related athletic activities are required to certify annually that, to the best of their knowledge, they and their colleagues have complied with University policy and NCAA rules and regulations governing the recruitment of prospective student-athletes (see Policy 510A, Coaches and Administrators: Employment Contracts).

The Southland Conference requires that a Coaching Staff and Off-Campus Recruiters Designation form (see Appendix 502A-1) be completed for each sport and submitted to the Conference office by September 15 of each year. The Associate Athletic Director for Compliance & Student Services is responsible for the administration of this form and for securing the required signatures of each Head Coach and the Director of Athletics. In addition coaches recruiting off-campus must be certified annually and pass a standardized test on recruiting regulations before engaging in any off-campus recruiting. A list of all coaches certified to recruit is maintained in the Office of the Director of Athletics.

When involved in recruiting activities, it is especially important to keep in mind these two facts:

1. Any violation (intentional or accidental) of NCAA, Conference or University rules and regulations must be reported **immediately** to the Associate Athletic Director for Compliance & Student Services. If the Associate Athletic Director for Compliance & Student Services is not available, violations should be reported to the Director of Athletics or the Institutional Athletics Representative.
2. Anyone found guilty of a serious recruiting violation (including persons who only have knowledge of violations but fail to report them) are subject to financial penalty and/or immediate dismissal from the University.

Alumni Activities

Over the past several years, NCAA bylaws governing recruiting activities have been amended to greatly limit the role of alumni in recruiting activities. NCAA Bylaw 13 in the NCAA Manual specifies the restrictions which apply to “athletics representatives.” In general this legislation prohibits telephone conversations with prospects, contact at athletic contests, contact with coaches for evaluation purposes and visits to the prospects institution to pick up films, transcripts, etc.

Alumni recruiting activities are permitted provided they relate to the normal admissions procedures which are applicable and available to all prospective students. Personal contacts may **not** be made for the purpose of athletic recruiting. Extreme caution must be taken at all times to insure that the distinction between **athletic** and **academic** recruiting is absolutely clear.

502A:3

PROCEDURES

The key to recruiting is careful planning and successful implementation. Taking into consideration budget limitations, coaches are urged to identify particular geographic concentrations of prospective student-athletes for their respective sport. These prospective student-athlete pools become the basis of the program’s overall recruiting strategy and should be prioritized according to specific need. The Head Coach for each sport is responsible for initiating the following recruiting activities:

- Identification of Prospects

Head Coaches may develop and send questionnaires to high school and junior college coaches in target areas requesting the identification of prospects. Questionnaires may also be sent to individual prospective

student-athletes identified by athletic boosters, friends of the Department, coaches, etc.

Questionnaires may not serve as a recruiting brochure or poster promoting Stephen F. Austin State University.

Additional information on prospects may be gained by:

1. Observing video and actual play;
2. Reviewing published literature;
3. Monitoring the prospect's level of academic progress; and
4. Reviewing the Recommendation Form, if available.

Evaluation periods are scheduled for the various sports in accordance with NCAA guidelines.

- Distribution of Information

Materials on the University, including its academic and athletics programs, may be sent to high schools and two-year colleges, as well as individual students. University materials may be sent to prospective student-athletes at any time during their secondary school attendance if the information is part of a regular institutional mailing to all prospective students. However, Department of Intercollegiate Athletics materials may not be sent to a prospective student-athlete **before September 1 of his/her junior year of high school (except men's basketball, which may begin sending materials on June 15, following the prospects sophomore year)**. All recruiting materials must comply with NCAA rules and regulations governing printed recruiting aids. Facsimiles (FAX) and electronic mail communications to prospects are subject to restrictions on general correspondence.

Organized mailing campaigns to identified prospects are usually initiated in the spring semester of the prospect's junior year. Permissible publications include the following:

1. General correspondence, including letters, postcards issued by the U.S. Postal Services, institutional note cards and schedule cards;

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2. Official academic, admissions and student services publications, produced by the institution and available to all students; and

*Note: Game programs may **not** be mailed to prospects, however, game programs **without posters** may be provided free of charge to prospects on official or unofficial visits to the campus.*

Questionnaires and summer camp brochures may be mailed prior to September 1 of a prospect's junior year in high school. Prospective student-athletes may also receive NCAA educational information related to recruiting

Once the prospect has been officially accepted for enrollment and has signed the National Letter of Intent, institutions are permitted to provide pre-enrollment information regarding orientation, conditioning, academic and practice activities (e.g., play books).

- Videotaping

Videotapes highlighting the academic, enrichment, social and athletic programs (within NCAA guidelines) at Stephen F. Austin State University may be sent to a prospective student-athlete by the Office of Admissions only, provided it is the institution's policy to send or make available such materials to all prospective students.

- Recruiting Timetables

Head Coaches for each sport, with the assistance of the Assistant Athletic Director for Compliance, maintain timetables and appropriate checklists to assist with recruiting efforts. Timetable information varies from sport to sport according to NCAA regulations and may include:

1. Recruiting and evaluation periods;
2. Contact periods;
3. Organized bulk mailing campaigns;
4. Admissions and financial aid application deadlines;
5. Off-campus recruiting schedules;
6. On-campus recruiting weekends;
7. "Dead Periods;" and

8. National Letter of Intent signing dates.

The Associate Athletic Director for Compliance & Student Services distributes for the Department recruiting information each month prepared by the NCAA specifying quiet periods, contact and evaluation periods, and signing dates in each sport.

502A:5

Evaluation of Academic Records

At the time of the **initial** contact with a prospective student-athlete, the recruiting coach should request a copy of all transcripts which reflect the academic performance of the student through his/her junior year, as well as a listing of subjects in which the student is currently enrolled or is scheduled to complete prior to registration at the Stephen F. Austin State University.

Such transcripts from all secondary and post-secondary institutions, as well as SAT/ACT test scores, should be reviewed by the coach and if needed, by the Assistant Athletic Director for Student Services or that sport's academic services contact in order to properly evaluate the prospective student-athlete's chances of becoming a "qualifier" and thus of meeting the University's admission requirements. (For specific academic qualifications, see Policy 502B, Student-Athletes: Admissions, and 502C, Student-Athletes: Eligibility, in this Manual.)

Coaches should carefully consider the evaluation of a prospect's academic record in determining further recruiting efforts. Coaches are encouraged to complete an academic evaluation **before** an invitation is extended to a recruit for the official campus visit. Transcripts must be sent directly from the prospect's institution to SFA's Office of Admissions. Moreover the prospect's National test score must be received prior to an official visit. Prospects must also be registered with the NCAA Eligibility Clearinghouse prior to any official visit.

Contact and Evaluation Forms

A contact and evaluation record is kept for each prospective student-athlete in each sport on the Southland Conference Recruiting Log or on an electronic recruiting package approved by the Associate Athletic Director for Compliance and Student Services (see [Appendix 502A-4](#) for Football, [502A-5](#) for Basketball, and [502A-6](#) for all other sports for sample forms). This form includes the recruiting coach's name, prospect's name, address, phone and social security

numbers, date(s), time(s) and sites of contacts and evaluations, the name of the high school or junior college, and its address and phone number plus the name of the school's head coach, guidance counselor and principal, as well as a section to list all phone call contacts made and their dates and times.

A Recruiting Log form for each prospective student-athlete is kept on file in the Head Coaches' office and made available to the Associate Athletic Director for Compliance & Student Services, as requested. Copies of completed Recruiting Logs and relevant recruiting materials are to be filed in the offices of the Head Coach for each sport and the Associate Athletic Director for Compliance & Student Services.

Off-Campus Evaluations

The evaluation of a prospective student-athlete, as defined by the NCAA, includes any off-campus activity designed to assess the academic qualifications or athletic ability of a prospect. Such an evaluation includes any visit to a prospect's institution or observation of a practice or competition at any site at which the prospect participates. If no contact is made, this "activity" counts only against the limitation placed on evaluations. However, if the prospect is also contacted at this site, the "activity" is counted as an evaluation **and** a contact.

502A:6

All off-campus evaluations must be authorized by the Director of Athletics or designated representative **prior** to the visit. When scouting prospective recruits off-campus, the coach's name must first appear on the written list of full-time coaches on file in the Director of Athletics' Office. This certification is in compliance with the NCAA's limitation on the number of full-time coaches.

In sports other than football and basketball, each institution shall be limited to **seven recruiting opportunities**, contacts and evaluations combined per prospect at any site (which shall include contacts made with the prospect's relatives or legal guardians but shall not include contacts made during an official visit, and **not more than 3 of the 7 opportunities may be contacts**).

1. If a prospect is being evaluated for multiple sports, then **each** sport is permitted the maximum number of evaluations per sport per academic year, however, only one visit per prospect per week is permitted.

2. When two (2) or more prospects are practicing or competing on the same or opposing teams, an observation counts as one (1) evaluation for **each** prospect.
3. Once the maximum number of evaluations per sport have been made on any prospect(s) at an institution, it is not permissible to visit that institution to evaluate **any other prospect(s) participating in that sport**.
4. During the academic year, an evaluation of a tournament counts as one evaluation (e.g., all competition that occurs on consecutive days within a tournament or that involves a tier of a tournament counts as a single evaluation).
5. In football, prospects may be evaluated only one (1) time during the fall evaluation period and two (2) times during the May evaluation period.
6. Talent scouts may **not** be employed to evaluate prospects; however, subscriptions to regularly published scouting reports are permissible provided they meet all current criteria defined in NCAA legislation for such scouting services.
7. Representatives of the SFA's athletics interest (e.g., boosters) may not pick up a prospect's academic records or athletic performance films or tapes for the Department.
8. Evaluations of prospects are for the Department's exclusive use and may not be distributed or "leaked" to media or to a recruiting service.

Off-Campus Recruiting Contacts

The NCAA defines a "prospective" student-athlete as an individual who has started classes for the ninth grade and a "recruited" student-athlete as an individual who has received transportation to campus, is contacted by telephone, receives correspondence other than a generic letter, and/or is visited or arrangements are made to visit or entertain him/her (or his/her family) for the purpose of recruiting. Since many less obvious activities may also constitute recruiting activities, all contact with potential prospects must be reported to the Associate Athletic Director for Compliance & Student Services.

502A:7

- Definition of a Contact

An in-person contact is defined as any face-to-face encounter (pre-arranged or by chance) that a coach has with a prospective student-athlete or the prospect's parents or legal guardians during which a dialogue other than a simple greeting is exchanged. Furthermore, any face-to-face, pre-arranged contact with a prospective student-athlete, no matter how brief the encounter, must be counted as an in-person, off-campus contact if it takes place at the either of these sites:

1. The prospect's educational institution; or
2. The site of an organized competition or practice.

It is permissible to make in-person, off-campus contacts and telephone calls with prospective student-athletes, their relatives or legal guardians provided that all three (3) of the conditions below apply:

1. The contacts or calls are in compliance with all current NCAA recruiting legislation.
2. They are made by coaches or recognized staff members of the

University; and

3. They are **not** made by a "representative of the University's athletics interests" i.e., alumni or booster club members).

In sports other than Football, designated athletic staff members may only make a total of **three (3) contacts per staff member with a prospect**, either at the prospect's educational institution or at any other sites. Coaches from the same University are permitted to visit a prospect's educational institution **only once per week**. Therefore, when a prospect is recruited for multiple sports, the coaches of the various sports must make contact with the prospect on the same day of the week. However, coaches visiting a prospect's educational institution on consecutive days to observe a multi-day tournament during the academic year are permitted to log the tournament as the one permissible visit per week.

To reduce the risk of unintentional violations of recruiting contact limits, all visits should be coordinated with the Head Coach and, as appropriate, with the Associate Athletic Director for Compliance & Student Services. Additional, in the sports of football and basketball contacts and evaluations must be restricted to the periods specified for those. (For additional information regarding recruiting restrictions for transfer student-athletes, see Policy 502C, Student-Athletes: Eligibility, in this Manual.)

Other important contact rules include the following:

1. Recruiting contacts are prohibited **prior** to any athletics competition (including club sports, intramurals, etc.) in which a prospect is a participant; however, contact is permitted, during applicable contact periods, once the prospect has been released by the appropriate authority (e.g., prospect's coach).

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2. Prospective student-athletes may not be contacted for 48 hours prior to and 48 hours after 7:00 a.m., on the National Letter of Intent signing date.
3. Before contact is made with a student attending another four-year institution, **written permission** must be obtained from the original institution's Director of Athletics (or designated representative). A letter of release must be on file in the Director of Athletic's Office.

Daily records of recruiting contact must be kept on the applicable Southland Conference Recruiting Log or on an electronic recruiting package approved by the Associate Athletic Director for Compliance and Student Services (see Appendixes 502A-4, 5 and 6), copies of these forms are kept in the appropriate sport's recruiting office and the Associate Athletic Director for Compliance & Student Services.

Telephone Calls

Telephone calls initiated by Departmental staff members (*with the exception of men's basketball*) must be logged on the prospect's individual Southland Conference Recruiting Log. Telephone calls to prospective student-athletes are subject to the following restrictions:

1. In sports other than football and basketball, telephone calls to a prospective student-athlete may not be made before July 1 following completion of the prospect's junior year in high school; thereafter, staff members shall not make such calls more than once per week.

In the football, one telephone call to a prospect may be made during the period April 15 – May 31 of the prospects junior year in high school. Additional telephone calls may not be made before September 1 of the

beginning of the prospects senior year in high school; thereafter, such telephone contact is limited to once per week outside of a contact period. During a contact period, such telephone calls may be made at the institution's discretion.

In the sports of men's basketball, ~~one call~~ calls to a prospective student-athlete may be made on or after July 15 following the prospects sophomore year in high school. If an individual attends an educational institution that uses a nontraditional academic calendar (e.g. Southern Hemisphere) telephone calls to the individual (or his/her relatives or legal guardians) may be made before the day after the conclusion of the individual's sophomore year in high school. Thereafter, an institution may make telephone calls to a prospective student-athlete at its discretion.

In the sport of women's basketball, during the prospects junior year in high school, one call in April on or after the Thursday following the conclusion of the Women's Final Four. One call in May. One call June 1 – June 20. One call June 21 – June 30. Three calls during July, but only one per week and then once call per week thereafter.

2. Only coaches or recognized staff members may make telephone calls to a prospect, his/her parents or legal guardians.
3. **No calls** may be made **from the field/floor** during any of University's athletics contests in the prospect's sport.

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4. SFA students or student-athletes are **not** permitted to make telephone calls to prospects at the direction of a staff member of athletic representative.
5. However, telephone calls from enrolled students to prospects are permitted provided they are part of the University's regular admissions programs directed at all prospective students.

There are not limitations placed on collect telephone calls made to the Department by a prospect or calls made to SFA students or student-athletes by a prospect, provided these calls occur after July 15 following the prospects junior

year in high school. In men's basketball, collect calls can be received after the conclusion of prospects sophomore year in high school. However, the Department is not permitted to utilize a toll-free (1-800) number to receive such calls.

- Unlimited phone calls are permitted by SFA staff members as follows:
 1. Staff members may make unlimited telephone calls to a prospect during the five (5) days immediately preceding the prospect's official visit.
 2. Staff members may make unlimited telephone calls to a prospect on the initial date for the signing of the National Letter of Intent and during the two (2) days immediately following the initial signing date.
 3. In the sport of football, staff members may make unlimited telephone calls to a prospect during the 48 hours prior to and 48 hours after 7:00 a.m. on the initial signing date for the National Letter of Intent.
 4. Staff members may make unlimited telephone calls to a prospect on the day a permissible, in-person, off-campus contact occurs.

Unofficial Campus Visits

Prospective student-athletes are welcome to visit the University at their own expense, **except during "dead periods."** During unofficial visits to the campus, prospective student-athletes may be provided with complimentary admission to Departmental athletics events, as allowed by the NCAA. In addition, the sport's designated recruiting coach may arrange for the prospect to meet with faculty, student-athletes, Departmental administrators and other appropriate individuals in order to help the prospect gain pertinent information. Prospects may also be provided transportation to an off-campus practice site within a 30 mile radius of the campus when accompanied by a Departmental staff member.

Each sport maintains an Unofficial Visitation Form (see Appendix 502A-7) for all prospects completing an unofficial visit. **Extreme care must be taken to ensure that prospects are not involved in any on-campus activity that might be construed as entertainment or given financial assistance with travel, meals or lodging while making an unofficial visit to the**

campus. Additionally, prospects and their traveling companions, are not allowed to receive special (i.e., VIP) seating at on-campus athletic events.

Official Campus Visits

Prior to the visit, the following steps are taken:

1. The Head Coach or designate provides that Associate Athletic Director for Compliance & Student Services with copies of high school transcript(s) and scores from SAT or ACT exams, along with a copy of the Official Visit Notification Letter and Official Visit Checklist (see Appendix 502A-14). A prospective student-athlete may not make an Official Visit until he/she has submitted a score from a PSAT, SAT, PACT or ACT taken on a national testing date and must be registered with the NCAA Eligibility Center and placed on the institutions IRL.
2. At least 48 hours prior to the visit, the prospect is notified by letter that the scheduled visit counts as one of his/her five (5) allowable paid visits (see Appendix 502A-9) for a sample letter). A photocopy of the letter is to be sent to the Associate Athletic Director for Compliance & Student Services.
3. The Head Coach or designate plans itineraries for official visits. The itinerary should include complete travel plans, lodging, meal plans and attendance at scheduled games and practices. Itineraries may also include scheduled visits to classes on campus; attendance at planned University activities (e.g. pep rallies and concerts); meetings with coaches, staff, players, academic counselors and admission representatives; and a tour of campus and sports facilities. The completed itinerary and any additions or changes are kept in the prospect's recruiting file.
4. The Southland Conference Official Visitation Form (see Appendix 502A-10) is maintained during the official visit. This form lists persons accompanying the prospect, transportation, lodging, meals, itineraries and reimbursements made to the prospect. Copies of this form along with a completed Official Visit Exit Interview form (see Appendix 502A-15), a Student Host Instruction form and completed Southland Conference Official Visit Roster form (see Appendix 502A-11) are submitted to the Associate Athletic Director for Compliance & Student Services, within one and one-half (1-1/2) days of the completion of the official visit.

Additionally, a copy is retained for insertion in the prospect's recruiting file.

Planning Activities for the Official Visit

In order to have a productive official visit, particular objectives should be kept in mind when planning activities. Basically, those planning the visit should strive to provide a safe, informative visit for each prospect and his/her parents, guardians, or spouse, with an appropriate amount of enthusiasm demonstrated toward the prospect's chances of attaining a place at Stephen F. Austin State University. Likewise, after visiting SFA, the prospect should be able to adequately assess whether the campus environment, as well as its academic and athletic programs, are best suited to his/her needs. During the visit the prospect should also be made fully aware of all procedures associated with admission, and his/her obligations to the University and the Department of Intercollegiate Athletics.

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Each visit should be individually tailored to the prospect's needs, focusing upon his/her individual academic interests or specialties. The Head Coach or designate, arranges for meetings with faculty, student-athletes, students, coaches, trainers, equipment managers and the Director of Athletics, as appropriate.

A prospective student-athlete may attend athletic events while on his/her one, official visit. The Head Coach or his/her designate, makes arrangements for complimentary admissions with the Ticket Office, ensuring compliance with NCAA rules and regulations. For additional information related to the entertainment of prospects, see Policy 408D, Ticket Office: Complimentary Tickets, and Policy 601C, Travel: Prospective Student-Athletes, in this Manual.

Those involved in planning the official visit should be aware and take advantage of any on-campus social events, such as faculty gatherings, student organization functions, fraternity parties, etc., that introduce the University's student life to the prospect. However, care should be exercised so as not to violate any NCAA rules and regulations.

Departmental policies prohibit any consumption of alcohol by the prospect during his/her visit, as well as gambling, illegal drug use and arrangement of sexual activities for entertainment.

Student Hosts

SFA student-athletes acting as host during official visits must be fully informed regarding all NCAA rules and regulations which affect recruiting. Only student athletes are permitted to serve as hosts. Student athletes must meet and be certified by the Associate Director of Athletics for Compliance and Student Services before serving as hosts.

The Head Coach or designate assigns each prospect a host/hostess for the official campus visit. The host/hostess is expected to provide general information concerning campus life, answer questions about the University and the Department, tour the prospect around the campus and the surrounding area, and most importantly, make him/her feel welcome.

NCAA rules allow the University to give a student host/hostess ~~\$30-~~ \$40 per day which is to be used to pay for all entertainment and snacks while the prospect is on-campus for the official visit. Prior to the prospect's arrival, the Head Coach obtains the student host funds from the Assistant Athletic Director for Business Affairs and disburses it to the student host upon completion of the review and signing of the Student Host Instructions for Official Visits form (see Appendix 502A-12). Each student host is required to sign and date the form, agreeing to comply with applicable regulations and acknowledging the receipt of host funds.

Administration of National Letter of Intent

The Southland Conference annually subscribes to the voluntary National Letter of Intent program administered by the Collegiate Commissioner's Association (CCA). As a member institution of the Southland Conference, Stephen F. Austin State University and the prospective student-athletes who signs the Letter of Intent are bound by the policies in effect at the time of signing.

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The National Letter of Intent is initiated by the Head Coach and completed by the Associate Athletic Director for Compliance & Student Services.

Once approved, all paperwork will be sent next-day delivery by the Associate Athletic Director for Compliance & Student Services to the student athlete for signature.

Upon receiving notification that a prospective student-athlete has signed a National Letter of Intent with an institution other than Stephen F. Austin State University, no further recruiting efforts are to be made by Departmental staff members.

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502C:1**STUDENT-ATHLETES: ELIGIBILITY**

A student-athlete's athletic eligibility can be affected by academic performance and progress, as well as conduct and participation in outside competitions or activities. Adherence to all University, Southland Conference, and NCAA rules governing athletic and academic eligibility is mandatory for all Department of Intercollegiate Athletics staff members and student-athletes.

The Head Coach, with the support of the Director of Athletics, and in conjunction with the Associate Athletic Director for Compliance & Student Services and the Assistant Athletic Director for Student Services, ensures compliance with the rules and regulations regarding student-athlete eligibility. The University's Director of Admissions determines the initial eligibility of student-athletes and provides the academic information for certification purposes to the Department's Assistant Athletic Director for Student Services.

- In general, to be considered eligible for participation in intercollegiate athletics, a student-athlete must:
- Be accepted for enrollment under the rules of the University
- Be eligible to practice and compete according to Conference and NCAA eligibility rules and regulations; and
- Be registered in a full-time program of studies (at least twelve (12) credit hours each regular term for undergraduate students, nine (9) hours for graduate students).

Student-athletes may compete for four (4) years, provided their final year of competition occurs within (5) calendar years of the initial date of full-time enrollment in a post-secondary institution. An additional year of competition may be granted if a student-athlete meets the requirements of a hardship waiver, as defined in the NCAA Manual (i.e., medical hardship, foreign-aid services, church missions, pregnancy and specified athletics activities).

INITIAL ELIGIBILITY REQUIREMENTS

Student-athletes enter the University initially as high school graduates or as transfer students from another college. NCAA initial eligibility requirements differ according to the type of entrance into the University, as outlined below.

High School Graduates

The NCAA Initial-Eligibility Clearinghouse must certify the eligibility of each freshman student-athlete. Prospective student-athletes register with the Clearinghouse by completing and processing the NCAA Clearinghouse Student-Release-Form. Prospective student-athletes must meet the following criteria in order to satisfy NCAA requirements for initial eligibility and be considered a qualifier for intercollegiate athletics participation.

- Grade with a minimum GPA, as specified in the chart on Appendix 502C-1, based on a maximum 4.0 scale in a successfully completed core curriculum of at least 16 academic courses including;

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English

4 Years

Mathematics

3 Years

(one (1) year of Algebra and one (1) year of Geometry or a high level math course for which geometry is a prerequisite)

Natural or Physical Science

2 Years

(includes at least one 91) lab class)

Additional Course From English, Math or Science

1- Year

Social Science

2 Years

Additional Academic Courses

4 Years

(any of the above areas or foreign language, computer science, philosophy or nondoctrinal religion)

Furthermore, minimum required SAT or ACT score must be achieved prior to the student's initial full-time enrollment in any collegiate institution.

Stephen F. Austin State University's admission standards meet or exceed the criteria for admission required by the NCAA. For specific University admissions requirements, see Stephen F. Austin State University's General Bulletin and policy 502B, Student-Athletes: Admissions in this Manual.

Transfer Student-Athletes

The Office of Transfer Admissions evaluates the academic record of all students who are interested in transferring to Stephen F. Austin State University. Athletic eligibility requirements are imposed by the Conference for intra-conference transfers and by the NCAA as summarized below.

Initial academic eligibility requirements for transfer student-athletes, per NCAA regulations, vary according to whether previous enrollment was at a two-year or four-year institution. In all transfer situations, NCAA rules and regulations apply unless Conference rules are more stringent. Head Coaches, prior to any contact with a student attending a four (4) year institution, must receive approval from the Director of Athletics who must obtain written permission from the original institution's Director of Athletics.

Intra-Conference Transfer

Southland Conference Intra-Conference Transfer rules adhere to the NCAA's eligibility rules related to student-athletes transferring from one (1) institution to another. While NCAA regulations require the student-athlete to complete one full academic year of residence before becoming eligible to compete in a sport, the Conference requires that the student-athlete forfeit one (1) season of competition eligibility and be ineligible to receive athletically related financial aid and/or practice during the NCAA's imposed residency requirement. Exceptions to this policy do exist if the transferring student has never received athletic aid from the departing school.

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The following summarizes the NCAA's eligibility provisions for transfers.

- **Transfers From a Two-Year Institution (High School Qualifiers)**

To be eligible for practice, regular season competition and athletically-related financial aid, a student who transfers from a two-year college that conducts an intercollegiate athletics program must meet the NCAA initial eligibility requirements, as well as the transfer requirements of the University. Additionally, the student must:

1. Have attended the first institution for at least one full time semester & averaged 12 hours of transferable-degree credit per semester of attendance.
2. Present a ~~2.00~~–2.500GPA (on a scale of 4.00) in all transferable course work

3. Have passed a minimum of 6 hours of credit in their last full-time semester of attendance.
4. *Not more than two credit hours of physical education activity courses may be used to fulfill the transferable degree credit and grade-point average requirements.*

~~For student athletes (high school qualifiers) initially enrolling fulltime in a collegiate institution on or after 8/1/2012:~~

- ~~1. Has spent at least one fulltime semester in residence at the two year institution.~~
- ~~2. Has presented a minimum grade point average of 2.500.~~
- ~~3. Has satisfactorily completed an average of at least 12 semester hours of transferable degree credit acceptable toward any baccalaureate degree program at SFA for each fulltime academic term of attendance at the two year institution.~~
- ~~4. Has passed a minimum of 6 hours of transferable degree credit in their last fulltime term of attendance at the two year institution.~~

◆ Transfers From a Two-Year Institution (High School Non-Qualifiers)

A student who was not a qualifier is eligible for financial aid, practice and competition during the first year in residence as SFA if the student has accomplished the following:

1. Graduated from the two-year institution with a minimum of 48 semester or 72 quarter hours of transferable degree credit toward any degree offered at the certifying institution, including six semester hours of transferable English credit and three semester hours of transferable Math Credit *and three semester hours of transferable natural/physical science credit.*
2. Has attended a two-year college as a full-time student for at least three (3) semesters or four (4) quarters (excluding summer sessions); and
3. Earned a cumulative GPA of ~~2.000~~ 2.500 for all transferable course work.
4. Have passed a minimum of 6 hours of credit in their last full-time semester of attendance.

5. ~~Transfers in men's basketball, not~~ Not more than two credit hours of physical education activity courses may be used to fulfill the transferable degree credit and grade-point average requirements.

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~~For student-athletes (not a qualifier) initially enrolling fulltime in a collegiate institution on or after 8/1/2012.~~

~~A transfer student from a two-year institution who was not a qualifier (per Bylaw 14.3.1.1) is eligible for institutional financial aid, practice and competition the first academic year in residence only if:~~

- ~~1. Has graduated from the two-year institution.~~
- ~~2. Has completed satisfactorily a minimum of 48 semester hours of transferrable degree credit acceptable toward any baccalaureate degree at SFA, including 6 semester hours of transferable English credit, 3 semester hours of transferable math credit and 3 semester hours of transferable natural/physical science credit.~~
- ~~3. Has attended a two-year institution as a fulltime student for at least 3 semesters.~~
- ~~4. Has achieved a cumulative grade point average of 2.500.~~

The NCAA Manual should be consulted for additional two-year college transfer regulations as related to the following issues:

1. Students who have attended multiple two-year colleges;
2. Students who have competed in a sport at the two-year college of residence;
3. Credits earned as a part-time student at a four-year institution;
4. Minimum course load requirements;
5. Competition in year of transfer; and
6. Academic versus vocational degrees.

- Transfers From a Four-Year Institution

The NCAA requires that a transfer from one four-year institution to another four-year institution establish residency (usually one year) at the new institution before he/she can compete. In most cases, however, if the student is granted a release from the previous institution, he/she can engage in practice and receive financial aid. In sports other than basketball, a student may compete immediately without establishing residency provided the following NCAA conditions are met:

1. The student has not transferred before from one four-year institution to another;
2. The first institution certifies that the student met satisfactory progress requirements and he/she would have been eligible had he/she returned; and
3. The first institution certifies in writing that it has no objection to the transfer and waiver of the residency requirement.
4. Have passed a minimum of 6 hours of credit in their last full-time semester of attendance

Additional exceptions to the residency requirement for transfers from a four-year institution are described in detail in the NCAA Manual.

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- 4-2-4 Transfers

A student-athlete who transfers from a four-year college to a two-year college and then to SFA must fulfill a one-year residency requirement unless the following conditions have been met:

1. The student has completed a minimum of 24 semester or 36 quarter hours at the two-year college following transfer from the four-year college.
2. One calendar year has elapsed since the student's departure from the previous four-year college, and:
3. The student has graduated from the two-year college and has achieved a cumulative GPA of ~~2.00~~2.500; or
4. The student returns to the original four-year college from which he or she transferred to the two-year college; or
5. The student was initially enrolled in a four-year college that never sponsored his/her sport on an intercollegiate level while the student attend the institution; and
6. Have passed a minimum of 6 hours of credit in their last fulltime semester of attendance.

7. The student has completed an average of 12 semester hours of transferable degree credit with a cumulative minimum grade point average of 2.500, acceptable toward any baccalaureate degree program at the certifying institution for each term of fulltime attendance at the two-year institution following transfer from the four-year institution most recently attended.**
8. One calendar year has elapsed since the student's departure from the previous four-year institution.**
9. The student has graduated from the two-year institution.**

** For student-athletes initially enrolling fulltime on or after 8/1/2012.

For a detailed description of 4-2-4 transfer regulations, see Bylaw 14 in the NCAA Manual.

CONTINUING ACADEMIC ELIGIBILITY REQUIREMENTS

NCAA Academic Requirements

In order to maintain academic eligibility for athletic participation after the initial year, NCAA regulations require student-athletes to make satisfactory progress toward a baccalaureate or equivalent degree. More specifically, a student-athlete must satisfy these requirements:

1. Remain academically eligible to attend SFA by maintaining a grade point average that places the student-athlete in good academic standing.
2. Complete 24 acceptable degree credit hours prior to the start of the second year of enrollment.

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3. Earn 18 semester hours of academic credit since the beginning of the previous fall term or since the beginning of the certifying institution's preceding regular two semesters (hours earned during the summer may not be used to fulfill this requirement).
4. Pass 6 new credit hours each semester and earn a minimum GPA of 1.800.
5. After the fourth semester of attendance, complete minimum of 18 credit hours during the fall and spring semesters with a minimum GPA of 1.900. Pass 6 new credit hours each semester and have completed 40% of the student's degree plan.

6. After the sixth semester of attendance, complete minimum of 18 credit hours during the fall and spring semesters with a minimum GPA of 2.000. Pass 6 new credit hours each semester and have completed 60% of the student's degree plan.
7. After the eighth semester of attendance, complete minimum of 18 credit hours during the fall and spring semesters with a minimum GPA of 2.00. Pass 6 new credit hours each semester and have completed 80% of the student's degree plan.

University Academic Requirements

The University requires all undergraduate students to maintain a grade point average which ensures that they are making progress toward the cumulative grade point average minimum required for graduation. Students are required to have a minimum 2.0 GPA.

Student-athletes are to be encouraged to declare a major program of study by the middle of their sophomore year. Once a major has been declared, only grades acceptable for degree credit in that major may be applied toward the satisfactory progress requirement. Degree applicability is determined by the school or college offering the program of study.

- **Probation**

Students are placed on academic probation after the first regular semester in which the grade point average fails to meet the minimum standards stated above.

Scholastic probation does not affect the athletic eligibility of a student-athlete unless he/she fails to meet academic standards for students on probation. A coach may impose practice sanctions or additional study requirements to ensure improvement in the student-athlete's academic standing at the University. (See Policy 503, Student-Athletes; Academic Policy in this Manual for more information.)

- **Suspension**

Per University standards, a student is placed on academic suspension for one (1) regular semester after the second consecutive regular semester of enrollment in which he/she fails to meet the minimum standard grade point average.

Failure to achieve the minimum standard grade point average in summer school will not result in Academic Suspension.

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- Reinstatement

A student on academic suspension may be allowed to continue his/her studies at the University by:

1. Attending summer school at SFA and raising his/her GPA to the minimum University standard; or
2. Passing with a C average or better at least nine (9) semester credit hours as specified by his/her college dean; or
3. Being reinstated on probation automatically after one regular semester's absence from the University.

Additional conditions for readmission may be imposed by the college deans.

Further, if a student-athlete is declared academically ineligible, in accordance with provisions of NCAA Bylaw 14.12, and the institution has a documented appeal process for all such students, the student-athlete's eligibility during the appeal process is based on the institutional regulations applicable to all such students. Additionally, if the institution's appeal process extends into the following term, an eligibility declaration for purposes of NCAA legislation must be made before the beginning of that term.

Exceptions to the Progress-Toward-Degree Rule

The NCAA permits exceptions to the progress-toward-degree rule under certain circumstances. These are explained in detail in the NCAA Manual, Bylaw 14, and include the following:

- Missed Term

A student-athlete may miss up to one academic year of enrollment for one time only if he/she:

1. Fulfilled satisfactory progress requirements while previously enrolled;
2. Was eligible for enrollment during the intended absence;
3. Did not participate in any outside competition while not in attendance at the University.

- Midyear Enrollment

Must earn 6 hours of credit.

- Non-Recruited, Nonparticipant

A student-athlete may qualify for an exception to the application of the progress-toward-degree for the initial season of eligibility if the student-athlete:

1. Was not recruited;
2. Has not received athletically related financial aid; or
3. Has never practiced or participated in intercollegiate athletics, except for participation in limited preseason tryouts.

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The student-athlete's eligibility in subsequent seasons is governed by the provisions of the progress-toward-degree rule which is applied from the beginning of the first semester in which the student participates in intercollegiate athletics. This exception shall not apply to percentage-of-degree and minimum grade point average.

- Medical Absence

A Medical Absence Waiver may be pro-rated at 9 hours per term when a student-athlete sustains an illness or injury that precludes full-time enrollment. Medical documentation is required and the waiver is granted by the Conference Office. Credits earned during this period may be used to satisfy the 24 hour, percentage-of-degree and grade point average requirements. (See Policy 506A, Student-Athletes: Medical Policy, in this Manual for additional information.)

- International Competition

Academic and enrollment waivers may be granted to student-athletes participating in Pan American, Olympic or World University Games. The waiver is granted by the Conference Office.

Change of Major

As stated above, a major or designated major must be selected no later than the beginning of the fifth term of college enrollment. Thereafter, a change of major

during any term is permissible, but credits used to meet progress-toward-degree requirements prior to the change must be acceptable for the degree previously sought.

CONDUCT AND SPORTS PARTICIPATION ELIGIBILITY REQUIREMENTS

Student-athletes are expected to uphold ethical standards of conduct and demonstrate ethical behavior, especially in matters related to gambling and bribery and unsportsmanlike conduct, as discussed in Policy 501, Student Athletes: Conduct and Ethics, in this Manual. In addition, a student-athlete's eligibility is jeopardized if he/she takes any of the following actions

- Arranges for fraudulent credit or false transcripts;
- Violates relevant Conference or NCAA rules and regulations; or
- Furnishes the NCAA or other regulatory bodies with false or misleading information about other individuals.

Maintaining Amateur Status

NCAA regulations regarding amateurism and permissible awards, benefits and expenses should be carefully reviewed in order to avoid violations. In general, student-athletes cannot commit to any of the following:

- Uses his or her skill (directly or indirectly) for pay in any form.
 - Accepts a promise of pay even if such pay is to be received following completion of intercollegiate athletic participation.
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- Signs a contract or commitment of any kind to play professional athletics, regardless of its legal enforceability or any consideration received; except as permitted by NCAA By-law 12.2.5.1.
 - Receives directly or indirectly, a salary, reimbursement of expenses or any other form of financial assistance from a professional sports organization based on athletic skill or participation, except as permitted by NCAA rules and regulations.
 - Competes on any professional athletics team per By-law 12.02.5, even if no pay or restitution for expenses was received, except as permitted by By-law 12.2.3.2.1.

- Enters into a contract or agreement with an agent.
- Enters into an agreement of any kind to compete in professional athletics or negotiate a professional contract;

However, NCAA regulations allow a student-athlete to request information about his/her professional market value and to undergo a medical examination by a professional league's recognized scouting bureau. Additionally, the student-athlete or legal guardian may negotiate with a professional sports organization without the loss of the individual's amateur status. An individual who retains an agent shall lose amateur status. See Policy 507C, Student-Athletes: Professional Sports Counseling Panel, in this Manual for additional information.

Outside Sports Competition

A student-athlete that participates as a member of any outside team in any non-collegiate amateur competition during the academic year becomes ineligible for intercollegiate competition in that sport for the remainder of the year and for the next academic year.

However, a student-athlete may compete as a member of a competitive, non-collegiate, amateur team during any official vacation period published in the University's catalog. In addition, student-athletes may participate as individuals in events such as track meets, golf and tennis tournaments, provided such participation is approved in writing by the Director of Athletics and the Head Coach of that sport and does not violate NCAA regulations.

In the sports of soccer, women's volleyball, field hockey and men's water polo, a student-athlete may compete outside of the institution's declared playing season as a member of an outside team in any noncollegiate, amateur competition, provided:

- a. Such competition occurs no earlier than May 1.
- b. The competition is approved by the institution's Director of Athletics.
- c. No class time is missed for practice or competition.

Organized competition exists (as specified by NCAA Bylaws) where any of the following conditions are present:

- Teams are regularly formed or have team rosters;
- The competition is scheduled and publicized in advance;
- Official score is kept;

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- Individual or team standings are maintained;
- An official timer or game officials are used;
- Squad members are dressed in team uniforms;
- Admission is charged;
- The competition is privately or commercially sponsored; or
- The competition is either directly or indirectly sponsored, promoted or administered by an individual, or organization or any other agency.

Several exceptions exist to the outside competition rulings; therefore, student-athletes should be directed to consult their Head Coach or the Associate Athletic Director for Compliance and Student Services prior to participating in such activities.

ELIGIBILITY CERTIFICATION PROCESS

The Director of Athletics, Associate Athletic Director for Compliance and Student Services, Assistant Athletic Director for Academic Services and Executive Director of Enrollment Management work together to comply with the eligibility certification procedures established for all student-athletes. New student-athletes and transfer students are initially certified by the Executive Director of Enrollment Management. Such student-athletes are certified as eligible to participate in practice and outside competition or as eligible only to participate in practice.

Copies of all certification forms are maintained on file by the Assistant Athletic Director for Academic Services. The Director of Athletics and Executive Director of Enrollment Management, in conjunction with the Southland Conference Office, retains ultimate responsibility for the final certification of all student-athletes.

The official certification process for the Department begins with a team meeting, held prior to each sport's first competition of the year. The Head Coach is responsible for scheduling the meeting with the Director of Athletics, or his designate. At this time, each student-athlete is required to complete the NCAA Student-Athlete Statement and the NCAA Drug Testing Consent Form as described below.

NCAA Student Athlete Statement

The NCAA Student-Athlete Statement (see Appendix 502C-3) must be signed annually by each student-athlete certifying that he/she understands and abides by the NCAA rules and regulations. (NOTE: All formal student-athlete documents must also be signed by the student-athlete's parents or legal guardian if he/she is under 18.)

The Student-Athlete Statement includes the following:

1. The NCAA verification of eligibility, whereby the student-athlete states to the best of his/her knowledge he/she is eligible to participate in intercollegiate athletics;

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2. The Buckley Amendment Statement form, whereby the student-athlete agrees to the release of private information (e.g., health records, financial aid, and academic information) to appropriate authorized University personnel in order to verify eligibility;
3. A summary of NCAA regulations related to ethical conduct, amateurism, financial aid, academic standards, etc. and recruitment (for new student-athletes, only);
4. An Affirmation of Eligibility which is signed and kept with the NCAA Student-Athlete Statement; and
5. The NCAA Drug Testing Consent form, whereby the student-athlete agrees to participate in NCAA drug testing procedures.

Each student-athlete is responsible for reporting any changes in information provided (e.g., address, financial aid status, etc.) as they occur to the Associate Athletic Director for Compliance and Student.

NCAA Squad List

The NCAA Squad List (see Appendix 502C-5) is prepared prior to the student-athlete's first contest each academic year. This form is completed by the Associate Athletic Director for Compliance and Student Services.

Student-athletes may not participate in competition until they have been listed as eligible via the NCAA Squad List. A copy of each sport's Squad List is kept on

file in the Associate Athletic Director for Compliance and Student Services Office. Upon certification, student-athletes are eligible for practice, unless they are partial or non-qualifiers.

Additions or changes to the Squad Lists are to be reported to the Associate Athletic Director for Compliance and Student Services within 24 hours of when they occur. New student-athletes wishing to participate in intercollegiate athletics may not do so until they have been certified as eligible.

NCAA Admissions and Graduation Disclosure Procedure

The NCAA Graduation-Rates Disclosure Sheet (Form 95-6a) (see Appendix 502C-6) is to be compiled by the President of the University, or designate, and the Director of Athletics, signed and submitted to the NCAA by the designated date of the report each year. Information required on this form includes the following:

1. University enrollment data;
2. Average admissions data;
3. Freshman - cohort graduation rates;
4. Standards for transfer student-athletes;
5. Degree programs;
6. Exhausted eligibility graduation rates;
7. Time spent to graduate; and
8. Transfer cohort graduation rates.

Temporary Certification

A recruited student-athlete entering the University as a freshman or transfer student may practice once they have a completed TRYOUT/WALKON CLEARANCE FORM, but not compete, for a period not to exceed 2445 days while the University is certifying his/her initial eligibility

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requirements. SFA shall not provide athletically related financial aid to the student-athlete during this period. At the end of this 2445 day period, the student-athlete must have been certified eligible to continue practice, competitor receive athletically related financial aid.

A non-recruited student-athlete entering the University as a freshman may practice, but not compete, for a period not to exceed 45 days while the academic records and core requirements of the student-athlete are being evaluated and certified. After this period, the student-athlete must have established eligibility in order to continue to practice or to compete.

The eligibility certification process for the above student-athletes follows the same process as for all other student-athletes. It includes the completion of the following forms:

- NCAA Eligibility Center Approval (printed from website)
- NCAA Student-Athlete Statement (Appendix 502C-3)
- NCAA Squad List (Appendix 502C-5)

EXIT INTERVIEWS

Exit interviews are to be conducted with student-athletes, in each sport, whose eligibility has been exhausted. Interviews are conducted by the Chairman of the IAC, who after review, forwards the information to the Director of Athletics. The purpose of the interview is to aid in developing athletics programs that continue to meet the needs of students and to aid in developing specific sport's programs.

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502D:1**STUDENT ATHLETES: FINANCIAL AID**

Stephen F. Austin State University awards financial aid to student-athletes in accordance with University policy, as well as Southland Conference, and NCAA rules and regulations governing financial aid. Athletically related grants-in-aid are limited to bona fide educational expenses such as tuition, fees, room, board and course-related books not to exceed the cost of 30 hours of tuition and fees, room, board and course-related books each academic year (fall/spring).

The Associate Athletic Director for Compliance and Student Services administers the financial aid program for the Department and works with the University's Director of Financial Aid in meeting the financial needs of student-athletes.

While it is understood that athletically related grants-in-aid are awarded on an annual basis and are limited to bona fide educational expenses, the Department of Intercollegiate Athletics is philosophically committed to providing the student-athlete with four (4) years of scholarship funding. Financial aid provided to student-athletes is not considered a reimbursement for services performed and cannot be graduated or discontinued, on the basis of athletic performance, during the period of its award.

However, athletically related aid may be reduced or canceled if the student-athlete becomes academically or athletically ineligible to participate (See Policy 502C, Student-Athletes: Eligibility, in this Manual for additional information).

Allocation of Grant-in-Aid Awards

Each intercollegiate sport is provided a specific number or amount of grant-in-aid awards, according to budgetary restrictions and within NCAA rules and regulations. Head Coaches are informed early each fiscal year of the amount of scholarship aid available to their programs. Grants-in-aid are allocated upon the recommendation of the Head Coach and with the approval of the Director of Athletics. The University's Office of Financial Aid awards grants-in-aid based on these recommendations. Recipients of financial aid are notified of the offer of award on the Stephen F. Austin State University Athletic Scholarship Agreement form (see Appendix 502D-1) which details the terms and conditions of the grant. Awards are tendered, along with the National Letter of Intent, at the appropriate signing dates, as provided by the NCAA.

Head Coaches are encouraged to work with their prospective student-athletes and their families prior to the award deadline. They should assess each student-athlete's financial need and encourage them to file the necessary paperwork for other types of assistance well before the deadline date. This allows coaches the

opportunity to use athletic financial aid award funds in the most effective manner possible for their student-athletes.

Allowable grants-in-aid are calculated according to NCAA guidelines for head-count and equivalency sports, as described below. Further, the number of grants-in-aid for any team may be affected by NCAA sanctions which may be imposed against the Department's sport.

502D:2**Head Count and Equivalency Sports**

For purposes of financial aid computations, a player is considered a Counter when he/she receives financial aid based on athletic ability, and/or was recruited, receives financial aid and is competing as a member of an intercollegiate team.

- **Head-Count Sports**

A head-count sport is one, designated by the NCAA, in which athletically related aid is calculated by the number of student-athletes receiving any amount of aid, regardless of the amount of aid received by individual team members. Student-athletes designated to receive any type of financial aid, including textbooks only scholarships, are to be included in the number of student-athletes receiving aid in head-count sports.

The following are the maximum awards, allowed by the NCAA, that may be in effect at any one time for the various head-count sports sponsored at SFA:

| Sport | Men | Women |
|--------------|------------|--------------|
| Basketball | 13 | 15 |
| Tennis | | 8 |
| Volleyball | | 12 |

- **Equivalency Sports**

Equivalency sports, as designated by the NCAA, are those in which athletically related aid is calculated by the percentage of a full, athletically related scholarship awarded to a team member. The University may administer such awards to any number of recipients on the basis of value (equivalency), provided the total dollar amount expended does not exceed commonly accepted educational expenses at the University multiplied by the number of maximum awards permitted for the particular sport.

The following are the maximum awards, allowed by the NCAA, that may be in effect at any one time for the various equivalency sports sponsored at SFA:

| Sport | Men | Women |
|---------------------|------------|--------------|
| Cross Country/Track | 12.6 | 18 |
| Golf | 4.5 | |
| Women's Golf | | 6 |
| Bowling | | 5 |
| Football | 63 * | |

| | |
|----------|------|
| Soccer | 14 |
| Softball | 14 |
| Baseball | 11.7 |

*In Division FCS Football, there is an annual limit of 30 initial counters and 63 equivalency sports to total 85 annual counters.

Although grant-in-aid allocations within each sport are recommended by the Head Coach, the procedures for administering grants-in-aid are the same for all student-athletes. These procedures are summarized as follows:

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Processing of Grant-in-Aid Awards

Grants-in-aid are allocated upon the recommendation of the Head Coach and the approval of the Director of Athletics and the University's Director of Financial Aid. The Stephen F. Austin State University Athletic Scholarship Agreement forms are prepared by the Associate Athletic Director for Compliance and Student Services. ~~The approved forms are forwarded to the Associate Athletic Director for Compliance and Student Services which~~ *who* checks equivalencies to ensure compliance with NCAA grant-in-aid limitations for each sport.

The University's Financial Aid Office awards grants-in-aid based on the recommendations of the Director of Athletics. Copies of Team Rosters and Grant-in-Aid lists are kept on file in both the Associate Athletic Director for Compliance and Student Services Office and with each sport's secretary.

Prospective Student-Athletes

Financial aid agreements are issued to prospective student-athletes with the National Letter of Intent (see Appendix 502A-14). Prospects may not be offered financial aid prior to the times and dates permitted by the National Letter of Intent.

To be valid, the National Letter of Intent Agreement must be signed and dated by the prospective student-athlete and his/her parent or guardian within 14 days after it is issued and returned to the Associate Athletic Director for Compliance and Student Services.

A copy of the Financial Aid Agreement is forwarded to the Office of Financial Aid. If the student fails to be admitted following the University's regular admission process, the grant-in-aid becomes null and void. (See Policy 502B,

Student-Athletes: Admissions, in this Manual for admissions standards and procedures.)

Enrolled Students

A student-athlete eligible for a grant-in-aid who enrolls at the University without having received a financial aid offer may, thereafter, be given aid at any time.

A Head Coach who wishes to make an initial offer of athletically related financial aid to a previously enrolled student must submit a Scholarship Request form to the Associate Athletic Director for Compliance and Student Services. Prior to tendering an offer of financial aid to the enrolled student-athlete, it is necessary to verify the eligibility of the student and comply with squad limitations. With the recommendation of the Director of Athletics and the signatory approval of the Director of Financial Aid, the Grant-in-Aid Offer is considered fully executed and ready for the student-athlete's signature.

Continuing Student-Athletes

Athletically related financial aid is awarded on a year-by-year basis and cannot be ~~increased~~, reduced or discontinued during the period of its award for any athletically related reason. As stipulated by NCAA Bylaw 15, grants-in-aid are renewed on or before July 1st of the academic year in which they are to be effective. Student-athletes are asked to sign and return the agreements by July 15.

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Renewal notifications (see Appendix 502D-2 for sample) must be mailed out on or before June 30th. The Associate Athletic Director for Compliance and Student Services coordinates the processing of scholarship renewals with each sport's Head Coach, sport secretary, the Director of Athletics, the Assistant Athletic Director for Academic Services and the Director of Financial Aid.

Graduation or Cancellation of Aid

By July 1, student-athletes must be notified in writing by the Director of Athletics, or *his designee*, if the renewal of aid is to be reduced or canceled. (See Appendix 502D-2 for a sample cancellation letter.) Student-athletes may appeal if they believe they were unjustifiably denied the renewal of aid.

The request for an appeal must be filed in writing and directed to the Director of Athletics within ten (10) days of the cancellation notification. Upon receipt, the Director of Athletics schedules a review for the appeal. If the appeal is not granted, then it can be appealed to the Financial Aid Appeals Committee. The

Scholarship appeal process must be completed prior to the commencement of the academic year for which the scholarship is renewed, reduced or canceled. In general, the renewal of aid may be denied if the student-athlete:

1. Fails to meet all established eligibility requirements related to University academic standards or intercollegiate competition;
2. Engages in serious misconduct which results in substantial disciplinary action by the University;
3. Voluntarily withdraws from participation in a sport for personal reason;
4. Fails to meet the Department of Intercollegiate Athletics' team rules governing discipline, training or conduct;
5. Is found guilty of fraudulent misrepresentation on his/her application, National Letter of Intent or Financial Aid Agreement;
6. Is found guilty of falsifying a statement concerning his/her attendance at another institution;
7. Fails to comply with the requirements of the drug education, testing and rehabilitation program; or
8. Is found guilty of withholding information which could affect his/her eligibility status.

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Summer School

Athletically related financial aid does not normally include summer session classes. However, financial aid may be extended to cover summer school if

attendance is warranted. The Head Coach of each sport makes a determination regarding those student-athletes to be offered financial assistance for summer school provided funding is available.

As per NCAA legislation, an enrolled student-athlete, if awarded financial aid for summer school, may only receive athletically related financial assistance in proportion to the amount of athletically related aid received during the prior academic year, he/she may not be provided athletically related aid during the ensuing summer term.

Summer school for incoming freshmen prior to initial, full-time enrollment in the fall are required by NCAA legislation to enroll in a minimum of six hours of academic course work, other than physical education activity courses, that is acceptable degree credit toward any of the university degree programs.

For student-athletes who meet the NCAA's criteria for summer school aid, the following circumstances may dictate the need for summer school assistance as determined by the Head Coach:

1. Student-athletes who need the hours to be eligible for fall competition;
2. Fourth-year athletes who intend to graduate that summer;
3. Fifth-year student-athletes who intend to graduate that summer;
4. Student-athletes who have maintained their eligibility for the fall, but who need hours to keep on schedule for graduation within four (4) years; and
5. Incoming freshmen who may benefit academically.

All applicants for summer school are considered on an individual basis. Once approved, each student-athlete is required to sign a financial aid agreement for summer school reflecting the amount, terms and duration of aid.

Additionally, summer school scholarship recipients will be asked to repay the cost of tuition & fees of any class that was dropped or receives the grade of 'F'.

Fifth Year/Injured

The Department of Intercollegiate Athletics is not able to automatically grant Fifth-Year/Injured financial aid. Therefore, each request is reviewed by the Director of Athletics and granted based on the individual merits of the situation and on the recommendation of the Head Coach for each sport. Post eligibility grants-in-aid will be funded not to exceed the cost of tuition and fees (maximum of 15 hours per semester) or the amount of their last award if it was less.

Requirements to receive this award include:

1. Return academically eligible just as if they still had a season of competition remaining.
2. Enroll full-time unless they are in the final semester of degree plan/
3. Work at an Athletic Department assigned job for 10 hours each week.

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To receive athletic aid the following semester, the recipient must pass at least 9 new hours towards their degree plan with a GPA of 2.00 or higher.

Lastly, it should be understood that this scholarship award will be made in 3 payments during the semester. The first payment will be 50% of the total cost of tuition and fees, and will be applied to their account at the beginning of each semester. The remaining two payments will be made in equal amounts approximately 30 and 60 days following the first payment. Should a recipient choose not to fulfill their assigned work detail, one or both of the remaining payments will not be applied to the billing statement.

Moreover, post-eligible aid is not awarded to any student-athlete under contract or receiving compensation from a professional sports organization.

~~● — NCAA Sixth Year Scholarship Program~~

~~— The NCAA has a program for awarding scholarship money to student-athletes who require an 11th semester or a full sixth year to complete graduation requirements. Applications are available from the Assistant Athletic Director for Student Services. The deadline for returning the applications is May 15th and the applications require extensive documentation. Therefore student-athletes interested in applying should be encouraged to begin the process as early as possible.~~

Non-Institutional Financial Aid

Should a student-athlete qualify for non-institutional financial aid and exceed the maximum scholarship aid allowed, University funds are reduced dollar-for-dollar. NCAA Manual Bylaw 15, regarding Financial Aid should be consulted to determine the types of outside aid student-athletes may receive without reducing University aid (i.e., non-countable, outside aid) when totals do not exceed NCAA ceilings. Further, a student-athlete may receive a Pell Grant in combination with other institutional financial aid, ~~provided the overall total does not exceed the cost of attendance ceiling;~~ *with no limit restrictions.*

All outside aid received by a student-athlete must be reported to the University Office of Financial Aid at the beginning of each academic year. Individuals reporting outside aid may have their athletic grant-in-aid reduced to avoid an

award in excess of a full-ride amount. permissible outside scholarship awards must meet NCAA criteria and may cause athletic grant-in-aid to be adjusted to NCAA ceiling amounts.

All non-athletically related aid received is to be reported to the Office of Financial Aid. The Associate Athletic Director for Compliance and Student Services is responsible for ensuring that the aid is permissible and for notifying the appropriate parties to make any necessary adjustments to the athletically related aid.

University Charges Not Paid by the Department

Certain expenses which may be incurred by the student-athlete while enrolled at SFA are not covered under the his/her grant-in-aid. Per NCAA regulations, only tuition, room, board and required books are legitimate components of athletically related financial aid. The following list of expenses are not part of a grant-in-aid and therefore must be paid by the student-athlete.

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They include, but are not necessarily limited to:

- Cost of treatment for non-athletically related injuries.
- Non-legitimate hotel charges (e.g., long distance telephone, laundry, movies, etc.) incurred during travel to away contests.
- Library fines and fines for damage to University property, including residence halls.
- Key deposits or replacement of a lost residence hall key.
- School supplies, reference books, pens, notebooks, paper, drafting kits, etc.
- Vehicle registration fees.
- Parking fines.
- Personal insurance for non-athletically related injuries and illnesses.
- Residence hall penalty fees incurred for breaking contract agreements.
- Late registration fees.
- Graduation fees
- Fees associated with student-teaching and internships.

Non-Scholarship Student-Athletes

The University extends to all non-scholarship (recruited or non-recruited) student-athletes the same benefits as scholarship athletes (excluding grant-in-aid awards). Once certified as eligible to participate, the benefits received are as follows:

- Academic counseling assistance (e.g., tutoring, career and peer counseling, etc.)
- Training room treatment for athletically related injuries.
- Strength and conditioning facility use.
- Referrals for vacation and permanent employment.
- Team travel and equipment use.
- Athletic letter awards.

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STUDENT-ATHLETES: TEXTBOOKS

~~The textbook distribution program for scholarship student-athletes at Stephen F. Austin State University is administered by the Associate Athletic Director for Compliance & Student Services, in conjunction with the University Barnes & Noble Bookstore. The program is administered in accordance with grant-in-aid stipulations and NCAA guidelines related to allowable financial aid limits.~~

~~Only required textbooks for courses in which the student-athlete is officially registered may be paid for by the Department. Books will be available for pick-up before each term for those student-athletes that have pre-enrolled. Others will need to provide a copy of their class schedule for verification before the Bookstore will issue books.~~

~~Books must be returned to the Barnes & Noble Bookstore, located in the Student Center at the end of the term. Textbooks that are not properly returned at the end of the term will be billed to the students account at 65% of the purchase price.~~

~~Only student-athletes receiving full scholarships will be provided scholarship books as described above. All other student-athletes who receive scholarship books as a part of their award will be provided a dollar equivalent not to exceed \$400 in any one semester.~~

Textbooks are rented for those student-athletes who receive them as an element of their scholarship agreement. The Associate Athletic Director for Compliance and Student Services will provide a list of these student-athletes to each Head Coach and to Barnes & Noble's Bookstore prior to each semester. The Bookstore will provide either traditional text books or eBooks, depending on the students' preference. Books will be pre-selected based on class schedules of student-athletes that have pre-enrolled, which may be picked up by presenting a current photo ID at the start of each semester.

Textbooks are only provided for courses that the student-athlete is currently enrolled in. Course supplies will not be provided. Intentional misuse of the scholarship textbook program by any athlete can result in NCAA violations, loss of scholarship, and removal from team and dismissal from school.

*All traditional textbooks **must be returned** to the Bookstore at the end of each semester before you return home. Textbooks that are not properly returned at the end of the term will be billed to the students account.*

Textbooks will be issued each semester until the 20th class day. After which, books that have not been properly received will not be covered by athletic scholarship.

Questions concerning scholarship textbooks should be directed to the Associate Athletic Director for Compliance & Student Services.

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STUDENT ATHLETES: DRUGS & ALCOHOL POLICY

Stephen F. Austin State University is concerned with the health, safety and welfare of the student-athletes who participate in its intercollegiate athletic programs. The use of illegal drugs, misuse of legal drugs and over-the-counter dietary supplements, use of performance-enhancing substances, use of alcohol and inappropriate use of tobacco are completely inconsistent with the standards expected of student-athletes. Substance use and abuse in sport can pose risks to the student-athlete's health and negatively affect his or her academic and athletic performance. It can also compromise the integrity of athletic competition and the ideals of SFA.

Purpose

The Athletic Department believes that random drug testing and testing based on reasonable suspicion are appropriate to ensure the health, safety and welfare of our student-athletes, to promote fair competition in intercollegiate athletics, to affirm compliance with applicable rules and regulations on drug and alcohol abuse, to identify student-athletes who are improperly using drugs or alcohol and to assist them before they harm themselves or others. Furthermore, the Athletic Department recognizes its responsibility to provide educational programming that will support a positive decision-making process.

The intent of these policies is to prevent substance use and abuse by student-athletes through education, testing, and professional guidance.

- Education – providing student-athletes and athletics staff with accurate information about the problems associated with substance use in sport, promoting health and safety in sport;
- Testing – analyzing biological specimens to detect prohibited substances student-athletes may introduce to their bodies and punitive consequences resulting from use; and
- Professional Referral – facilitating appropriate treatment and rehabilitation of student-athletes.

Implementation of Program

~~At the beginning of the academic year, a presentation will be made to all intercollegiate athletic teams to outline and review the department's *year round* and *summer* drug testing drug policy. A copy of this policy will be provided to each student athlete. As a part of the orientation process for each intercollegiate sport, the head coach will arrange for all squad members to attend a drug education and testing orientation which will be given by the Head Athletic Trainer and his staff. Each student athlete will thereafter be asked to (1) sign a form acknowledging receipt of a copy of this policy; (2) execute voluntary consent to~~

~~the urinalysis testing required by the program; and (3) sign a statement authorizing the release of test results to a limited group of individuals.~~ During the orientation program, the Department's drug testing program will be explained and consent forms will be distributed to all student-athletes who have not previously signed a consent form. Student-athletes and their parents/legal guardians are encouraged to ask questions or make suggestions at any time regarding this program. The SFA Athletics Department is committed to the success of this program and expects student-athletes to be equally committed.

Frequency of Testing

To ensure fairness and efficiency of the testing program, testing notification will come from ~~the Assistant Athletic Director for Sports Medicine~~ Head Athletic Trainer. Tests will be administered on a random or reasonable suspicion basis and may, or may not, be announced in advance. Tests may be administered at any time *throughout the year*. The number, timing and other procedures for testing shall be determined by the ~~Assistant Athletic Director for Sports Medicine~~ Head Athletic Trainer.

Under the random testing program, individual student-athletes will be randomly chosen for screening by the contracted testing lab from a roster provided by the Sports Medicine staff. Failure to report for testing following notification will result in a positive test.

Testing Method

The drug testing shall consist of collecting a urine sample from the student-athlete under the supervision of a laboratory technician from an accredited lab under contract with SFA. Each urine sample shall be analyzed using such tests as the Athletics Department may deem appropriate for the presence of screened drugs. The testing agency shall report all test results to the ~~Assistant Athletic Director for Sports Medicine~~ Head Athletic Trainer. For purposes of this program, a positive result shall mean a test result which indicates, in the opinion of the outside agency performing such testing, the presence of one or more of the drugs on the NCAA's banned list.

Appropriate precautions will be taken to assure and maintain the accuracy and confidentiality of the test results including the maintenance of a documented chain of specimen custody to insure the proper identification and integrity of the sample throughout the collection and testing process.

NCAA Banned Drug Classes

The Committee on Competitive Safeguards and Medical Aspects of Sports has the authority to identify specific banned drugs and exceptions within each class. SFA student-athletes shall be held accountable for all drugs within the banned-drug classes regardless of whether they have been specifically identified. The current list of specific banned drugs and exceptions is located on the NCAA Web site (ncaa.org) or may be obtained from the NCAA national office.

The following is the list of banned-drug classes as of the date of this policy:

- Stimulants
- Anabolic agents
- Diuretics and other masking agents
- Street drugs
- Peptide hormones and analogues
- Anti-estrogens
- Beta-2 agonists

Many nutritional/dietary supplements contain NCAA banned substances. In addition, the U.S. Food and Drug Administration (FDA) does not strictly regulate the supplement industry; therefore purity and safety of nutritional/dietary supplements cannot be guaranteed. Impure supplements may lead to a positive NCAA drug test. The use of supplements is at the student-athlete's risk. Student athletes are urged to check first with the Sports Medicine staff before taking any supplements to insure that there are no banned substances in the ingredients.

Medical Exception Policy

SFA recognizes that some banned substances are used for legitimate medical purposes. Accordingly, SFA allows exceptions to be made for those student-athletes with a documented medical history demonstrating a need for regular use of such a substance. Exceptions may be granted for substances included in the following classes of banned drugs: stimulants, beta-blockers, diuretics and peptide hormones.

The student-athlete is required to inform the ~~Assistant Athletic Director for Sports Medicine~~ *Head Athletic Trainer* of all medications he or she is taking. The sports medicine staff will maintain in the student-athlete's medical records a letter from the prescribing physician that documents the student-athlete's medical history demonstrating the need for regular use of such a drug. The letter should contain

information as to the diagnosis (including appropriate verification), medical history and dosage information. In the event a student-athlete tests positive, the ~~Assistant Athletic Director for Sports Medicine~~ *Head Athletic Trainer* in consultation with the Team Physician will review the student-athlete's medical record to determine whether a medical exception should be granted.

Reasonable Suspicion Screening

A student-athlete may be subject to testing at any time when the Director of Athletics or his/her designee determines there is individualized reasonable suspicion to believe the participant is using a banned substance. Such reasonable suspicion may be based on observed behavior or objective information as determined by the Director of Athletics or by an Associate/Assistant Athletic Director, Head Coach, Assistant Coach, Assistant Athletic Trainer, or Team Physician, and deemed reliable by the Director of Athletics or his/her designee. Reasonable suspicion may be found, but not limited to 1) observed possession or use of substances appearing to be prohibited drugs, 2) arrest or conviction for a criminal offense related to the possession or transfer of prohibited drugs or substances, or 3) observed abnormal appearance, conduct or behavior.

Safe Harbor/Self-Referral Policy

~~With the understanding that there are circumstances where individuals have severe drug and/or alcohol problems which stem from background, habit, or recreation, the Department of Athletics has developed a policy to assist individuals who desire to make a positive life change. It is the assumption that individuals who self refer for a drug and/or alcohol problem are actively seeking help and are interested in making a positive life change. It is the commitment of SFA Athletics to assist all individuals in this process. Through the Safe Harbor program, a student athlete may refer himself or herself *once* for voluntary evaluation and counseling. Self-referral may occur only one time during a student athlete's college career. The University, without charge, will provide a counseling program to student athletes, to the extent that similar services are provided to all University students, to gauge the severity of the problem. A recommendation for treatment, based on the assessment will be made. Counseling beyond that which is available to all University students will be at the expense of the student athlete.~~

Parameters of the Safe Harbor program include the following:

- ~~A student athlete is not eligible for self-referral or safe harbor plan after he or she has been informed of an impending test or after having received notification of a positive institutional or NCAA drug test.~~
- ~~The Director of Athletics, Assistant Athletic Director for Sports Medicine, and the student athlete's head coach will be informed of the student athlete's participation in the Safe Harbor program.~~

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- ~~The student athlete will be permitted to remain in the Safe Harbor program for a reasonable amount of time, not to exceed thirty (30) days, as determined by the treatment plan. **A student will not be permitted to enter the Safe Harbor Program thirty (30) days prior to NCAA or Conference postseason competition.**~~
- ~~Student athlete must satisfactorily complete the prescribed substance abuse treatment recommended by the counselor. Student athletes will be required to sign a release form allowing the athletic department to check on their attendance. Failure to complete counseling will result in a positive drug test.~~
- ~~The Department of Athletics, reserves the right to perform routine, unannounced drug tests. If a drug test reveals existence of drugs after an 8-week period, or if at any time the student athlete tests positive for a different drug than which he/she was originally referred for, an additional violation of the substance abuse policy will be enforced.~~
- ~~Upon official release from the treatment/counseling program, all student athletes will be subject to drug testing. If any substance is detected, an automatic positive test will result.~~
- ~~Self-referral cannot be used while in treatment for an existing violation. The concept of the Safe Harbor self-referral program is for the student athlete to ask for help with an addictive problem he/she is facing. Therefore, self-referral will not be considered when a student athlete is actively undergoing treatment for a substance abuse violation.~~

~~The Director of Intercollegiate Athletics or designee may suspend the Student Athlete from play or practice if medically justified.~~

Team Rules

Apart from the drug testing program, the Head Coach of each intercollegiate sport will have their own team rules and requirements which include prohibitions concerning the use of drugs. Individual team rules and sanctions may be more comprehensive and/or restrictive than those listed in Table 1 in this policy. Each Head Coach will have the necessary authority to enforce these rules. A student-athlete whose system contains drug residues may not be capable of performing sports activities and may detract from team performance and/or be a hazard to himself/herself and others. Accordingly, Head Coaches may properly take positive drug test results into consideration along with any other indications of drug use, as a factor in determining whether, and to what extent, a particular student-athlete should be permitted to practice, workout, or compete in his/her sport. The Head Coach will consult with the Head Athletic Trainer and Director of Athletics in such cases.

Counseling

Student-athletes will be referred to the professional counseling services provided by the University at no charge. The Athletic Department will not assume financial or other responsibility for continuing treatment and rehabilitation of student-athletes with drug usage or drug dependency problems who seek outside services. The Athletic Department will encourage and be supportive of student-athletes who participate in such rehabilitation programs but will not assume any responsibility for these programs or for any physical, mental, or emotional damage or disability suffered by a student-athlete related to alcohol or drug usage.

Sanctions for Substance Abuse

First Offense

- ~~The Athletic Director will be notified by the Assistant Athletic Director for Sports Medicine.~~
- ~~The Athletic Director will meet with the student athlete and Head Coach.~~
- ~~The student athlete's parents or guardian will be notified by the Head Coach.~~
- ~~The student athlete's parents or guardian will also be notified in writing by the Athletic Director.~~
- ~~The student athlete will be re-tested at each subsequent department random test for the following 12 months.~~
- ~~The student athlete will be referred to University counseling services for evaluation and counseling. Attendance is mandatory and will be monitored by the Assistant Athletic Director for Sports Medicine or his/her designee. A release form signed by~~

~~the student athlete will be required so that counseling services can report attendance.~~

- ~~• Failure to attend counseling will result in an indefinite suspension from all team activities and competition until the counseling program is completed.~~
- ~~• Counseling beyond that which is available to all University students will be at the expense _____ of _____ the student athlete.~~
- ~~• The student athlete will receive Seven (7) days of suspension from all team activities to include meetings, practice, conditioning and competition.~~

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- ~~• Student athlete will be suspended from the next regular or post season competition(s) as determined by the sport they are participating in. The next regular competition would include the following competition year if the positive test occurred outside the student athlete's traditional season.~~

~~Competition suspensions will be equivalent in all sports and will be equal to one (1) competition or ten (10) percent of the scheduled contests for that sport, whichever figure is greater.~~

~~Minimum suspensions for each sport will be:~~

| | |
|---------------|--------------|
| Football | 1 game |
| Volleyball | 3 matches |
| Soccer | 2 games |
| Basketball | 2 games |
| Cross Country | 1 meet |
| Indoor Track | 1 meet |
| Outdoor Track | 1 meet |
| Tennis | 1 match |
| Golf | 1 tournament |
| Softball | 5 games |
| Baseball | 5 games |
| Bowling | 1 tournament |

Second Offense:

- ~~• The Athletic Director will be notified by the Assistant Athletic Director for Sports Medicine.~~

- ~~The Athletic Director will meet with the student athlete and Head Coach.~~
- ~~The student athlete's parents or guardian will be notified by the Head Coach.~~
- ~~The student athlete's parents or guardian will be notified in writing by the Athletic Director.~~
- ~~The student athlete shall be banned from all SFA intercollegiate athletic participation during the time period ending one calendar year after the collection of the student athlete's positive drug test specimen.~~
- ~~If the student athlete returns, following the one year suspension, they will be required to submit to testing prior to reinstatement to a team and will also submit to testing monthly at the student athlete's expense. Any subsequent positive test will result in permanent suspension from all SFA athletic teams.~~

Table I. Classification for the Department of Intercollegiate Athletics Drug Testing Program

There are four possible levels in which a student-athlete may be placed in the Department's drug testing program: Level 0, 1, 2, 3. All student-athletes enter the program in category 0 (i.e., assumed to be drug-free and/or never have had a positive test). A positive test will result in entry into one of the other three levels as defined below:

Level 0: *No history of a positive test for banned substances.*

Level 1:

Qualifications:

- 1. At least one positive test for banned substances; and*
- 2. Clinical assessment shows only occasional use without evidence for physical or psychological dependence.*

Resulting Actions:

- 1. Student-athlete may be subject to mandatory counseling.*
- 2. Student-athlete will be subject to increased frequency of testing.*
- 3. Student-athlete may be subject to coach/team sanctions and will be warned of the consequences of future positive tests or failure to comply with either future drug testing procedures or professional counseling procedures.*
- 4. Test results confined to Head Athletic Trainer and the head coach for that sport.*
- 5. Parents/guardians may be notified and kept informed of progress.*

Level 2:

Qualifications:

1. *At least one positive test and determined by a professional substance abuse counselor to be a regular user with physical or psychological dependence; or*
2. *Two or more positive tests within a nine-month period.*

Resulting Actions:

1. *Student-athlete will enter counseling, the frequency of which will be determined by a professional substance abuse counselor.*
2. *Student-athlete will be subject to increased frequency of drug testing.*
3. *Student-athlete will be subject to team/coach sanctions and will be warned of the consequences of future positive tests or failure to comply with either future drug testing procedures or professional counseling procedures. At a minimum, a suspension equal to the greater of one competition or 10% of the scheduled contests in the Student-athletes sport will be issued.*
4. *Parents/guardians will be notified and kept informed of progress.*

Student-athletes may revert to Level 1 by repeated negative tests over a nine-month period and if the student-athlete shows satisfactory progress reports from professional counseling sessions.

The Director of Athletics shall be notified by the Head Coach of those student-athletes who enter Level 2.

Level 3:*Qualifications:*

1. *Student-athlete will have tested positive after having been placed in Level 2; or*
2. *The student-athlete does not fulfill the professional counseling requirements.*

Resulting Actions:

1. *Student-athlete will enter professional counseling, the frequency of which will be determined by a professional substance abuse counselor.*
2. *Student-athlete will be subject to increased frequency of testing.*
3. *Student-athlete will be subject to increased team/coach sanctions. Furthermore, the individual will be given a final warning of the consequences of a positive test while in Level 3.*

4. *Student-athlete may be suspended indefinitely from participation in practice, team meetings, training and competition until effective treatment is instituted and clinical improvement can be established. The Head Coach and Director of Athletics will initiate any suspension actions. The Head Athletic Trainer will initiate treatment and assessment.*
5. *Parents/guardians will be notified and kept informed of progress.*
6. *A student-athlete who tests positive after being placed in Level 3 will not have his/her athletic financial aid renewed and will be dismissed from the team.*

The student-athlete may revert to Level 2 by repeated negative tests over a 12-month period and if satisfactory progress is shown in the counseling sessions.

The Director of Athletics will be notified of all student-athletes who enter Level 3.

Individual Team Drug Screen

There may be times that an entire team is tested. This may include but is not limited to the following reasons:

- Prior to post season competition.
- Suspected widespread use of/or association with banned substances by team members.

Appeals

Student-athletes who test positive will be entitled to a hearing with the Director of Athletics or his/her designee prior to the imposition of any sanction. Requests for such a hearing must be made within forty-eight (48) hours of notification of a positive test result. If the forty-eight hours would end on a weekend, the request must be made by noon on the next business day. Request must be in writing and received by the Director of Athletics.

The student-athlete may have an advocate or other representative present if the student so desires. However, the student-athlete must present his or her own case and the advocate or other representative may only advise the student-athlete. If the student-athlete chooses to bring an attorney as his/her advocate or representative, the Director of Athletics may request the university general counsel to be present. The meeting should take place no more than seventy-two (72) business hours after the written request is received. The student-athlete or the other parties involved may request an extension of time to the Director of Athletics, who will consider whether to grant the extension upon a showing of good cause. These proceedings shall include an opportunity for the student-athlete to present evidence, as well as to review the results of the drug test. The proceedings shall be confidential. The decision by the Director of

Athletics or his/her designee regarding the sanction to be imposed shall be final, other appeal processes of the University notwithstanding.

Test Results Security

It has been agreed by the President of the University and the Director of the Office of Student Rights and Responsibilities that they will not be entitled to request information as to result of drug tests of any student-athlete, nor to use any information of evidence as to such test results, for any disciplinary purposes whatsoever. The Department of Athletics will make every effort to keep all such test results confidential, except to the limited extent otherwise provided above, and will oppose the disclosure thereof to any other person within or outside the University.

NCAA Drug Testing

All student-athletes may be tested by the NCAA **at any time during the year and especially during championship competition.**

A student-athlete who as a result of a drug test administered by the NCAA is found to have used a substance on the list of banned drug classes, shall be declared ineligible for further participation in postseason and regular-season competition during the time period ending one calendar year after the collection of the student-athlete's positive drug-test specimen. The student-athlete will also be charged with the loss of a minimum of the equivalent of one full season of competition in all sports. (see 31.2.3 in the *NCAA Manual*) The student-athlete will remain ineligible until he/she tests negative and their eligibility is restored by the NCAA following the year long ban.

Alcohol Policy

The SFA Athletic Department does not condone the illegal or otherwise irresponsible use of alcohol. It is the responsibility of every member of the university community to know the risks associated with alcohol use and abuse. This responsibility obligates student-athletes to know relevant university policies and federal, state and local laws and to conduct themselves in accordance with these laws and policies. This policy extends to the recruitment of prospective SFA student-athletes. Prospective student-athletes visiting campus and socializing with current students are expected to participate in all activities without the influence of alcohol. It should be understood that possession or consumption of alcoholic beverages by individuals under the age of 21 is a violation of Texas state liquor laws. Likewise, it is illegal for anyone to supply alcoholic beverages to persons under the age of 21.

The Athletic Department will issue a positive drug test result to any student-athlete upon conviction or plea of guilty to the following, or its equivalent:

1. Driving under the influence (DUI/DWI) or other motor vehicle violations involving alcohol or drugs
2. Public intoxication
3. Drunk and disorderly

Other violations of law or university policy involving alcohol or drugs, including possession, will be reviewed by the Director of Athletics and may be grounds for a positive test result or suspension.

Use of Tobacco

The use of tobacco products is prohibited for all Athletic Department personnel (e.g. coaches, student-athletes, athletic trainers, managers) in all sports during practice, competition, travel and in any other capacity while officially representing SFA.

NCAA by-law 11.1.5 prohibits the use of all tobacco products during competition. This includes any celebratory activity occurring at the end of a competition. The Director of Athletics or his/her designee will sanction those who violate this tobacco policy on a case-by-case basis.

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DEPARTMENT OF INTERCOLLEGIATE ATHLETICS TRANSFER RELEASE POLICY

A student-athlete who wishes to transfer to another NCAA institution should follow these steps. First, notify your head coach that you desire to transfer and are requesting your release. If approved, ~~your release~~ *a Permission to Contact Letter*, will be prepared by the Associate Athletic Director for Compliance and Student Services upon notification by the head coach. This release will only give institutions permission to contact you about transferring.

If the request to permit any other institution to contact the student-athlete is denied, the student-athlete will be informed in writing by the Director of Athletics and given the opportunity to request, in writing, a hearing conducted by the Intercollegiate Athletic Council. The hearing will be conducted and written results provided to the student-athlete within 15 business days of receipt of the written request for hearing. The student-athlete shall be provided the opportunity to actively participate in the hearing. If the hearing is not conducted or written results are not provided within the 15 business day window, permission to contact the student-athlete is granted by default and a written permission will be provided.

In the event that the student-athlete is also seeking a One-Time Transfer Exception release, *the student must present a cumulative minimum overall GPA of 2.600 for immediate issue.* ~~the~~ The request must be in writing to the Director of Athletics. *If the student does not have a cumulative minimum overall GPA of 2.600* ~~A~~ a decision to grant or deny the request will be made in writing by the Director of Athletics within 7 business days. If denied, the student-athlete will be provided a hearing upon written request. The hearing will be conducted by the Intercollegiate Athletic Council. The hearing will be conducted and written results provided to the student-athlete within 15 business days of receipt of the written request for hearing. The student-athlete shall be provided the opportunity to actively participate in the hearing. If the hearing is not conducted or written results are not provided within the 15 business day window, permission for the release shall be granted by default and written permission will be provided.

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DEPARTMENTAL STAFF: SEPARATION, DISCHARGE AND DISCIPLINARY MEASURES

It is the policy of the University and the Department of Intercollegiate Athletics to handle the termination of any employee in a fair, equitable and expedient manner. Separation refers to an employee's discontinuance of service by resignation or retirement of the employee, non-renewal of a contract, termination of at-will employment during probationary period or of Assistant Coaches and separation based on financial constraints, departmental restructuring, or other such conditions. Discharge refers to the dismissal or release of an employee by the Department. Disciplinary measures refer to the suspension or probation of an employee from duties with or without pay.

Disciplinary measures may be warranted when an employee does not meet required standards or work performance and employee behavior. Supervisors should concentrate on preventing serious personnel problems prior to seeking disciplinary actions. However, supervisors have the right to discipline and/or summarily discharge an employee for cause within the guidelines of the Office of Human Resources.

This policy applies to all regular, non-academic employees and may also be applied to the dismissal of an employee still within his/her probationary period. However, an employee found to be incompetent or who violates any rule, during his or her probationary period is dismissed without recourse as related to this policy. (See Policy 508C, Departmental Staff: Performance Evaluations, in this Manual for additional information.)

Detailed information related to separation, discharge, and disciplinary measures can be found in the *Stephen F. Austin State University Policies and Procedures Manual* or by contacting the Office of ~~Personnel Services~~ Human Resources.

Employee Separation

- Office/Service
A two (2)-week written notice is expected from all employees who voluntarily terminate employment. All employees leaving the employment of the University are required to complete an Employee Checkout Form (see Appendix 508G-1). Proper notification insures the timely processing of the employee's final paperwork. (See Policies 508D, Department Staff: Vacations, and 508K, Departmental Staff: Leave Classifications, for more information.) Moreover, an employee who

resigns with proper notice may be recommended for rehire if his/her performance was evaluated to be satisfactory.

- **Non-renewal of Contracts**
Head Coaches who receive written contracts for specified terms are not subject to the discharge for cause procedures, except when a for cause discharge occurs during the contract term. Disciplinary measures may also be taken during the contract term. Separation based on a non-renewal of contract does not have to be for cause, and is within the sole discretion of the University. Decisions to non-renew contracts of Head Coaches are initiated by the Director of Athletics and approved by the President of the University.

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- At-Will Employees

The following ~~non-classified~~*exempt*, academic and non-academic employees serve at the discretion of the University and are considered at-will employees, whose employment may be terminated with or without cause at any time by the University or the employee.

- All positions reporting to the Board of Regents including but not limited to the President, General Counsel, and Director of Audit Services
- All Vice Presidents/Provost including Associate Vice Presidents/Associate Provost
- All Deans including Associate Deans
- All Directors, *Associate Directors and Assistant Directors*
- All Department Heads and Chairs
- All Coaches ~~with the exception of the head football coach, men's and women's head basketball coach.~~
- *All charter school teachers*
- *All attorneys and auditors*
- *All grant funded positions*
- *All temporary staff employees*

The head football coach and men's and women's head basketball coach may have a contract for employment which specifies additional limits or restrictions on their at-will status.

Detailed information regarding at-will employment can be found in the Stephen F. Austin State University Policies and Procedures Manual or by contacting the Office of Human Resources. ~~Any appointment included in this list which is filled by a tenured employee will not affect the employee's tenure status. Tenured employees removed from administrative assignments under this policy may be reassigned to a faculty position.~~

~~The University may choose to reassign an at-will employee under this policy, but such reassignment is not guaranteed. Additionally, the University will endeavor to give a terminated employee under this policy a 30-day notice, although notice is not required.~~

~~Any decision to terminate an at-will employee must be reviewed by the General Counsel and/or Director of Human Resources for legal considerations. Termination of at-will employees below the Vice President level must be approved by the appropriate Vice President and reported to the President and Board of Regents. The Board of Regents must approve termination of at-will employees at the Vice President level or above. All such employees will be given an opportunity to resign in lieu of at-will termination, unless the termination is clearly for cause. The terms of resignation must be approved by the same process outlined for termination above, including legal review by the General Counsel and/or Director of Human Resources.~~

~~In regards to this policy, and the employee's completion of the 180-day probationary period, there is no contradiction. The 180-day probationary period is the designated time frame for the new employee to demonstrate their capability to perform their job tasks in a satisfactory manner. The completion of this evaluation period does not convey a permanent status to employees listed in this policy, and it does not negate the at-will status for either employee or employer.~~

~~Any agreements that in any way modify this policy must be made in writing and must contain the signature of the President, appropriate Vice President, and the University Board of Regents.~~

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- Financial Constraints/Restructuring
Other than Head Coaches with fixed contract terms, the University reserves the right to separate employees due to financial constraints, departmental restructuring, and other such conditions.

Suspension by the University President

As stated in the *Board of Regents Rules and Regulations*, the President of the University, without prior notice or hearing, may suspend without pay and immediately remove from the University or assign to other duties with pay, any employee that:

1. Poses a continuing danger to persons or property;
2. Disrupts the orderly operation of the University;
3. Endangers the education of students; or
4. Has been convicted by trial court of any felony or a crime of moral turpitude.

In such cases, the President sets a hearing before the appropriate administrator or committee on the employee's case as soon as is practical unless otherwise waived by the employee.

Discharge

Discharge of an employee for just cause may result from an employee's gross misconduct or documented incompetence or failure to fulfill employment responsibilities and commitments. (See Policy 508A, Departmental Staff: Conduct and Ethics, in this Manual for specific standards of expected behavior.) Any action to dismiss an employee requires the prior approval of the Director of Athletics, the Vice President of University Affairs, and the Director of ~~Personnel Services~~ *Human Resources*.

Discharge of an employee is considered a very grave action. Serious thought must be given to all circumstances in advance of this severe penalty. When appropriate, the employee should be placed on corrective disciplinary action, such as reprimand or suspension, prior to dismissal. Severe disciplinary conduct may, however, lead to discharge without the need for progressive discipline. Discharged employees are not recommended for rehire and are eligible for only those wages earned through the last day of work.

In the event an employee does not meet specified standards of work performance and behavior, corrective action, suspension or discharge may be warranted. Corrective action is taken for minor rule violations which have little or no effect on the continuity, efficiency and safety of University work. Suspension and/or discharge may result when prior disciplinary action has not produced corrective results and is recommended for habitual employee actions which include, but are not limited to, the following:

- Unauthorized, unexplained or inexcusable absence or tardiness;
- Failure to notify supervisor of absence at the earliest practical time;
- Failure to observe assigned work schedules;
- Soliciting or collecting contributions for any purpose, or selling or offering for sale any goods or service, *on University premises* in violation of University policy;

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- Unsatisfactory work performance;
- Loafing or other abuse of time during assigned working hours;

- Interfering with any employee's work performance or duties by talking or other distractions;
- Circulating or distributing written or printed matter of University premises in violation of the University policy on petitions and handbills;
- Leaving regularly assigned work location without notifying immediate supervisor;
- Discourteous treatment of the public or other employees; and/or
- Failure to follow any reasonable instruction issued by immediate supervisor as related to job tasks or duties.

Major offenses which warrant written warning, and may result in immediate suspension and eventual discharge include, but not are limited to the following:

- Violation or failure to comply with state or federal laws;
- Sexual harassment of other employee or a student of the University;
- Foul or abusive language commonly understood to be offensive or insulting to any racial, religious or ethnic group;
- Any act that threatens the safety, health or well-being of another person;
- Failure or refusal to comply with a lawful request or to accept a proper assignment from an authorized supervisor;
- Inefficiency, incompetence or negligence in the performance of duties;
- Possession of narcotics, alcoholic beverages or other unlawful drugs on University property or while performing duties of employment;
- Soliciting or accepting bribes;
- Major NCAA violations;
- Release of confidential or other information not authorized for release;
- Conviction of a felony;
- Failure to use safety equipment or endangering employees or others by engaging in unsafe practices;
- Acts of unlawful discrimination;

- Possession of firearms, ammunition, explosive devices or illegal knives, without the written permission of the President;
- Unauthorized, unexplained or inexcusable leave for more than three (3) days; or
- Any other behavior not in the best interest of the Department or the University.
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Disciplinary Measures

Corrective action is taken in the following progressive order, except in cases where, in the ~~judgement~~*judgment* of supervisory personnel, circumstances warrant taking immediate and more severe corrective action, including dismissal. Corrective actions include:

- Oral warning;
- Written reprimand;
- Counseling and corrective probation; and
- Suspension without pay, demotion or discharge.

The Staff Employee Counseling Record (PSO-11) (see Appendix 508G-2) is used for oral warnings and written reprimands. Supervisors are to record a complete and accurate written notation at the time of the verbal warning on a Staff Employee Counseling Record. The process for a written reprimand includes both a formal interview with the employee and an official memorandum to him/her emphasizing the negative effect of the employee's conduct or work performance on his/her record and upon his/her opportunities for advancement. If the supervisor does not have the authority to discharge the employee then the interview should be conducted by the Departmental official who does have discharge authority. A written reprimand should include on the Staff Employee Counseling Record:

1. The names of everyone involved;
2. A description of the incident or unsatisfactory performance
3. Witnesses, when applicable; and
4. Actions taken.

Reference should include any prior oral or written reprimand(s) and the date(s) as well as, the employee's comments and his/her signature. If the employee

refuses to sign the document, a witness, preferably another supervisor, should verify that the employee has read the reprimand and refuses to sign it.

A copy of the form is sent to the Director of Personnel to be placed in the employee's permanent record.

The Notice of Suspension (PSO-12) (see Appendix 508G-3) is used to document an employee's suspension without pay. Supervisors are to record a complete and accurate written account documenting the reasons for suspension. The form also indicates the date of return. In the case of an indefinite suspension or an ongoing investigation of an incident the employee is notified by mail of the date of return. A copy of the form is forwarded to the Director of ~~Personnel Services~~ *Human Resources* with an *Electronic Personnel Action Form* removing the employee from the payroll for the designated suspension period.

Non-Disciplinary Suspension

The University reserves the right to place employees on a suspension with pay pending investigation or review of a matter. Such an action is non-disciplinary in nature and does not affect the employee's disciplinary record. Should disciplinary action be necessary, it may then be taken in accordance with this policy.

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Demotion

Supervisory personnel with the authority to discharge an employee also have the authority to demote an employee. Employees who cannot or will not carry out job duties for which they were hired or promoted, may be demoted to jobs more compatible with their abilities. The supervisor must first receive the approval of the Director of Athletics and the Director of ~~Personnel~~ *Human Resources* prior to demoting an employee.

Discharge

In cases other than serious offenses, discharge from employment should be utilized as a last resort. The supervisor with authority to employ a person also has the authority to discharge a person. Prior to the action, the discharging supervisor must review the situation with his/her immediate superior, the Director of ~~Human Resources~~ *Personnel Services*, and, in unusual circumstances, the General Counsel for the University.

Careful review of the employee's case insures that the decision to discharge has been reached objectively, properly documented and justified. Discharge of

Department of Intercollegiate Athletics personnel must be approved by the ~~Vice President of University Affairs~~ *President*. Once approved, the employee is presented with a completed Notice of Discharge (see Appendix 508G-4) indicating the reason for the discharge and the effective date. The employee should be given an informal opportunity to refute the reason for discharge. If the explanation is unsatisfactory to the Supervisor, then they should proceed with the discharge. The employee may grieve this decision as outlined below. A copy of the form and an *Electronic Personnel Action Request* removing the employee from the payroll must be forwarded to the Director of *Human Resources* ~~Personnel Service~~.

Due Process

The discharged or disciplined employee has the right to file a grievance, as defined in the *Stephen F. Austin State University Policies and Procedures Manual* ~~*Non-Academic Employee Handbook*, Section IV, pages 11-19. A copy of the handbook is available from the Director of Personnel Services.~~ Employees separated due to non-renewal of contracts, termination of at-will employment or financial constraints/restructuring, may only grieve based on allegations of violations regarding legal or constitutional rights.

Exit Interviews

Exit interviews are required for all employees terminating employment with the Department whether through separation or discharge. Supervisors are responsible for conducting exit interviews to address subjects related to the employee's departure and to allow the employee an opportunity to discuss the reasons for his/her leaving.

The supervisor uses the Employee Checkout Form to insure that all administrative details concerning separation are completed, including:

1. Arranging for final payment of the employee;
2. Verifying the employee's keys have been returned and all other Departmental property has been returned.

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3. Explaining any conversion benefits under the University's group insurance plans;
4. Recovering or making arrangements for any debts or obligations due the University;

5. Determining the employee's availability for future employment, should the supervisor's evaluation recommend such employment;
6. Obtaining the correct address for mailing Internal Revenue Service Form w-2;
7. Providing letter(s) of recommendation, as applicable, and
8. Recovering the employee's credit/calling card(s) and staff identification card.

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601C:1**TRAVEL: PROSPECTIVE STUDENT-ATHLETES**

NCAA regulations permit the Department of Intercollegiate Athletics to finance only one (1) official campus visit for a prospective student-athlete. The Associate Athletic Director for Compliance and Student Services and the Head Coach of the designated sport, oversee the visit to ensure adherence to applicable rules and regulations.

Reimbursements for legitimate expenses associated with the official visit of a prospective student-athlete to the University are allowable if the visit is approved in advance by the Associate Athletic Director for Compliance and Student Services and if such expenses are in compliance with the rules and regulations of the Southland Conference, and the NCAA.

The Southland Conference Official Visitation Form (see Appendix 502A-10) is maintained during the official visit. This form lists persons accompanying the prospect, transportation, lodging, meals, itineraries and reimbursements made to the prospect. For additional information on procedures for official visits, see Policy 502A Student-Athletes: Recruitment, in this Manual.

Transportation, Meals and Lodging

The Head Coach or his/her designate prepares the necessary travel authorization paperwork for the official campus visit of the prospect. This individual works with the Assistant Athletic Director for Business Affairs to develop the itinerary, determine the mode of travel and make all travel arrangements according to Departmental policy and State guidelines.

Specific allowable expenses are as follows:

1. Actual round-trip transportation expenses by direct route from the prospect's home or school to the University by:
 - a. Tourist or coach class airfare on commercial carrier; or
 - b. Personal car mileage at .40 cents per mile.
2. Transportation to and from the nearest airport to the University.

3. Necessary and reasonable meal costs to and from the campus for the prospect (but not the prospect's family or friends). *In men's and women's basketball, the actual round-trip costs for the prospect's parents or legal guardians (up to 2 people) to accompany the prospect on their official visit.*
4. On-campus meal costs for the prospect, his/her parents or guardians, and spouse.
5. Accommodations for lodging in an on-campus facility or in a local commercial facility at a scale comparable with that required for normal student-life and only within a 30-mile radius of the campus.

601C:2**Entertainment**

The Associate Athletic Director for Compliance and Student Services and the Head Coach of the designated sport must ensure that entertainment of prospective student - athletes is in compliance with University, Southland Conference, and NCAA rules and regulations. Entertainment for prospects is confined by NCAA rules and regulations to the following:

1. During the 48-hour Official Campus Visit, entertainment may be provided only to the prospect and the prospect's parents or guardians or spouse and must take place only within 30 miles of the main campus.
2. Excessive entertainment is not permitted. Cash and the use of an automobile cannot be provided to the prospect. To ensure permissibility, the Associate Athletic Director for Compliance and Student Services should be contacted before providing entertainment other than admission to movies and athletics events or meals.
3. A maximum of ~~\$30~~ \$40 for each day of the visit to cover all actual costs of entertaining the student host(s) and the prospective student-athlete (and the prospective student-athlete's parents, legal guardians, or spouse), excluding the cost of meals and admission to campus athletic events. The cost of entertainment of an athletic department staff member who may accompany the prospective student-athlete is also excluded. The entertainment allowance may not be used for the purchase of souvenirs or

other institutional mementos. The student host may receive an additional \$15 per day for each additional prospective student-athlete the host entertains.

4. A prospect and his/her parents or guardian or spouse may be provided complimentary admission to a campus athletics event. Admission may not be provided for a prospect's friends.
5. The prospect and those in his/her party cannot be given any souvenirs, such as shirts, photographs, jerseys, etc.

For more detailed information, see Bylaw 13, in the NCAA Manual or the NCAA Guide for the College Bound Student-Athlete, and Policy 502A, Student-Athletes: Recruitment, in this Manual.

Advance Funds for Entertainment and Student Hosts

At least one (1) week prior to an official visit by a prospective student-athlete, the Head Coach, or designee acting as a sport's Recruiting Coordinator, may request funds for student host payment and entertainment expenses of prospective student-athletes. A University Purchase Voucher with the estimated amount required is completed by the requestor. This completed Voucher is approved by the Assistant Athletic Director for Business Affairs and forwarded to the University Business Office. A check is prepared in the name of the requestor by the University Business Office. The requestor may collect and sign for this check at that Office.

Reimbursement of Expenses to Prospect

All expenses related to a prospect's Official Campus Visit must be supported by receipts or other appropriate documentation, and all individuals involved in entertainment must be identified. The Associate Athletic Director for Compliance and Student Services, or the

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designated coach of the sport, is responsible for ensuring that all expense documentation is complete.

1. If the prospect traveled by personal car, the Department may reimburse the prospect in an amount equal to \$.40 cents per mile. A University

Purchase Voucher is completed in the name of the student or his/her parents, as appropriate, and approved by the Associate Athletic Director for Compliance and Student Services before being forwarded to the University Business Office. The University Business Office prepares a check and mails it to the prospect or his/her parents, as requested.

2. If a student host receives the ~~\$30~~— \$40 per day in cash to cover entertainment expenses, as allowed by NCAA rules and regulations, the receipt of such monies must be documented in writing on the Student Host Receipt, Instruction & Entertainment Report (see Appendix 502A-12).

If the designated coach has submitted a request for a cash advance to draw funds for anticipated cash expenses, the staff member must ensure that the use of such funds is fully documented on the Student Host Receipt, Instruction & Entertainment Report and that any unused monies are returned to the Athletic Business Office along with copies of receipts for all entertainment expenses within one and one-half (1 1/2) days of the completion of the official visit.

Unofficial Visits

Extreme care must be used to comply with University, Southland Conference, and NCAA rules and regulations related to the entertainment of prospective student-athletes on unofficial campus visits. For trips to the campus at the prospective student-athlete's own expense, benefits offered by the Department are limited to a maximum of three (3) complimentary admissions to athletics events on campus. In addition, when accompanied by a staff member, the prospect may be provided with transportation to a practice or competition site within a 30-mile radius of the campus.

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Capital Plan Project Items

1. School of Music Practice Rooms

The School of Music has approximately 400 music majors and 100 non-music majors enrolled in music classes. The School has only twenty-five practice rooms. The December 2012 National Association of Schools of Music report indicated a shortage of practice rooms as an accreditation issue. To address the need, a 2,050 square feet building addition is proposed that will contain twenty practice rooms. The proposed addition will be on the northeast side of the Tom and Peggy Wright Music Building. The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$775,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

2. Human Sciences Facilities Upgrade

The food preparation facilities within the Human Sciences Building are inadequate to meet the growing demands of the hospitality programs. The renovation will increase the number of individual kitchen areas from five to eight, add a commercial washing area, modernize cooking equipment, and improve the overall appearance of the areas. The facility redesign and kitchen enlargement will require mechanical, electrical, plumbing, and fire suppression upgrades as well as new commercial gas ovens, dish washing equipment, reach-in coolers, freezers, food warmers, exhaust hoods, and food preparation stations. The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$560,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

3. Ferguson Air Handlers Replacement

The five existing air handlers in the Ferguson Building were originally installed in 1969 and need to be replaced. This project will replace the existing air handlers with modern and efficient equipment that includes piping, valves, pumps, ductwork, electrical and controls. The administration recommends funding the project with Tuition Revenue Bond Funds at a cost not to exceed \$450,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

4 & 5. Griffith and Kerr Fire Sprinkler System

The structures completed in 1965 (Griffith) and 1968 (Kerr) contain five stories, three wings, two hundred and sixty-six resident rooms, and approximately 91,000 square feet in each residence hall. The buildings are currently equipped with fire extinguishers and fire hose standpipes for fire department connection. The new fire sprinkler system will meet current fire and life safety codes and installation standards. Further, the new system will allow the facilities to have full sprinkling capability. The administration recommends funding the project with Budgeted Auxiliary Funds at a cost not to exceed \$741,730. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

6. Power Plant 15/18 – Repairs

Power Plant 15/18 was built in 1965 and expanded in 1967. It provides air conditioning and heating water to Kerr and Griffith Residency Halls. The masonry cooling towers and concrete basins were part of the original construction and have deteriorated. The units need to be replaced with modern cooling towers, new masonry and metal screens. Brick work that does not need to be replaced will be cleaned, sealed and water-proofed. The administration recommends funding the project with Auxiliary Fund Balance at a cost not to exceed \$300,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

7. Reconstruct & Irrigate Football Practice Fields

The football practice field at Homer Bryce Stadium has not been upgraded since it was installed during the 1970's. The practice field's surface will be cut down and re-leveled in order to provide proper field drainage. The existing sub-soil drainage system will remain in place. New lateral irrigation lines will be installed to connect with primary irrigation feeds. Sports turf grass will be used to resod the fields. The administration recommends funding the project with Auxiliary Fund Balance at a cost not to exceed \$300,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

8. Forestry Building Exterior Repair

The Forestry Building's exterior brick veneer and plaster needs to be repaired, cleaned, and water-proofed. In addition, expansion control, window/door frames, entry landings, and capstone joints require caulk removal and replacement. The exterior area to be repaired is approximately 43,000 sq. ft. The administration recommends funding the project with Tuition Revenue Bond Funds at a cost not to exceed \$290,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

9. Radio Transmitter Project

At the July 19, 2011 meeting, the regents approved the purchase of digital television equipment for the Department of Mass Communication. This completed the television upgrade that supports the Radio/Television program in the department. The second phase of the communication technology upgrade is to replace the 25-year-old radio station transmitter, the building that houses the transmitter, the STL (studio to transmitter link), and the antenna at the top of the 400 foot tower. The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$250,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

10. BPSC Partial Re-roofing

The Baker Pattillo Student Center was constructed in 1965. Several additions followed and the latest was completed in 2006. The roof system is made up of 5 separate sections. The portion of roof over the Grand Ballroom is approximately twenty-five years old and needs to be replaced. The administration recommends funding the project with Budgeted Auxiliary Funds at a cost not to exceed \$210,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

11. Parking Lot Maintenance

The Johnson Coliseum and Hall 20 parking lots are in need of repair. Parking lots will be patched, crack-sealed, seal-coated and restriped. Once these lots are completed any funds remaining will be used to make small repairs in other parking lots on campus. The administration recommends funding the project with Auxiliary Fund Balance at a cost not to exceed \$200,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

12. Recreation Center Equipment – To be provided by Campus Recreation

The Student Recreation Center opened in the fall of 2007 with all new fitness equipment in place. An on-going cyclical replacement program began last year to systematically replace this equipment. This year's plan calls for the replacement of 11 elliptical trainers, 7 upright bikes and 7 recumbent bikes; along with the refurbishment of several pieces of existing equipment. The administration recommends funding the project with Designated Fund Balance at a cost not to exceed \$190,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

13. Boynton Boiler Replacement

The Boynton boiler was installed in 1974 and has exceeded its life expectancy. The building houses the university's information technology department that supports the entire campus. The project will replace the boiler with two high efficiency boiler units that will allow system redundancy. The replacement will also include associated pumps, valves, electrical and controls. The administration recommends funding the project with Tuition Revenue Bond Funds at a cost not to exceed \$160,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

14. Fire Alarm / Detection System Upgrade

This project will expand fire detection coverage and upgrade existing equipment in the Human Sciences South, Agriculture, and Art buildings. The administration recommends funding the project with Higher Education Funds and Tuition Revenue Bonds at a cost not to exceed \$128,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

15. Coliseum Exterior Repairs

The William R. Johnson Coliseum as built in 1975. The exterior brick walls and the sidewalk at the concourse level need repairs. The brick will be cleaned and repaired. Expansion joints will be cleared and re-caulked. Sections of sidewalk that have cracked and settled will be removed and reinstalled to original grade levels. The administration recommends funding the project with Auxiliary Fund Balance at a cost not to exceed \$120,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

16. Campus Surveillance System

The use of cameras on campus is a vital tool for campus safety purposes and a variety of administrative functions such as test proctoring. Prior to 2010 various decentralized camera systems of varying quality were installed across the campus to perform these functions. University Policy D-57 was adopted in July 2010 to coordinate the installation and maintenance of security systems. An on-going multi-year project was initiated to standardize and maintain these systems under the management of the University Police Department. This requested funding provides for the continuing replacement of old analog cameras and their respective failing DVRs with newer IP based cameras and unified storage/viewing software. The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$102,500. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

17. Stairwell Lighting Project

Some campus buildings' stairwells are dim and do not meet current recommended foot-candle illumination levels. The project will upgrade lighting in nine E&G buildings. Old light fixtures will be replaced with energy efficient, high output units. The new fixtures will have occupancy sensors that will reduce output to 10% when the stairwells are vacant. The light units will automatically increase to 100% illumination levels when there is movement in the stairwells. The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$102,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

18. Power Plant 2 Exterior Repair

The exterior brick veneer and capstone of Power Plant 2 needs to be cleaned, repaired, and waterproofed. In addition, expansion control and capstone joints require caulk removal and replacement. The exterior restoration area is approximately 15,000 square feet. The administration recommends funding the project with Tuition Revenue Bond Funds and Auxiliary Fund Balance at a cost not to exceed \$100,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

**Stephen F. Austin State University
Capital Plan
Fiscal Year 2013-14**

| Capital Project | Project Budget | Source of Funds | | | | |
|------------------------------------------------|---------------------------|------------------------|----------------|-----------------------------------------|---------------------------------------|----------------------------------------|
| | | HEF | TRB | Budgeted Auxiliary Funds | Auxiliary Fund Balance | Designated Fund Balance |
| School of Music Practice Rooms | 775,000 | 775,000 | | | | |
| Human Sciences Facilities Upgrades | 560,000 | 560,000 | | | | |
| Ferguson Air Handlers | 450,000 | | 450,000 | | | |
| Kerr Sprinkler System | 370,865 | | | 370,865 | | |
| Griffith Sprinkler System | 370,865 | | | 370,865 | | |
| Power Plant 15/18 Upgrade | 300,000 | | | | 300,000 | |
| Reconstruct & Irrigate Football Practice Field | 300,000 | | | | 300,000 | |
| Forestry Building Exterior Repair | 290,000 | | 290,000 | | | |
| Radio Transmitter Project | 250,000 | 250,000 | | | | |
| BPSC Roof Repair | 210,000 | | | 210,000 | | |
| Parking Lot Maintenance | 200,000 | | | | 200,000 | |
| Recreation Center Equipment Replacement | 190,000 | | | | | 190,000 |
| Boynton Boiler Replacement | 160,000 | | 160,000 | | | |
| Fire Alarm Upgrades | 128,000 | 89,336 | 38,664 | | | |
| Coliseum Exterior Repair | 120,000 | | | | 120,000 | |
| Campus Surveillance System | 102,500 | 102,500 | | | | |
| Stairwell Lighting Project | 102,000 | 102,000 | | | | |
| Power Plant 2 Upgrade | 100,000 | | 40,000 | | 60,000 | |
| Total Capital Plan | 4,979,230 | 1,878,836 | 978,664 | 951,730 | 980,000 | 190,000 |

Stephen F. Austin State University
HEF Allocation
Fiscal Year 2013-14

| | |
|-------------------------------------------------------|------------------|
| Higher Education Fund Appropriation | 8,425,937 |
| HEF Fund Balance | 380,000 |
| Total HEF | 8,805,937 |
| Debt Service | 1,272,150 |
| Academic Capital Equipment | 1,250,000 |
| Library Materials Acquisition | 1,000,000 |
| ITS Platform Upgrade | 833,261 |
| School of Music Practice Rooms | 775,000 |
| SECO Education and General Debt Service | 753,218 |
| E&G Capital Expenditures - Microcomputer Replacement | 750,000 |
| ITS Capital and Network Expenditures | 400,000 |
| Human Sciences Facilities Upgrades | 560,000 |
| E&G Expenditures | 250,000 |
| Radio Transmitter Project | 250,000 |
| Fire Alarm Upgrades | 89,336 |
| Campus Surveillance System | 102,500 |
| Stairwell Lighting Project | 102,000 |
| Transcript Electronic Imaging | 70,000 |
| PWCC Facility Foundation Repair | 66,000 |
| Plant Chiller Inspection and Repair | 50,000 |
| Liberal Arts North Carpet/Tile | 50,000 |
| Miller Science Elevator Repair | 50,000 |
| One-Ton Hauling Truck | 45,000 |
| Disability Services Exam Security Surveillance System | 22,000 |
| UPD Security Mobile Alert System | 17,500 |
| Testing Services Exam Security Surveillance System | 15,000 |
| Restroom Facilities Renovation | 32,972 |
| Total HEF Allocation | 8,805,937 |

REQUEST FOR PROPOSAL
VENDING-2013

| EVALUATION CRITERIA: RESPONDENT NAME: | Respondent's previous and current record of performance and service as well as perceived described herein | | | | | Knowledge and experience of the manager to be assigned to the SFA Account | | Variety, prices, flexibility and quality of items to be offered | | Commission proposed, including minimum annual guarantee and annual escalator | | Exceptions to Specifications: Terms and conditions outlined in Exhibit E, DRAFT Vending Services Agreement | | Transition plan and timeline including equipment to be provided | | Weighted Total |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------|------|-----|------|-----|------------------------------------------------------------------------------|-----|--------------------------------------------------------------------|----|---------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------|--|----------------|
| | WEIGHT | 15% | 20% | 20% | 20% | 20% | 25% | 5% | 5% | 90% | | | | | | |
| Accent Food Services | | 9.00 | | 9.00 | | 8.00 | | 8.50 | | 3.00 | | 10.00 | | 7.53 | | |
| Custom Food Group | | 7.00 | | 5.50 | | 7.00 | | 9.50 | | 3.00 | | 8.50 | | 6.50 | | |
| CBM Business Plus | | 6.00 | | 3.00 | | 5.50 | | 6.00 | | 3.00 | | 4.00 | | 4.45 | | |

REQUEST FOR PROPOSAL
VENDING-2013

| | CBM | Custom Food Group, LP | Accent Food Services |
|-----------------------------------------------------|----------|-----------------------|----------------------|
| Commission - % of gross sales on all vending sales: | 20% | 25% | 20% |
| Annual Minimum Guarantee | \$30,100 | \$35,000 | \$38,200 |
| Annual Escalation to Annual Minimum Guarantee | 2-5% | 5% | N/A |

Report to the Board of Regents – July 2013
 Grants¹ awarded between March 21, 2013 and June 14, 2013

| | | |
|--------------------------------------------------------------------------|-----------|------------------|
| Total New Current Year Awards (this period) – as of June 14, 2013 | | |
| Subtotal direct federal | \$ | 287,310 |
| Subtotal federal pass-through | \$ | 18,491 |
| Subtotal state and state pass-through | \$ | 0 |
| Subtotal private entity and local government | \$ | 111,790 |
| TOTAL | \$ | 417,591 |
| Total awards (all years) for new awards (this period) | \$ | 100,378 |
| Total awards (all years) for continuing grants (this period) | \$ | 2,162,651 |
| Total financial aid awards (this period) | | |
| Subtotal federal | | \$ 542,703 |
| Total financial aid awards | | \$542,703 |

Direct Federal Awards

***Prescribed Fire Assistance (Supplemental Project Agreement 007)**

FY 2013 Award: \$2,500
 Total Award: \$2,500 (Cooperative Agreement)
 Sponsor: U.S. Forest Service (USDA)
 Term: *(this action)* March 21, 2013 – January 30, 2017
 Description: *The purpose of this agreement is to utilize SFA students in the preparation implementation of prescribed fire activities for the National Forest and Grasslands in Texas. PI/PD: Dr. Brian Oswald, School of Forestry*

***Prescribed Fire Monitoring (Supplemental Project Agreement 008)**

FY 2013 Award: \$2,500
 Total Award: \$2,500 (Cooperative Agreement)
 Sponsor: USFS – US Department of Agriculture
 Term: *(this action)* March 21, 2013 – January 30, 2017
 Description: *The objective of this project is to establish and maintain fire effects monitoring plots on the National Forest and Grasslands in Texas, including wilderness areas. Data collection will include immediate post-burn severity monitoring and growing season on vegetation and fuels in Upland Island Wilderness. PI/PD: Dr. Brian Oswald, Department of Forestry*

*New awards

¹For purposes of this report, the term grant refers to awards in the form of grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships, or gifts. Federal and state financial aid awards listed are not included in grant totals. Prepared by the Office of Research & Sponsored Programs

Report to the Board of Regents – July 2013
 Grants¹ awarded between March 21, 2013 and June 14, 2013

Previously Described Awards

***Texas Leadership Initiative: Mathematics Instruction Transformed (Texas LIMIT)
 (ARRA Stimulus Funds)***

FY 2013 Award: \$282,310 (*additional award*) Total Award: \$1,494,187

Subtotal Current Year Awards (this report) = \$287,310
Subtotal New Direct Federal Awards (total award) = \$5,000

Federal Pass Through

****Curriculum Work in Support of Geriatric Education Centers FY13***

FY 2013 Award: \$3,000
 Total Award: \$3,000 (Interagency Vendor Contract)
 Sponsor: The University of Texas Medical Branch – Galveston (US
 Department of Health and Human Services)
 Term (this action): July 1, 2012 – June 30, 2013
 Description: *Funds are provided to spearhead curricular development and
 infusion activities and Social Work faculty development efforts at SFA for UTMB's
 Geriatric Education Center grant. PI/PD: Dr. Wilma Cordova, School of Social Work*

Previously Described Awards

Visually Impaired Preparation (VIP) Program

FY 2013 Award: \$10,000 (*additional award*) Total Award: \$512,000

Special Education Consolidated Grant (IDEA-B)

FY 2013 Award: \$5,491 (*additional award*) Total Award: \$ 66,464

Subtotal Current Year Awards (this report) = \$18,491
Subtotal New Federal Pass-through Awards (total award) = \$3,000

Federal Financial Aid

TEACH Grant Program

FY 2013 Amount: \$542,703 Total Award (financial aid grant funds)
 Agency: U.S. Department of Education
 Description: *The TEACH Grant Program provides grants of up to \$4,000 a year
 to students who are completing or plan to complete course work needed to begin a career in
 teaching. Manager: Rachele Garrett, Financial Aid*

Subtotal Current Year Awards (this report) = \$542,703
Federal Financial Aid (total award) = \$542,703

^{*}New awards

¹For purposes of this report, the term grant refers to awards in the form of grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships, or gifts. Federal and state financial aid awards listed are not included in grant totals. Prepared by the Office of Research & Sponsored Programs

Report to the Board of Regents – July 2013
 Grants¹ awarded between March 21, 2013 and June 14, 2013

State and State Pass-through Awards

Subtotal Current Year Awards (this report) = \$0
Subtotal New State and State Pass-through Awards (total award) = \$0

Private Entity and Local Government Awards

****4300-S DNA Analyzer – Li-COR***

FY 2013 Award: \$55,379
 Total Award: \$55,379 (non-cash; matching equipment award)
 Sponsor: Li-COR Genomics Education Matching Fund
 Term (this action): January 16, 2013 – August 31, 2013
 Description: *This award provided \$55,379 towards the purchase of a DNA analyzer. The acquisition of this equipment will greatly enhance research capacity in the biological sciences and related disciplines. The equipment will be used in undergraduate, graduate, and faculty research. PI/PD: Dr. Jennifer Gumm, Department of Biology*

****Conservation Genetics of Louisiana Pine Snakes, Pituophis ruthveni***

FY 2013 Award: \$9,411
 Total Award: \$19,999 (Contract)
 Sponsor: Louisiana Fish and Wildlife Department
 Terms: (this action) February 01, 2013 – June 30, 2014
 Description: *The purpose of the contract is to determine the level of genetic structuring among natural populations of Louisiana Pine Snake, quantify genetic diversity within and among wild and captive populations, and genotype captive snakes. PI/PD: Dr. Matthew Kwiatkowski, Department of Biology*

****Evaluation of Different Zinc Sources at Varying Inclusion Rates in Commercial Broilers on Performance and Gut Morphology***

FY 2013 Award: \$15,000
 Total Award: \$15,000 (Contract)
 Sponsor: Novus International
 Term: (this action) January 17, 2013 – October 31, 2013
 Description: *The purpose of this contract is to evaluate different zinc sources delivered at different in the diets of commercial broiler chickens reared to 56 days of age. PI/PD: Dr. Joey Bray, Department of Agriculture*

**New awards*

¹*For purposes of this report, the term grant refers to awards in the form of grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships, or gifts. Federal and state financial aid awards listed are not included in grant totals. Prepared by the Office of Research & Sponsored Programs*

Report to the Board of Regents – July 2013
 Grants¹ awarded between March 21, 2013 and June 14, 2013

****East Texas Math Teachers' Circle: Seed Grant***

FY 2013 Award: \$2,000
 Total Award: \$2,000 (Grant)
 Sponsor: American Institute of Mathematics (Math for America)
 Term: *(this action)* March 8, 2013 – November 1, 2013
 Description: *The purpose of this grant is to provide resources to allow additional 4th-8th grade teachers from local school districts to participate in a summer immersion workshop.* **PI/PD:** Dr. Jane Long, Department of Sciences and Mathematics

Previously Described Awards

Energy, Economics and the Environment Graduate Course

FY 2013 Award: \$30,000 (*additional award*) Total Award: \$90,000

Subtotal Current Year Awards (this report) = \$111,790
Subtotal New Private and Local Government Awards (total award) = \$92,378

Note: Amounts are based on award notices as they are received from the funding entity, not on expenditures or balances in funds/accounts. To reflect the approximate availability of funds in a given fiscal year, some current year awards are estimates based on the total amount awarded spread over the award period.

*New awards

¹For purposes of this report, the term grant refers to awards in the form of grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships, or gifts. Federal and state financial aid awards listed are not included in grant totals. Prepared by the Office of Research & Sponsored Programs

Policies for Board Review
July 16, 2013

| Policy Name | Policy Number | BOR Cte | Action/Change | Page Number |
|--------------------------------------------------------------------------------|----------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| Agency Accounts | C-01.2 | F&A | Minor updates. | P-3 |
| Assembly and Demonstrations | D-23 | B&G | Certain days may be designated as unavailable. | P-5 |
| Compliance with the Americans with Disabilities Act and the ADA Amendments Act | D-41 | ASA | Minor updates. | P-8 |
| Computer System Access | F-37 | ASA | Complete rewrite. | P-10 |
| Contracting Authority | C-9 | F&A | Reviewed with no changes. | P-16 |
| Course Grades | A-54 | ASA | Grades earned in the most recent enrollment will be used to calculate GPA. | P-18 |
| Driver Certification | D-10 | B&G | Added board committee assignment. | P-21 |
| Dual Employment | E-12 | ASA | Minor clarification. | P-22 |
| Emergency Operations Plan | D-11 | ASA | Minor updates. | P-24 |
| Fire and Life Safety | D-60 NEW | F&A | Newly written policy. | P-42 |
| Interagency and Interlocal Contracts | C-18 | F&A | Minor updates. | P-51 |
| Interdepartmental Transfer (IDT) | C-19 | F&A | Minor updates. | P-53 |
| Investments | C-41 | F&A | Removal of investments and FSLIC from <i>Insurance or Collateral</i> sections of policy. Investments can be pooled with other institutions. | P-55 |

| Policy Name | Policy Number | BOR Cte | Action/Change | Page Number |
|--------------------------------------------------------------------------------------|----------------------|----------------|-------------------------------------------------------------------------------------------|--------------------|
| Missing Student Notification | D-56 | ASA | Added board committee assignment. | P-67 |
| Outside Employment | E-35 | ASA | Updated cross references. | P-69 |
| Overtime and Compensatory Time | E-36 | ASA | Payment for comp time earned in relation to emergency can be authorized by the president. | P-71 |
| Policy Development and Format | | NEW | Newly written policy. | P-75 |
| Procurement Training | C-65 NEW | F&A | Newly written policy. | P-78 |
| Prohibition of Enrollment Inducement of Military Service Members | A-82 NEW | ASA | Newly written policy. | P-79 |
| Property Inventory and Management | C-42 | F&A | Training timeframes can be extended for employees on leave, etc. | P-80 |
| Reasonable Workplace Accommodations for Disabilities | E-67 | ASA | Minor updates. | P-86 |
| Student Conduct Code | D-34.1 | ASA | Reviewed with no changes. | P-90 |
| Travel | C-49 | F&A | Minor clarifications and updates. | P-97 |
| Vacation/Sick Leave/Compensatory Time Reporting – Faculty and Exempt Staff Employees | E-54 | ASA | Minor clarifications. | P-99 |
| Vendor Protests | F-35 | F&A | Minor clarifications. | P-101 |

Agency Accounts (C-01.2)

Original Implementation: January 20, 1998

Last Revision: ~~July 20, 2010~~ July 16, 2013

Agency accounts are funds held by the university as custodian or fiscal agent for others. The money is deposited with the university for safekeeping, to be used or withdrawn by the agency account's authorized representatives at will. All agency accounts must be related to the mission of the university. The university, at its sole discretion, will determine whether or not to establish an agency account *or to terminate an existing agency account*.

The university reserves the right to commingle agency funds with university funds, which may be deposited in financial institutions. Agency accounts will neither earn interest nor be assessed administrative fees, except for identifiable bank charges directly related to a specific agency account *or the agency account is overspent, in which case a penalty is assessed by the controller's office (see below)*. Agency funds will be managed at the same level of safekeeping as university funds. Should authorized representatives of the agency funds wish to conduct an independent audit, they may do so by obtaining their own auditor at their own expense. Agency accounts are subject to review by university and state officials as well as anyone legally authorized to do so.

Request to Establish an Agency Account

A request to establish an agency account is made by completing the "~~Request to Establish~~ *Establishing a New Banner Account (Account Fund–Org–Program) "for Non-Grant Accounts"* form (Policy C-34). The form is available ~~from the Controller's Office or at~~ *on the SFA Business Forms page*

~~http://jack.sfasu.edu:7778/wf/wf_fr.newAccountReqFormat~~ *<http://www.sfasu.edu/3386.asp>*.

If approved, the agency account will be assigned a Banner fund (8XXXXX), which will be used by the agency account's authorized representatives when depositing or withdrawing funds.

Disbursement from an Agency Account

Authorized representatives of agency accounts may withdraw funds or make payment to vendors by either of two methods:

1. Complete a "Purchase Voucher" form ~~on-line at~~ *https://apache.sfasu.edu/sfa_forms/purchasevoucher.shtml*. Print the completed form, sign it, and submit it to the accounts payable department in the controller's office.

2. Complete a "Request for Disbursement from an Agency Account" form, ~~available from the Controller's Office or online at https://apache.sfasu.edu/sfa_forms/REQUEST_FOR_DISBURSEMENT.shtml~~. Print the completed form, sign it, and submit it to the accounts payable department in the controller's office.

~~2.~~ *Both forms are available online on the forms link: <http://www.sfasu.edu/3386.asp>*

Negative Balances in Agency Account Prohibited

Agency accounts are not permitted to carry negative balances. Therefore, the university may assess a \$25 institutional fine each time an account goes into a negative balance.

Cross References: ~~Request to Establish an Account~~ *Establishing a New Departmental Account: Fund – Organization – Program (FOP) (C-34); Purchase Voucher (C-31)*

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: University Controller

Forms: ~~Request to Establishing a New Departmental Account (Fund-Org-Program) for Non-Grant Accounts-an Account~~; Purchase Voucher; Request for Disbursement from an Agency Account, *all available on the university business forms website <http://www.sfasu.edu/3386.asp>*

Board Committee Assignment: Finance and Audit

Assembly and Demonstrations (D-23)

Original Implementation: July 1980

Last Revision: ~~October 22, 2012~~ July 16, 2013

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 SFA 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

These rules shall govern the conduct of all assemblies and demonstrations on university property or at university-sponsored events.

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, "advocate" means speech directed to inciting or producing the audience for imminent action with the likelihood of producing such action, as opposed to the abstract espousal of the moral propriety of a course of action.
- 2-3. Students, faculty, staff and their official organizations may assemble and/or demonstrate anywhere on university grounds between the hours of 8 a.m. and 7 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 all other* applicable university policies and procedures, and a properly submitted SFA Group Grounds Reservation form has been approved.
4. All other persons and groups may assemble and demonstrate in designated areas between the hours of 8 a.m. and 7 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 all applicable university policies and procedures, and a properly submitted Outside Group Grounds Reservation form has been approved.
- 3-5. *The university may designate certain days in which outdoor spaces may not be reserved. These will include, but are not limited to, commencements, admission office events, final exam week and new student orientation days. The determination of other days will be made by the assistant dean of student affairs for programs. Appeals may be made to the dean of student affairs.*
- 4-6. Requests to reserve campus grounds for an assembly and/or demonstration must be made in writing using the appropriate form. These forms are available in the Student Activities office and on the Student Activities website. The completed form must be submitted to the assistant dean of student affairs for programs 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. Each form requires the applicant to provide his/her name, address and phone number, in addition to signing and dating the form.
- 5-7. Although a reservation may be requested as many times per year as desired, no single reservation request can exceed 5 working days. Persons or groups reserving space and not using the space and which results in a violation of subsection 1 above may receive a verbal warning for their first offense, a

written warning for their second offense and after a third occasion may be restricted from reserving campus grounds for a period not to exceed one year from the date of the last infraction.

- 6-8. Persons or groups who violate this policy may, based on the severity of the offense, be restricted from using university facilities or grounds. Such restriction will be made by the assistant dean of student affairs for programs and may be appealed to the dean of student affairs.

Cross reference: 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 of Student Affairs

Forms: SFA Group Grounds Reservation Form; Outside Group Grounds Reservation Form

Board Committee Assignment: Building and Grounds

Compliance with the Americans with Disabilities Act and the ADA Amendments Act (D-41)

Original Implementation: October 19, 1993

Last Revision: ~~July 20, 2010~~ July 16, 2013

The Americans with Disabilities Act ~~signed into law on July 26, 1990, as well as the~~ and ADA Amendments Act of 2008 ~~signed on September 25, 2008,~~ acknowledges the findings of congress that millions of Americans have one or more physical or mental disabilities. The legislation provides a comprehensive national mandate for the elimination of discrimination against individuals with disabilities.

It is the intent of the Board of Regents of Stephen F. Austin State University to comply with both the letter and the spirit of the Americans with Disabilities Act (ADA) and the ADA Amendments Act of 2008 (ADAAA), as well as the Rehabilitation Act of 1973 and other laws protecting the rights of persons with disabilities. Compliance measures should address the necessity to provide opportunities to qualified persons with disabilities in employment and in access to education, where this will not pose an undue burden or fundamentally alter the programs of the institution. The board recognizes that compliance with the ADA and ADAAA requires increased awareness of all university employees and a commitment of institutional resources. Further, it is the intent of the board to continue this institution's strong commitment to meeting the special needs of individuals with disabilities, and that this commitment remain an integral part of the educational mission and service component of Stephen F. Austin State University.

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

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

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

Definition:

Discrimination on the basis of disability means:

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

Cross Reference: Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. §§ 12101-12213 (2000); ADA Amendments Act of 2008, Pub. L. 110-325; Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 Stat. 355

Responsible for Implementation: President

Contact for Revision: ADA coordinator

Forms: None

Board Committee Assignment: *Academic and Student Affairs*

Computer System Access (F-37)

Original Implementation: January 19, 1999

Last Revision: ~~July 20, 2010~~ July 16, 2013

~~Stephen F. Austin State University (SFA) Administrative Account Security~~

~~Administrative accounts are provided for access to the university's Enterprise Resource Planning (ERP) system. The accounts have the following security characteristics that have been arrived at by the functional need of the type of user.~~

~~General Guidelines~~

~~All accounts should adhere to the following general guidelines:~~

- ~~▪ Minimum password length of six characters.~~
- ~~▪ No trite or easy to guess passwords.~~
- ~~▪ Passwords cannot be re-used.~~
- ~~▪ As a rule, "generic" or group accounts are not permitted.~~

~~Staff Accounts~~

~~Staff accounts are provided for SFA faculty and staff for access to the university's ERP system. These accounts are generally organized as follows:~~

~~**Password Lifetime:** The password lifetime is set to 90 days for staff accounts.~~

~~**Access to the Data Command Language prompt:** This is generally not allowed.~~

~~Programmer Accounts~~

~~Programmer accounts are provided to Information Technology Services (ITS) programming staff for the purpose of maintaining ITS systems, providing support to staff users, and augmenting current systems. These accounts are generally organized with the following characteristics:~~

~~**Password Lifetime:** The password lifetime is set to 60 days.~~

~~**Access to the Data Command Language prompt:** Allowed.~~

~~Operator Accounts~~

~~Operator accounts are provided for ITS operations staff to allow them to:~~

- ~~1. Monitor ITS systems and take corrective action autonomously, if necessary.~~
- ~~2. Service requests for print, tape or other associated resources.~~
- ~~3. Oversee operation of the batch scheduler.~~

~~**Password Lifetime:** The password lifetime is set to 30 days.~~

~~**Access to the DCL prompt:** Allowed.~~

Database Administrator Accounts

~~Database administrator accounts are provided for ITS database administration staff to allow them to:~~

- ~~1. Maintain ITS Database systems.~~
- ~~2. Upgrade ERP software (patches and new release software).~~
- ~~3. Provide programming necessary to maintain and augment the administrative environment.~~
- ~~4. Provide general support to programming staff.~~

~~**Password Lifetime:** The password lifetime is set to 30 days.~~

~~**Access to the DCL prompt:** Allowed.~~

System Manager Accounts

~~System manager accounts are provided for ITS systems management staff to allow them to:~~

- ~~1. Maintain system software.~~
- ~~2. Upgrade system software (patches and new release software).~~
- ~~3. Provide programming necessary to maintain and augment the system environment.~~
- ~~4. Perform security monitoring and monitor system viability/performance management.~~
- ~~5. Administer user accounts, ERP online system security, and email.~~

~~**Password Lifetime:** The password lifetime is set to 30 days.~~

~~**Access to the DCL prompt:** Allowed.~~

Investigation of Access Violations

Reported or suspected access violations will be investigated aggressively and completely by the systems management staff of ITS. Upon notification of any such event, the director of Information Technology Services will be notified and the assistant director of systems shall initiate a complete investigation utilizing any system and/or ITS resources necessary. The director of Information Technology Services will notify the provost and vice president for academic affairs and, in the event a business system is involved, the internal auditor.

ITS will take some or all of the following steps to investigate, with the exact order of steps determined by the specific situation:

1. Close any avenue used to commit the violation and return the system at once to a secure state.
2. Immediately take steps to preserve and protect any evidential data sources.
3. Perform any real time monitoring of suspected violations in progress.
4. Engage ITS and system owner staff as needed to assess and report on the health of any affected application systems.
5. Assess any other systems, application or system related, that for any reason may be suspected of being involved in the access violation.
6. Alert the University Police Department. Others who may need to be notified include the system owner and any other department that has a justifiable need for involvement.
7. Continue to monitor the system to ascertain if any related violations are attempted. The exact length of any high state of alert is to be commensurate with the situation encountered.

The ITS systems management staff reserves complete authority to inspect in real time or by other means any suspected activity that appears to represent an abuse of any ITS-managed system. This includes, but is not limited to, inspection of email, real time monitoring of users, logging of activity and inspection of files of any type.

A complete report and analysis of the access violation will be produced after the investigation is complete. Any criminal investigation will fall under the auspices of the appropriate investigating body. The report will be filed by ITS, and full and complete measures will be taken to repair any security breaches uncovered by the investigation.

Assignment of New Passwords

Students, faculty and staff may request a password change in the event their password has been forgotten or some other problem dictates resetting their password.

The process of obtaining password change is outlined below:

Faculty and Staff Email Accounts

Self-Service

Faculty and staff can activate and reset their passwords by choosing the appropriate link under Faculty/Staff E-Mail section on the mySFA home page.

Assisted by ITS Help Desk Staff

If Faculty and staff encounter difficulties using the self-service process to activate or reset their password, they can contact the ITS Help Desk for assistance with the self-service process.

Student Email Accounts

Self-Service

Students can activate and reset their password by choosing the appropriate link under Student E-Mail section on the mySFA home page.

Assisted by Technical Support Center (TSC) Staff

If students encounter difficulties using the self-service process to activate or reset their password, they can contact the TSC for assistance with the self-service process. If the student cannot remember their Personal Identification Number (PIN), they must contact the Registrar's Office to have it reset.

University information resources are strategic assets which, being property of the state of Texas, must be managed as valuable state resources. Access to university information resources is normally controlled by a login ID associated with an authorized account. Proper administration of these login IDs is very important to ensure the security of confidential information and normal business operation of university managed and administered information resources.

Applicability

This policy applies to university information resources that store or process mission critical and/or confidential information.

The information resource owner, or designee, is responsible for ensuring that the risk mitigation measures described in this policy are implemented. Based on risk management considerations and business functions, the resource owner may determine that it would be appropriate to exclude certain risk mitigation measures provided in

this policy. All exclusions must be submitted to the director of Information Technology Services (ITS) for approval.

The intended audience for this policy includes, but is not limited to, all information resources owners and system administrators.

Policy

1. *An approval process is required prior to granting access to an information resource. The approval process will document the acknowledgement of the account holder to follow all terms of use and the granting of access by the resource owner or their designee.*
2. *Each person will have a unique login ID and associated account for accountability purposes. Guest accounts are to be used in very limited situations, and must provide individual accountability when used to access mission critical and/or confidential information.*
3. *Access controls are to be modified appropriately as an account holder's employment or job responsibilities change.*
4. *Account creation processes are required to ensure that only authorized individuals receive access to information resources.*
5. *Processes are required to disable login IDs that are associated with individuals that are no longer employed by, or associated with, the university. In the event that authorized access is to remain active, the unit (e.g., owner, unit head) will document that a benefit to the university exists and give a date when access can be disabled.*
6. *Passwords associated with login IDs will comply with university password minimum requirements.*
7. *System administrators and other designated personnel:*
 - a. *Will have a documented process for removing the accounts of individuals who are no longer authorized to have access to university information resources.*
 - b. *Will have a documented process to modify user account access controls to accommodate changes in job status.*
 - c. *Will have a documented process for periodically reviewing existing accounts for validity.*

Cross Reference: None

Responsible for Implementation: Provost and Vice President of Academic Affairs

Contact for Revision: Director of Information Technology Services

Forms: Account Authorization Form

Board Committee Assignment: Academic and Student Affairs

Contracting Authority (C-9)

Original Implementation: July 18, 1988

Last Revision: ~~July 20, 2010~~ *July 16, 2013*

This policy governs the authority to enter and make contracts, purchases, and agreements of any character on behalf of Stephen F. Austin State University.

- I. No member of the Board of Regents shall enter into the discussion, make motions, or vote on a contract, purchase, or agreement of any character in which the member directly or indirectly has pecuniary interest unless the general counsel has advised that there is a legally permitted exception to this rule with the regent making the appropriate public disclosures.
- II. The following items shall be submitted to the Board of Regents for approval at either a regular board meeting or a special called board meeting. Each item shall be presented to the board for consideration. The general counsel shall review all contracts and agreements prior to signature.
 - a. Contracts, purchases, or agreements in the amount of \$100,000 or more, whether the amount is income or expenditure, for items identified in Section A of Policy D-20.5, Items Requiring Board of Regents Approval, with the exception of those items identified in Section B of Policy D-20.5, Items Requiring Board of Regents Approval.
- III. The president shall be delegated the responsibility and authority to enter into contracts, purchases, and agreements for sums less than \$100,000, or amounts over \$100,000 to the extent authorized in Section B of Policy D-20.5, Items Requiring Board of Regents Approval, whether the amount is income or expenditure, and to enter into all grants and agreements funded by private individuals, governmental agencies, and foundations without regard to the amount, unless otherwise limited by the Board. At the option of the president, contracts, purchases, and agreements for sums less than \$100,000 may be submitted to the Board of Regents for approval. The general counsel should review and provide legal advice on all contracts or agreements. The department responsible for originating the contract is responsible for maintaining it for the applicable records retention period.
- IV. The president may delegate to other employees of the university power to contract, purchase, or enter into agreements delegated to the president in Section III of this policy. The president will remain responsible for all contracts, purchases, and agreements so delegated, and for the proper administration of all grants and agreements funded by private individuals, governmental agencies, and foundations, regardless of delegation of power to contract, purchase, or enter into agreements.
 - a. In the absence of the president, or at such time as the president is unavailable to sign a document by a required deadline, the following individuals are

authorized to sign on his behalf: (listed in order of priority) provost and vice president for academic affairs, vice president for finance and administration, vice president for university affairs, associate vice president for academic affairs. All other delegations must be specific and in writing to be effective. The general counsel should review and provide legal advice on all contracts or agreements.

- b. All delegations of contracting authority to persons other than those listed above which were made by a previous president shall be void once a new president assumes office.

Cross Reference: Items Requiring Board of Regents Approval (D-20.5)

Responsible for Implementation: President

Contact for Revision: President

Forms: None

Board Committee Assignment: Finance and Audit Committee

Course Grades (A-54)

Original Implementation: January 25, 2000

Last Revision: ~~January 29, 2013~~ July 16, 2013

Faculty members may use a variety of factors including assignments, oral and written quizzes, examinations, class attendance, and other course activities to determine course grades as listed in their course syllabi.

Recorded Grades

A grade of A indicates excellent performance; B, above average performance; C, average performance; D, below average performance; F, failure; QF, quit failure; WH, incomplete or grade withheld; WF, withdrew failing; WP, withdrew passing. Marks of R*, T*, and AU appearing on a transcript indicate remedial grades, transfer grades, and audit grades, respectively, that are not entered into calculation of the grade point average (GPA). Marks of K and KH appearing on a transcript indicate courses whose hours are not included in attempted, earned or GPA hours and are applicable only to a specific category of study abroad courses. WP and WF are assigned only when a student has withdrawn from the university after mid-semester or with special approval of the student's academic dean. Some courses are graded on a pass (P) / fail (F) system with no other grades awarded.

Withheld Grades

At the discretion of the instructor of record and with the approval of the academic unit head, a grade of WH will be assigned only if the student cannot complete the course work because of unavoidable circumstances. Students must complete the work within one calendar year from the end of the semester in which they receive a WH, or the grade automatically becomes an F, except as allowed through policy [i.e., Active Military Service (A-74)]. If students register for the same course in future semesters, the WH will automatically become an F and will be counted as a repeated course for the purpose of computing the grade point average.

Grade Point Average

Only grades earned at Stephen F. Austin State University (SFA) will be used for calculating GPA. Grade points are assigned based on the letter grade for each course:

- A = four grade points per semester hour;
- B = three grade points per semester hour;
- C = two grade points per semester hour;
- D = one grade point per semester hour; and
- F, QF, and WF result in no grade points.

The GPA is determined by dividing the sum of the grade points earned at SFA by the total number of hours attempted at SFA, except that grades of W, WH, P, and WP are not

counted. In addition, repeating a course may affect the grade point calculation.

Repeat Grades

Students who make an F in a course can get credit only by repeating the course.

Undergraduate students who want to repeat courses to improve their GPA at SFA must repeat those courses at SFA. For any course that is repeated ~~once~~ at SFA, the *grade earned in the most recent enrollment* ~~higher of the two grades~~ will be used to calculate the GPA. ~~If a course is repeated more than once at SFA, all grades earned for that course will be averaged and used to determine the GPA.~~ Credit hours for courses taken at other institutions to replace credit hours earned at SFA may be used to meet graduation credit-hour requirements, but not for GPA calculation.

Mid-Semester Grades

Mid-semester grades will be posted for 000-, 100- and 200-level courses during fall and spring semesters. These grades will be posted before the last day to drop courses each semester. The university will provide students with recommendations and options regarding academic performance. .

Grade Reporting

On the first day of final examinations of each semester or summer term, the Office of the Registrar will make grading available through online services. Instructors must enter student grades into the electronic student records database by the deadline established on the university calendar.

The Office of the Registrar will provide access for electronic verification grade sheets for each class to academic units. It is the responsibility of each instructor to verify accuracy of grade entry and to notify the registrar of any discrepancies.

Grades must be posted in a manner consistent with Family Educational Rights and Privacy Act (FERPA) regulations.

Grade Changes

Once a final grade has been posted, it can only be changed by submitting a WH and Grade Change Form with the appropriate approval signatures. Grades should only be changed in cases of error or, in the case of WH, when the course requirements have been completed.

Cross Reference: General and Graduate Bulletins; Class Attendance and Excused Absence (A-10); Active Military Service (A-74); Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g

Responsible for Implementation: Provost and Vice President for Academic Affairs

Contact for Revision: Provost and Vice President for Academic Affairs

Forms: WH and Grade Change Form

Board Committee Assignment: Academic and Student Affairs

Driver Certification (D-10)

Original Implementation: May 4, 1983

Last Revision: ~~July 20, 2010~~ July 16, 2013

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

Upon receipt of the driving record report from the Texas Department of Public Safety, and in compliance with university requirements, UPD will: (a) issue a temporary permit valid for 180 days for faculty and staff or 90 days for students, (b) issue a permanent permit valid for three years, or (c) deny driver certification. All applicants for a temporary permit must register for a scheduled defensive driving course at the time the temporary permit is issued.

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

Cross Reference: None

Responsible for Implementation: Vice President for University Affairs

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

Forms: Application Approved Drivers Certification

Board Committee Assignment: *Building and Grounds*

Dual Employment (E-12)

Original Implementation: Unpublished

Last Revision: ~~July 20, 2010~~ July 16, 2013

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

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

Cross Reference: Tex. Const. art. XVI, §§ ~~XXXXIII~~33, 40~~XLIX~~; Tex. Gov't Code §§ 667.001-.007; General Appropriations Act; Fair Labor Standards Act, 29 U.S.C. §§ 201-219

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Human Resources

Forms: None

Board Committee Assignment: *Academic and Student Affairs*

Emergency Operations Plan (D-11)

Original Implementation: November 1986

Last Revision: ~~July 20, 2010~~ July 16, 2013

Preface

Stephen F. Austin State University provides this Emergency Operations Plan (EOP) as an all-hazard emergency management guidance document. This EOP is built upon scalable, flexible, and adaptable coordinating systems to align key roles and responsibilities across the university when an emergency occurs, since it is not always obvious at the outset of a seemingly minor event whether the incident will remain minor and contained, or whether it might be the initial phase of a larger and rapidly growing threat. This plan describes both authorities and practices for managing and coordinating the response to incidents that range from the serious but purely isolated, to large-scale incidents and natural disasters.

This plan is founded on the principles of the National Incident Management System (NIMS), which provides a national template that enables federal, state, and local governments and private sector nongovernmental organizations to work together effectively and efficiently.

Implementation of this plan will require cooperation, collaboration, and information sharing among all university departments, as well as with external agencies that may assist the university during major emergencies and disasters.

Definitions

For the purposes of this plan, the following definitions are provided and listed in order of severity:

Critical Incident - an incident that does not pose a comprehensive and ongoing threat to the university community, and/or the functioning of the institution. Critical incidents may be handled under the Critical Incident Response Plan (CIRP), which is separate from this EOP. When an emergency or disaster occurs, the CIRP will operate as a sub-plan within the EOP. An example would be the report of a missing student.

Emergency - a sudden or unexpected occurrence, or combination of occurrences, that may cause injury, loss of life, destruction of property and creates a disruption of the university's normal operations to such an extent that it poses a threat to the campus community. An example would be a building fire.

Disaster - a sudden, unplanned event with a significant scope of impact involving many people, if not the entire community, and is based on the scope of the event, number of lives impacted, and the devastation of property. An example would be a hurricane.

(Portions of this plan are adapted from the National Response Framework, January 2008.)

EOP Organization

The Stephen F. Austin State University Emergency Operations Plan contains three fundamental elements that follow the format of the National Response Framework:

- Base Plan,
- Support Function Annexes, and
- Situational Annexes.

The Base Plan

The Base Plan describes structure and process using an all-hazards planning approach, and is scalable to an emergency or disaster of any magnitude or geographic size. The Base Plan provides general guidance for primary university resources and outlines the procedures for such major tasks as notification, organizational structure, and emergency operations center coordination. The Base Plan is the fundamental guiding document for all emergency incident and disaster operations, while the annexes may be used to supplement the Base Plan according to the specific situation. The Base Plan may be continually reviewed and is subject to revision.

Functional Annexes

Support function annexes are based on models developed in the National Response Framework and adapted for the specific functions necessary at Stephen F. Austin State University. These annexes provide direction for specific functions during preparedness, response, and recovery phases of an emergency incident or disaster. These annexes do not address specific incidents or disasters, but rather provide a general framework that may be adapted for emergency operations during any type of incident. Functional Annexes may also be continuously adapted based upon the current risks and vulnerabilities of the university.

Situational Annexes

Certain hazards or situations present a greater risk to, or vulnerability for, the university. Situational annexes are specific plans for such incidents. Examples of these situations include a hurricane, a hostile intruder, or a fire. Situational annexes expand on

the framework of the Base Plan, and provide additional guidance for responding to specific situations. Situational annexes may also be continuously adapted based upon the current risks and vulnerabilities of the university.

1.0 Purpose

The purpose of the Stephen F. Austin State University Emergency Operations Plan (EOP) is to provide the framework and guidance for emergency operations designed to protect the faculty, staff, students, and visitors of Stephen F. Austin State University during an incident that could impact the functioning of the university for an extended period of time. To protect the Stephen F. Austin community, the Plan establishes both general and specific responsibilities during emergencies and disasters, and at other times when the Emergency Operations Center (EOC) may be activated.

The EOP addresses specific hazards and provides general guidelines for university operations should emergency situations arise. This plan will not, nor can it be expected to, address every possible emergency situation. Therefore, it encourages generalized preparedness and helps inform university stakeholders of the resources and knowledge they need to prepare.

The EOP is not designed as a shelf plan, but rather a readable working document that is continuously revised through exercises and evaluation.

2.0 Scope

This EOP is designed to address hazards that may affect the university. Through the utilization of an all-hazards planning model, this plan may be used for any type of incident, whether natural, man-made, or technological. This plan applies to all departments, personnel, and agents of Stephen F. Austin State University, although some departments or agencies may have more specific roles and responsibilities within emergency operations.

3.0 Authority

The Stephen F. Austin State University Emergency Operations Plan is based upon the foundations of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), Pub. L. 93-288, as amended, 42 U.S.C. §§ 5121-5207; Homeland Security Presidential Directive 5 (HSPD-5); The Texas Disaster Act of 1975, Tex. Gov't Code §§ 418.001-.191; Tex. Gov't Code §§ 433.001-.007; Executive Order by the Governor, Exec. Order RP32 or current version; Tex. Att'y Gen. Op. No. MW-140 (1980); Hazard Communication Act, Tex. Health & Safety Code §§ 502.001-.019; Texas Hazardous Substances Spill Prevention and Control Act, Tex. Water Code §§ 26.261-.267; Solid

Waste Disposal Act, Tex. Health & Safety Code § 361; and the State of Texas Emergency Management Plan (Disaster Plan).

4.0 Situation

1. Stephen F. Austin State University enrolls more than 12,000 students and employs more than 1,400 faculty and staff. As student enrollment increases, faculty and staff positions may also increase. The university is governed by a Board of Regents appointed by the governor of Texas.
2. Stephen F. Austin State University's main campus is located in the city of Nacogdoches, within Nacogdoches County in Eastern Texas. Nacogdoches is a community of approximately 30,000 residents, with population surges during numerous months of the year due to the university population and the local tourism industry.
3. The main campus of Stephen F. Austin State University includes approximately 103 buildings across more than 400 acres. In addition, the university owns or leases property and facilities located within other areas of the city of Nacogdoches, including the DeWitt School of Nursing and the Scientific Research Center. Other property and facilities in Nacogdoches County include the Walter Todd Agricultural Research Center and the SFA Observatory. Outside of Nacogdoches County the university operates the Pineywoods Conservation Center in San Augustine County.
4. The university operates 15 student residential facilities that can house more than 5,000 students.
5. The A.L. Mangham Regional Airport in Nacogdoches is a city-owned facility. Runway 18-36 has an asphalt surface and is 5001 feet x 75 feet in length. It is equipped with a precision instrument approach and is capable of serving aircraft up to larger corporate jets. There is no scheduled commercial service. The most accessible airports capable of handling scheduled commercial flights are East Texas Regional Airport (GGG) in Longview (59 miles), Tyler Pounds Regional Airport (TYR) in Tyler (84 miles), Shreveport Regional Airport (SHV) located in Shreveport, Louisiana (93 miles), and George Bush Intercontinental Airport (IAH) in Houston (130 miles).
6. The university is exposed to hazards which have the potential to disrupt normal operations within the university and local community, causing damages and/or casualties.
7. The university experiences population surges at numerous times during the year for specific events such as football games, graduation, new student orientations and other events that are hosted on campus from time to time.

5.0 Assumptions

5.1—Incident Assumptions

1. An incident that affects the university is likely to also affect the surrounding communities and region. Therefore, the university should plan to manage all incidents with limited or no external resources and assistance for the first 72 hours.
2. During an incident, university operations and interests will remain under the coordination and management of the university; therefore, it is necessary to plan accordingly and maintain incident operations until the incident is concluded. Requests for external resources will be forwarded to the appropriate entity as needed.
3. An emergency incident or disaster may occur at any time of the day or night, weekend, or holiday, with little or no warning.
4. The succession of events in an emergency incident or disaster is unpredictable; therefore this plan should be utilized as a guidance document, and adapted for the specific needs of the emergency incident or event.
5. Although Stephen F. Austin State University is more vulnerable to specific hazards, such as severe weather and its consequences, the university must plan to respond using a standard structure and organization to any hazard that may affect the university.
6. The fundamental priorities for Stephen F. Austin State University during an emergency incident or disaster are:
 - A. The preservation of life and protection of people.
 - B. The protection and restoration of property and infrastructure.
 - C. Stabilization of the emergency incident or disaster.
 - D. Recovery to pre-incident conditions.
7. During an emergency incident or disaster, all operations will be coordinated through the Emergency Operations Center (EOC). The EOC will coordinate with other entities as needed.
8. Stephen F. Austin State University may seek the advice and guidance of other entities when making emergency management decisions, but reserves the right to make decisions beyond those of other entities.
9. Extended incidents that require 24 hour operations will most likely be divided into two (2) operational periods or shifts of 12 hours each. Staffing should be planned accordingly.

5.2—Plan Assumptions

1. Stephen F. Austin State University will maintain and disseminate an all-hazard Emergency Operations Plan (EOP). In addition to the EOP itself, the university will educate individual departments and units so that all personnel will be

aware of the general framework for responding to emergency incidents and disasters.

2. All university departments and units will be familiar with the emergency operations plan, and their specific responsibilities within the plan.
3. In addition to this EOP, departments should maintain specific emergency response plans relevant to their area and operations addressing issues that may affect the department. Faculty and staff within each department should understand the basic premise of the EOP, as well as any departmental plans so that emergency incident and disaster operations may be conducted in both a timely and effective manner. Departmental plans should address at a minimum:
 - A. Evacuation
 - B. Sheltering in Place
 - C. Building Lockdown
 - D. Communication procedures for both dissemination of information to staff and students when needed.
 - E. Actions to be taken to ensure continuity of operations including critical tasks, services, key systems, and infrastructure.
 - F. Methods to ensure that all personnel have been made aware of the plan and the plan is reviewed at least annually.

The Emergency Management Committee may assist any department with the development of a departmental policy or plan.

4. The Emergency Operations Plan will be reviewed and updated at least annually by the Emergency Management Committee. A record of changes will be maintained.
5. The Plan will be exercised at least once annually.

6.0 National Incident Management System

The National Incident Management System (NIMS) prescribes a national template for responding to major emergencies and disasters. One of the core elements within NIMS is the directive to utilize the Incident Command System (ICS). For incidents that are site specific or limited in scope, the Incident Command System will be utilized with little or no Emergency Operations Center involvement. The University Police Department will most likely fulfill the ICS structure, although other departments may be involved from time to time.

The decision to operate within the on-scene ICS model, or, to integrate operations into the Emergency Operations Center will typically be determined by:

1. Incident Size: If the incident is expanding beyond a limited geographic area the EOC model should be used to manage the incident.
2. Incident Complexity: As more departments and resources are committed to the incident, the university may utilize the EOC to improve communication and coordination.

Although the ICS model will be incorporated into the response throughout an incident, the system may also be incorporated into the EOC structure. The EOC will increase coordination capabilities and align within any ICS structure.

The use of the Emergency Operations Center to coordinate an incident does not preclude the use of the Incident Command System, but provides the university with improved capabilities to most effectively respond and recover.

7.0 Concept of Operations

1. This Plan will be activated when the condition of the university is downgraded from normal. Any member of the Executive Group, in coordination with the ~~E~~chief of *the* University Police *Department*, or designated alternate, may activate the Emergency Operations Plan upon increased threat, or notification of an impending or actual emergency incident or disaster. When activated, the EOP will be utilized as a decision making tool and the framework for general response and recovery coordination.
2. The Emergency Operations Center (EOC) may be activated as needed. Any member of the Executive Group, or the ~~E~~chief of *the* University Police *Department*, may activate the EOC. An EOC activation and its staffing level will be dependent upon the situation. More information regarding the Emergency Operations Center is provided within Section 9 of this Base Plan.
3. When the EOC is activated, the ~~V~~ice ~~P~~resident for ~~U~~niversity ~~A~~ffairs serves as the Emergency Operations Center ~~D~~irector, and will manage all operations within the EOC, as well as coordinate the deployment of university resources throughout the incident. The EOC ~~D~~irector has authority to deploy any university resources necessary to respond to the incident.

The ~~E~~chief of *the* University Police *Department* will serve as EOC Director during times that the ~~V~~ice ~~P~~resident for ~~U~~niversity ~~A~~ffairs is unavailable.

- The Public Information Officer will coordinate with the Executive Group and external media sources to ensure accurate and timely release of information.

- All university departments and/or divisions will contribute to the response and recovery as directed, to create an effective operation during emergencies or disasters.
- The Emergency Operations Center will coordinate with technical specialists, such as the National Weather Service, the Texas Division of Emergency Management, and other appropriate agencies to provide specialized information necessary for emergency and disaster operations.
- When the response to an incident exceeds the capabilities of university resources, assistance will be requested from appropriate agencies as needed.
- *Support Function Annexes* are provided in addition to the Base Plan to provide responsibilities for specific emergency and disaster emergency functions. These annexes will continually be updated and revised. *Situational Annexes* will also be included that provide detailed response planning for specific incidents.

8.0 Organization

When the Emergency Operations Center is activated, one or more of the identified groups in this organization may also be activated. Depending on the situation, each group may be partially or fully activated. Similar to the Incident Command System, this organization may be expanded for each incident.

- **Executive Group:** the President, Vice Presidents and other key personnel to make executive decisions and provide general incident oversight.
- **Emergency Operations Center Group:** identified personnel to manage the incident, provide coordination for the ground operations, and communicate with the Executive Group.
- **Operations Group:** the departments and personnel that physically provide the services to prepare, respond, and recover from the incident.
- **Public Information:** Information that must be delivered to the Stephen F. Austin community is managed through this group that is in communication with the EOCG, Executive Group, and Operations Group.

8.1 The Executive Group

The Executive Group is responsible for major decisions that impact university operations, such as university closure. Additionally, the Executive Group will plan and prioritize the long term recovery efforts following a disaster. The Executive Group will communicate

with the Emergency Operations Center, generally through the ~~V~~ice ~~P~~resident for ~~U~~niversity ~~A~~ffairs, and provide oversight to the Emergency Operations Center Group as needed.

Each member of the Executive Group will identify at least one alternate to serve in his/her absence. The Executive Group is comprised of the following:

- President
- Provost
- Vice President for University Affairs
- Vice President for Finance and Administration
- ~~University Legal Counsel~~ *General Counsel*

Once the Executive Group is convened, they will make decisions as needed in regards to the following:

- Cancellation of classes
- Cancellation of university sponsored events and activities
- Closing of non-essential buildings and sending non-essential personnel home
- Evacuation of the entire or part of the campus
- Closure of the university

Direction and Succession of the Executive Group

The ~~P~~resident will call the Executive Group meetings and provide direction. If the President is not available, the line of succession is as follows:

1. Vice President for University Affairs
2. Provost / Vice President for Academic Affairs
3. Vice President for Finance and Administration

8.2 The Emergency Operations Center Group (EOCG)

The Emergency Operations Center Group will provide staffing in the Emergency Operations Center to represent the primary divisions of the university. The EOCG, through the EOC ~~D~~irector, has the authority to assign university resources and make operational decisions to provide the most efficient response and recovery possible. The Emergency Operations Center Group consists of a primary divisional representative and one alternate.

In accordance with the National Incident Management System, each of the primary university divisions will be referred to as a branch during activation.

The Emergency Operations Center Group members that report to the Emergency Operations Center are dependent on the situation, although each of the following university divisions has a representative identified in the EOCG:

- Academic Affairs
- Finance and Administration
- University Affairs
- Public Affairs
- University Police (Emergency Management)

Immediately upon notification of an emergency or disaster, the representative of each branch within the EOCG will report to the Emergency Operations Center.

If the primary EOC is not available, a secondary location will be identified.

Once the Emergency Operations Center Group is convened and operating within the EOC, they will make operational decisions for their respective division, coordinate with external resources, provide information to the Executive Group, and maintain continuous operations until the emergency or incident is terminated.

8.3 Operations Group

Although many university departments will most likely be utilized to some degree during a major emergency or disaster, the Operations Group (OG) consists of primary departments that are identified to provide critical services or perform emergency functions. Each member of the Operations Group will coordinate activities through its representative at the Emergency Operations Center, or the Incident Commander. The head of each department represented in the Operations Group will identify an alternate to manage department operations in his/her absence.

The following departments are identified as members of the Operations Group:

- Information Technology Services
- Athletics
- Counseling Center
- Dean of Student Affairs
- Food Services
- Health Services
- Residence Life
- Physical Plant
- Environmental Health, Safety, & Risk Management
- Student Services

- University Police

Immediately upon notification of an emergency or disaster, the primary representative of each department within the OG will report to their office, where they will communicate with the Emergency Operations Center (Incident Commander during incidents with no EOC activation) and coordinate departmental resources.

8.4 Essential Staff

All university personnel may be requested to work during a major emergency or disaster; however, Essential Staff are those that are more likely to be requested. Essential Staff are those university personnel that work within one of the Operations Group Departments, members of the Emergency Operations Center Group, and other personnel that may be designated as essential by the department director.

Essential Staff are expected to be directly involved with the response and recovery actions as the result of a major emergency or disaster. Immediately upon notification of an emergency or disaster, Essential Staff should stand-by for specific tasks, or follow department policy with regards to emergencies and disasters. Essential staff should use caution appropriate to the circumstances when reporting to work during emergency or disaster conditions.

Each director of an Operations Group Department is responsible for determining Essential Staff in his/her respective areas. The Director must then ensure that all employees identified as Essential Staff annually review the Emergency Operations Plan and their possible involvement during a major emergency or disaster.

8.5 Operating Within the Incident Command System

During incidents where the Emergency Operations Center is not activated, the Executive Group and Operations Group may be working directly with the Incident Commander. The Incident Command System provides several positions the Incident Commander may designate to order and coordinate resources. The university may choose to expand or condense the structure depending on the incident.

9.0 Emergency Operations Center

The Emergency Operations Center (EOC) serves as the central location for situation assessment, resource coordination, and operational management of an emergency or a disaster. The physical location of the primary Emergency Operations Center is the EOC Room within the University Police Department facility on East College Street.

The Emergency Management Committee, in coordination with other university officials, will identify and maintain alternate emergency operations centers that may be utilized during an incident where the primary facility is inaccessible or damaged.

EOC Activation Levels

Level I - Routine operations; comparable to a normal university condition; EOC is not staffed.

Level II - Minimal staffing; may include limited personnel to monitor a situation or assist in planning and logistics for the on-scene Incident Command System.

Level III - Some staffing to support an expanding on-scene Incident Command System and provide communication to and from the Executive Group.

Level IV - Fully activated; includes staffing with the Emergency Operations Center Group.

The ~~V~~ice ~~P~~resident of ~~U~~niversity ~~A~~ffairs will serve as the EOC ~~D~~irector during activation and ensure the continuity of EOC operations. The EOC ~~D~~irector has the authority to deploy all necessary university resources to respond to the situation. The ~~E~~chief of *the* University Police *Department* will serve as EOC ~~D~~irector in the absence of the ~~V~~ice ~~P~~resident for ~~U~~niversity ~~A~~ffairs.

The ~~V~~ice ~~P~~resident of ~~U~~niversity ~~A~~ffairs, or the ~~E~~chief of *the* University Police *Department*, may open the Emergency Operations Center for situational monitoring or limited operations. The decision to staff the EOC with the EOC Group will be made by the Executive Group or the ~~V~~ice ~~P~~resident for ~~U~~niversity ~~A~~ffairs.

During incidents that utilize the on-scene incident command model, the EOC may serve as a central coordination point for resource allocation and general planning. In this case the ~~E~~chief of *the* University Police *Department* will serve as the EOC ~~D~~irector, unless activation of the EOC Group is necessary for extended operations.

During emergency operations, all university departments must submit their requests for external resources to the EOC. The EOC is the single point for coordination with the ~~E~~city, ~~E~~county and ~~S~~tate Emergency Operation Centers.

EOC Operations

Set-Up and Readiness:

The ~~E~~chief of *the* University Police *Department* is responsible for the physical set-up of

the EOC, including but not limited to computers, telephones, and expendables; and is responsible for maintaining the EOC at a state of constant readiness for activation.,

Direction and Control:

The ~~V~~ice ~~P~~resident for ~~U~~niversity ~~A~~ffairs is responsible for the direction and control of the EOC as EOC ~~D~~irector when the center is activated.

Activation:

All personnel assigned to the EOC Group are expected to report to the EOC as soon as possible after notification of activation. Should a primary member of the EOC Group be unable to immediately report, the alternate for this position should report instead.

EOC Demobilization

As an incident lessens in scope, the EOC ~~D~~irector may reduce staffing in the EOC based on situational need. The EOC shall remain in operation until the university is placed in a normal condition status.

10.0 University Conditions

The use of a condition status for the university is intended to assist personnel in understanding the risk level of a specific hazard or threat. The Emergency Operations Center and/or the University Police Department will initiate any university condition status change from normal.

Additional status changes may be released by the Emergency Operations Center / Incident Commander as an incident evolves.

Normal Condition

This indicates that the university is operating under normal conditions. There is no special hazard or threat.

Guarded Condition

This indicates that there is some general threat information that may affect the university. Examples include general threats towards a college campus in Texas or natural hazard watch.

Elevated Risk Condition

This indicates that information has been collected in regards to a specific threat directed towards the campus, such as imminent flash floods or specific threats.

High Risk Condition

There is information of an immediate threat on campus including but not limited to hazardous materials release, active shooter, storm, major fire, etc.

11.0 Public Notification and Information

The initial notification of an emergency or disaster will usually be received first by the University Police Department. The University Police Department is the department within the university that is responsible for issuing timely campus alerts in compliance with the Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act {20 U.S.C. § 1092(f)}.

The determination of when an alert will be issued will be made on a case-by-case basis and will consider the facts surrounding the incident; including such factors as the nature of the incident, and the imminent or continuing threat to the university community. The University Police Department will make a determination regarding the information presented to help ensure it does not hinder the successful response to an incident, or the investigation of the cause or nature of an incident. Weather alerts may be issued when there is an imminent threat to the safety of the campus community from severe weather.

When a determination is made that an alert should be issued, UPD will inform the campus community by utilizing a number of communication methods. The following are ways in which the campus community may be notified when the incident in question warrants. These methods may be used individually, or in any combination, depending upon the message being conveyed and the nature of the incident prompting the alert.

1. **Emergency Alert Website Activation:** The emergency alert website, maintained by UPD (<http://www2.sfasu.edu/upd/information.html>) may be activated and as much information as can be concisely presented about the current state of the incident triggering the alert will be posted. When this site is activated, an alert banner is posted on top of each webpage hosted on the main university Web server indicating an alert and directing visitors to the alert Web site. Web pages and Web-sites hosted on individual departmental servers do not display this alert banner. The emergency alert Web-site will be updated with evolving information as it becomes available and can be shared.
2. **Campus Alerts System Activation:** Depending on the incident, the University Police Department will issue text and/or voice messages to all participants registered in the Campus Alerts system. These alert messages will notify the recipients that an event has occurred that requires notification, will contain a very brief description of the event if possible, and will direct them to the emergency alert Web-site for details and updates.

3. **Outdoor Alert System:** To promptly alert the campus in case of an imminent threat, there is a centrally located outdoor alert system installed on the roof of the Ralph W. Steen Library to ensure the alert sound may be heard inside some buildings on campus; the system is designed to provide an audible alert outdoors only. The outdoor alert system will be sounded when there is an imminent threat to SFA students, faculty, staff and visitors, such as severe weather, such as a tornado that is on a direct path toward the campus, or the development of an active danger situation, such as a hostile, armed individual on campus.
4. **Campus-Wide Broadcast E-Mail:** E-mail messages may be sent to all faculty, staff, and students via the Stephen F. Austin State e-mail system. These alert messages will notify the recipients that an event has occurred that requires notification, will contain a very brief description of the event if possible, and will direct them to the emergency alert ~~W~~web-site for details and updates.
5. **Call Center Activation:** When needed, an informational Call Center will be activated as soon as possible to field telephone calls relative to the alert issued. This call center is located adjacent to the primary EOC in the University Police facility and is staffed by pre-designated staff members. Once the Call Center is active, the telephone number assigned to the center will be posted on the alert ~~W~~web-site.
6. **Non-alert related communications** will be handled through the Office of Public Affairs in coordination with the Executive Group, Emergency Operations Center, or the Incident Commander.
7. **In the event of an expanded incident**, the Office of Public Affairs, in coordination with the Emergency Operations Center, may establish a Joint Information Center to handle media inquiries. The Joint Information Center will be established by the Office of Public Affairs and located at the Baker Pattillo Student Center Theater unless an alternate location is necessary.

12.0 Plan Annexes

The Base Plan is intended to provide the general framework based on an all-hazards planning model. The general response roles and responsibilities of the Base Plan provide basic guidelines to ensure that the university is prepared to respond to any major emergency or disaster. Annexes expand on the information provided in the Base Plan to outline more specific responsibilities.

Functional Annexes

Specific functions that support the Base Plan can be defined and associated roles and responsibilities assigned to individual departments within the university. Each Functional Annex is constructed as a supplement to this Base Plan.

Situational Annexes

Additionally, specific hazards that present a significant risk or vulnerability may have specific plans to provide more detailed guidance than the Base Plan provides. Each Situational Annex is constructed as a supplement to this Base Plan.

13.0 Preparedness

Although the majority of the Emergency Operations Plan discusses response mechanisms and procedures, the ultimate resilience and capability of the university to respond is dependent upon the preparedness of all students, faculty, staff, and departments. The University Emergency Management Committee is the point of contact for all emergency management programs, including preparedness. In coordination with various university departments, the Emergency Management Committee will help ensure the following preparedness mechanisms are completed on a continual basis:

Emergency Exercises

Exercises are fundamental to the university's emergency preparedness program. Exercises test plan elements, as well as the university's ability to respond to specific incidents. The Federal Emergency Management Agency identifies four types of exercises, each with a significant degree of complexity and involvement. The university will conduct at least one emergency table-top exercise per year. The university should conduct a functional or full-scale exercise at least once every five years. Exercises should involve members of the Executive Group.

Plan Maintenance

The plan should be reviewed at least annually and updated when needed. This annual plan maintenance may be completed following the exercise schedule.

Maintain Record of Incident Command System Training

The Chief of the University Police *Department* serves as the Emergency Management Coordinator, and will ensure that sufficient training courses are offered in Incident Command, and ensure that the university complies with standards established through National Incident Management System guidance documents.

The Emergency Management Committee, chaired by the Chief of the University Police Department, will meet regularly and provide oversight for the emergency management program.

Departmental Responsibilities

All university departments should continually maintain preparedness via the following actions at a minimum:

- Review this Emergency Operations Plan and applicable annexes at least annually and provide recommendations to the Emergency Management Coordinator to be considered in the annual review/revision.
- Compile and maintain an active call/contact list with current phone numbers of all personnel within the department.
- Provide clear lines of succession identifying personnel that may fulfill the department head's role should they be absent during a major emergency or disaster.
- Train employees on basic preparedness procedures and general departmental plans for responding to an emergency.
- Identify program weaknesses and make recommendations to the university Emergency Management Coordinator.

14.0 Recovery Actions

Recovery from a major emergency or disaster will most likely begin while response activities are still being conducted. Recovery actions involve the development, coordination, and execution of university restoration. Examples of recovery actions may include debris removal, damage assessment, and re-opening of non-critical facilities.

Damage assessment is a critical process in any disaster; additionally an accurate damage assessment is critical to obtaining reimbursement during a state or federally declared disaster. Therefore, damage assessments should begin as soon as possible.

During and following larger incidents, Damage Assessment is the responsibility of the Physical Plant Department, although personnel to physically conduct the damage assessment may be provided by various departments within the university. During the damage assessment, the extent of the damage and estimated repairs will be reported to the Emergency Operations Center as long as the EOC remains activated. After the EOC is demobilized, these reports will be made to the Executive Group through the Vice President for Finance and Administration.

Essentially, recovery resources will be handled in the same manner that response resources are managed.

The two elements of recovery that are reserved for the Executive Group include:

1. Determining when to terminate the incident.
2. Determining when to return the university to normal condition.

15.0 Post-Incident Actions

Following each major emergency or incident, the university will conduct a debriefing to identify major weaknesses, strengths, lessons learned, and best practices. The initial debriefing should occur not less than twenty-four hours, but not more than one week following the conclusion of an incident.

Following the debriefing, the Emergency Management Coordinator will ensure that an After Action Report (AAR) is drafted, reviewed, and distributed. Elements discussed in the AAR and debriefing(s) will be applied to improve the university's emergency management program and Emergency Operations Plan.

Cross Reference: Stafford Act, Pub. L. 93-288, as amended, 42 U.S.C. §§ 5121-5207; Homeland Security Presidential Directive 5, HSPD-5; Texas Disaster Act of 1975, Tex. Gov't Code §§ 418.001-.191; Tex. Gov't Code §§ 433.001-.007; Executive Order by the Governor, Exec. Order RP32 or current version; Tex. Att'y Gen. Op. No. MW-140 (1980); Hazard Communication Act, Tex. Health & Safety Code §§ 502.001-.019; Texas Hazardous Substances Spill Prevention and Control Act, Tex. Water Code §§ 26.261-.267; Solid Waste Disposal Act, Tex. Health & Safety Code § 361; Tex. Educ. Code § 51.201-.211; The Texas Emergency Management Plan, Governor's Division of Emergency Management; Employee Safety Manual / Emergency Management Plan

Responsible for Implementation: President

Contact for Revision: Chief of Police; Vice President for University Affairs

Forms: None

Board Committee Assignment: *Academic and Student Affairs*

Fire and Life Safety (D-60) NEW

Original Implementation: July 16, 2013

Last Revision: None

PURPOSE

The purpose of this policy is to aid in protecting the physical, human, fiscal and environmental resources of the university. To help achieve this goal the Environmental Health, Safety, and Risk Management Department (EHSRM) provides various personal and group training sessions, safety guidelines and procedures on the EHSRM website (<http://www.sfasu.edu/safety/>) and fire and life safety inspections throughout the campus on a regular basis.

EHSRM has primary responsibility to establish and enforce policies and procedures that ensure university compliance with fire and life safety federal, state, and local guidelines.

POLICY STATEMENTS

1. The university's fire and life safety program is designed to prevent or reduce property loss and injury from fire and explosions arising from storage, handling, and use of flammable and combustible substances, materials, and devices. The fire and life safety guidelines and procedures available on the EHSRM website are essential in promoting fire and life safety and enhancing university compliance with applicable federal, state, and local fire and life safety standards.
2. Non-compliance with fire safety codes and standards can result in sanctions against the university, as well as posing serious risks to students, employees, visitors, and university property. Disciplinary action may be taken against university students and employees who do not comply with this policy and associated regulations. Offending materials and substances may be confiscated permanently for further protection of the surrounding environment.
3. The university's fire and life safety program will comply with the NFPA 101 Life Safety Code and all referenced materials therein, as well as all procedures listed in the EHSRM webpage (<http://www.sfasu.edu/safety/>) and the SFA Campus Safety Information webpage (<http://www.sfasu.edu/campussafety/>).

DEFINITIONS

1. **Authority Having Jurisdiction (AHJ)** – National Fire Protection Association (NFPA) title for the organization, office, or individual responsible for approving equipment, materials, an installation, or fire, safety procedures in accordance with NFPA rules and regulations.
2. **Egress** – A continuous and unobstructed way of travel from any point in a building or structure to a public way consisting of three separate and distinct parts 1) the exit access, 2) the exit, and 3) the exit discharge.
3. **Exit Corridor** – A pedestrian pathway that allows direct access to the outside of a building and allows access to a building entrance and subsequent pathways to the outside of the building.
4. **Flammable and Combustible Materials** – A general classification given to gaseous, liquid, or solid materials that are capable of being easily ignited and burn rapidly. Examples of common flammable materials are: natural gas, liquefied petroleum gas, naphthas, gasolines, oils, organic powders, films, paper and paper materials, powdered solids such as powdered metals, sawdust, plastics such a polystyrene, polyethylene, synthetic and natural rubbers, aerosols, paints, lacquers, floor cleaning agents, and all other flammable organic material that has not been specifically treated to be flame retardant.
5. **National Fire Protection Association (NFPA)** – An international professional nonprofit organization with the mission of reducing the worldwide burden of fire and other hazards on the quality of life by developing and advocating scientifically based consensus codes and standards, research, training, and education. NFPA serves as the world's leading advocate of fire prevention and is an authoritative source on public safety.
6. **Nationally Recognized Testing Laboratory (NRTL)** – An organization which is recognized by Occupational Safety and Health Administration (OSHA) as one which tests for safety, and lists or labels or accepts equipment or materials. Examples of NRTL's are: Underwriters Laboratory (UL) MET Laboratory, Electrical Testing Labs (ETL), and Canadian Safety Agency (CSA).
7. **Open Flame** – Any fire regardless of size or origin. This includes, but not limited to, candles, incense burners, and fireworks capable of igniting flammable or combustible materials in the area of the flame, spark, burner, or explosive.
8. **State Fire Marshal (SFM)** – Any official member of the state fire marshal's office.
9. **Violation** – A condition or hazard identified as an infringement of applicable state, local, and national fire and life safety standards.

10. **Fire Door** – A door with a fire-resistance rating (sometimes referred to as a fire protection rating for closures) used as part of a passive fire protection system to reduce the spread of fire or smoke between compartments and to enable safe egress from a building or structure.

RESPONSIBILITIES

1. The director of EHSRM (or designee) has primary responsibility to administer and oversee compliance with the university's fire safety program. Duties of EHSRM include:
 - a) Inspecting university buildings and property on a regular basis for fire safety hazards, risks, or in response to a notice of a possible violation. In carrying out this duty the EHSRM officer or representative shall have the authority to enter any university building, structure, room, office or laboratory (university employees may accompany the EHSRM officer on an inspection of their area);
 - b) Recommending preventative and corrective action and working with university departments to assure appropriate action is taken;
 - c) Establishing and coordinating fire safety training programs (ex: fire drills) to comply with regulatory requirements or upon request of department heads;
 - d) Serving as the official university contact with state and local fire marshals and other state agencies regarding fire safety;
 - e) Preparing mandated reports and compiling and disseminating data related to the fire safety program;
 - f) Communicating local, state, and national fire safety requirements to university officials;
 - g) Maintaining records related to the fire safety program in accordance with the record retention schedule of the university and the state of Texas;
 - h) Serving as an advisor for the university departments on fire safety issues;
 - i) Serving as the Authority Having Jurisdiction (AHJ) for fire safety codes and standards;
 - j) Investigating all fires occurring on university property;
 - k) Working closely with the local fire department, University Police Department, and other emergency response agencies to assure they are informed about the campus so as to be prepared in case of an emergency; and
 - l) Approving waivers of university fire and life safety policies and procedures.

2. Vice presidents, deans, directors, and chairs (or designees) in academic and staff positions have the following responsibilities:
 - a) Ensuring departmental procedures comply with this policy;
 - b) Identifying specific fire hazards and deficiencies within their department and purchasing appropriate equipment (such as UL-approved surge protectors);
 - c) Ensuring compliance from departmental employees who disregard this policy;
 - d) Communicating identified hazards and deficiencies to EHSRM;
 - e) Correcting procedural violations as soon as practical upon receipt of a violation notice;
 - f) Consulting with the director of EHSRM for fire safety concerns, if necessary;
 - g) Arranging for payment of costs and fees associated with eliminating fire hazards due to the department's negligence; and
 - h) Training of departmental staff by ensuring employee participation in new employee or new faculty orientation and ensuring employees are aware of all fire exits and building evacuation procedures.
3. University employees and students have the following responsibilities:
 - a) Compliance with university fire safety and related policies and procedures;
 - b) Reporting deficiencies of fire prevention, suppression, or evacuation features in university buildings to the appropriate university department for repair;
 - c) Familiarization with fire extinguishers and fire alarm pull station locations in the vicinity of the area occupied;
 - d) Familiarization with emergency protocols established in the campus safety procedures listed on the SFA Campus Safety Information webpage (<http://www.sfasu.edu/campussafety/>); and
 - e) In the event of a fire alarm, fire drill, or any fire related incident, all SFA employees and students are required to evacuate the SFA facility and will not reenter the facility until an authority (NFD, UPD, EHSRM) gives the "all clear" announcement to reenter.
5. Residence Life will disseminate fire prevention policies and procedures to student residents in their Community Living Guidelines.
6. Student residents shall abide by all Community Living Guidelines and procedures.

7. Faculty members will inform students of fire safety and evacuation procedures.

FIRE PREVENTION PLANS AND GUIDELINES

1. Fire prevention is an important component of the university's fire safety program and being proactive against any potential fire and life safety hazards offers the greatest protection against injury or property loss. The EHSRM fire and life safety plans and guidelines are outlined in detail on the EHSRM webpage (<http://www.sfasu.edu/safety/>). All university employees and students need to be aware of potential fire safety hazards and report them to EHSRM for corrective action.
2. The following fire prevention procedures apply to all university property:
 - a) Open flames, smoldering burners and ignition devices are prohibited in university buildings. This includes candles, fireworks, oil lamps, and any combustible materials activated by sparks or heat.
 - b) Exceptions for the use of open flames, burners and ignition devices include authorized exceptions listed below; these do not require approval prior to use. All other exceptions require written approval from the director of EHSRM. Request for such exceptions must be submitted at least ten working days prior to the proposed use.
 - i. commercial cooking in designated food preparation areas complying with NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations;
 - ii. open flame burners used in university approved laboratories complying with NFPA 45, Standard on Fire Protection for Laboratories using Chemicals; and
 - iii. employees or students engaged in welding, brazing, or similar flame or spark producing operations must obtain authorization from their supervisor or manager. The supervisor or manager in the work area must adhere to all reasonable fire safety protections and procedures and obtain a hot work permit, if applicable.
 - c) In accordance with Smoking and Use of Tobacco Products (D-35.5), smoking and the use of tobacco products will be prohibited in all buildings, facilities and vehicles owned or leased by Stephen F. Austin State University, except in areas so designated by the university. Smoking and the use of tobacco is further prohibited within 20 feet of any entrance to a building or facility. Cigarettes

must be disposed in appropriate receptacles only. All SFA employees are responsible for complying with Smoking and the Use of Tobacco Products (D-35.5).

- d) Electrical connections must conform to the following requirements:
 - i. Electrical equipment must be NRTL listed and shall be plugged into electrical wall outlets. The use of extension cords to provide permanent electrical connections is prohibited.
 - ii. Only power strips that are NRTL approved may be used. Power strips cannot be plugged into each other in a series.
- e) Flammable and combustible liquids must be stored in specially designed flammable materials storage cabinets and fire resistant containers within campus buildings. Large quantities of flammable materials (more than authorized under NFPA 45, Standard on Fire Protection for Laboratories using Chemicals) must be stored outside of buildings or in special hazardous storage areas in compliance with the NFPA codes.
- f) Mechanical rooms and stairwells cannot be used for storage at any time.
- g) The use of devices such as doorstops, wedges, or restraints to hold a fire door open is prohibited with the exception of magnetic door hold open devices that are connected to the fire alarm system and are deactivated when the fire alarm is activated.
- h) In rooms with sprinkler heads, storage and furnishings must be at least eighteen inches below the sprinkler head to ensure the sprinklers are effective during a fire. No material shall be attached to a sprinkler head.
- i) Corridors and stairways leading to exits must have at least forty-four inches clear width of unobstructed clutter-free space at all times. Temporary Storage in any hallway or corridor must have approval from the safety director prior to the event. All corridor doors in the path of egress must be operable without the use of keys, special tools, or knowledge.

- j) Exit doors must be equipped with a latch equipped with a releasing device having an obvious method of operation to allow easy egress during a fire. Installation of deadbolt locks or additional locking devices is prohibited.
- k) Barbeque grills, hibachi-type grills, camping stoves, deep fat fryers, and other cooking devices are prohibited in university buildings, in door openings, on balconies, within forty feet of university buildings or near any flammable materials. Organizations grilling for public consumption on campus are required to have an outdoor cooking permit from EHSRM. Hot coals must be doused with water and properly disposed of in designated hot coal dumpsters. Tailgating cooking events should follow the official tailgate policies and procedures provided by the Athletics Department.
- l.) Holiday decorations must be flame retardant and only up for a maximum of 30 days. Live Christmas trees are prohibited in university buildings and artificial trees must be flame retardant. All holiday lights must be NRTL approved. All decorations should be taken down prior to leaving for the holidays.
- m) Portable electric heaters are highly discouraged, but may be used if specifically approved by the department head. Only electric heaters with an automatic shut off when tipped over may be used. If approved, keep all portable heaters at least three feet away from any flammable items and ensure the portable heater is NRTL approved. Portable heaters must be turned off when leaving the room or leaving for the evening.
- n) Modifications to university property structures or systems require authorization of the Physical Plant Department (PPD) and EHSRM. Costs of reversing and correcting unauthorized building/system modifications may be charged to the person or department which caused the modifications.
- o) Cooking devices, such as popcorn poppers, microwave ovens, and coffee pots used on university property must be NRTL approved. All electrical appliances and devices shall be used in accordance with the manufacturers' instructions and intended use.

- p) Building occupancy will not exceed the limits set forth by the NFPA 101 Life Safety Code, or special provisions provided by the EHSRM.

FIRE SAFETY SYSTEMS

1. The PPD shall maintain and ensure installed fire alarms, sprinklers, fire pumps, and smoke detectors, are operational at all times. Vice presidents, deans, directors, and chairs shall be familiar with the fire systems within their areas.
2. EHSRM shall ensure that the proper monthly and annual inspections are conducted for fire extinguishers per NFPA 101 Life Safety Code.
3. Departments with cooking exhaust systems are responsible for the maintenance of the hoods, grease removal devices, fans, ducts and fire suppression fuse links in their kitchen areas per NFPA 96.
4. Any non-operational fire safety systems found or observed by the faculty, staff or students must be reported to PPD or EHSRM for immediate corrective action. Tampering with the fire safety system is a criminal offense and will be handled as such by the University Police Department.

WAIVERS

The director of EHSRM is responsible for granting waivers to university fire and safety policies and procedures. Waivers may be granted on a case-by-case basis or as a blanket approval which applies to a specific type of event, function, or use.

POLICY COMPLIANCE

It is imperative that Stephen F. Austin State University employees comply with federal, state, and local environmental health, safety, and risk management legislation, and relevant government fire and life safety codes. In addition, it is essential that employees observe industry best practices and comply with SFA safety policies, procedures, and programs. Noncompliance may result in disciplinary action.

Cross Reference: Smoking and Use of Tobacco Products (D-35.5), Health and Safety (D-17), Risk Management (E-43.5), National Fire Protection Association: <http://www.nfpa.org/>, Texas State Fire Marshal: <http://www.tdi.state.tx.us/fire/>

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director, Environmental Health, Safety, and Risk Management

Forms: none

Board Committee Assignment: Building and Grounds

Interagency and Interlocal Contracts (C-18)

Original Implementation: Unpublished

Last Revision: ~~July 20, 2010~~ July 16, 2013

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

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

For some large dollar interagency contracts, board approval may be required; see ~~Policy D-20.5~~, Items Requiring Board of Regents Approval (*D-20.5*).

A requisition must be submitted to initiate an interagency or interlocal purchase where SFA is the receiving agency. The requisition must include the following:

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

Where SFA is the performing agency, the procurement office is not involved.

~~If the cost will be \$50,000 or greater a~~ formal written agreement signed by both agency heads is required *regardless of the dollar amount. The written agreement must contain the items listed above required to be in the purchase requisition.*

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

For some large dollar interlocal contracts, board approval may be required; see ~~Policy D-20.5~~, Items Requiring Board of Regents Approval (*D-20.5*).

An Interlocal Agreement requires a formal written agreement regardless of the dollar amount. The written agreement must:

- a. state the purpose, terms, rights, and duties of the contracting parties; and
- b. specify that each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party.

FORMS – Forms for interlocal and interagency contracts are available on the general counsel web site.

Cross Reference: Tex. Gov't Code §§ Ch. 771, 791; Tex. Const. art. XVI, § 21; Items Requiring Board of Regents Approval (D-20.5)

Responsible for Implementation: Vice President for Finance and Administration

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

Forms: Purchase Requisition (Banner System); **Interagency Cooperation Agreement;** Interlocal Agreement

Board Committee Assignment: *Finance and Audit*

Interdepartmental Transfer (IDT) (C-19)

Original Implementation: Unpublished

Last Revision: ~~July 20, 2010~~ July 16, 2013

A university department may pay for goods and services received from another department using the Interdepartmental Transfer (IDT) procedure. This internal procedure charges and credits accounts within the university without the need to write a check. The department providing the goods or services should initiate the IDT. Departments that initiate many IDTs should provide the charges in a spreadsheet format approved by the controller's office. Departments that have few charges to other departments may initiate their IDTs either by memo to the controller's office or by completing the IDT form online, printing it, and sending a hard copy to the controller's office. If a memo is used, it should contain the same information as requested on the IDT form. Departments that initiate IDTs must provide substantiating documentation of the charges to the receiving departments. The initiating department must retain copies of the documentation as required by Records Management ~~Policy~~ (D-28). As with any other purchase, funds must be available in the applicable account.

Departments that initiate IDTs must develop written internal procedures that include:

- a segregation of duties in recording, reconciling, authorizing and approving IDT transactions
- IDT documentation distribution, location and retention responsibilities

An IDT is not to be used to shift balances or move budgets from one account to another unless there is a legitimate transfer of goods or services at a fair and reasonable price. Additionally, an IDT is not to be used to transfer capital equipment from one department to another. Such transfers are handled through *Procurement and Property Services* ~~property management in the purchasing department~~. See Property Inventory and Management ~~Policy~~ (C-42). However, if an exchange of funds is involved in the equipment transfer, an IDT may be used to effectuate that part of the process.

Each account manager is responsible for reviewing their accounts to verify accuracy of IDT charges.

Cross Reference: Property Inventory and Management (C-42); Records Management (D-28)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Controller

Forms: Interdepartmental Transfer *Summary* (~~IT~~) available on the SFA Business Forms website <http://www.sfasu.edu/3386.asp>

Board Committee Assignment: Finance and Audit

Investments (C-41)

Original Implementation: April 30, 1996

Last Revision: ~~January 29, 2013~~ July 16, 2013

Policy Statement

Stephen F. Austin State University invests the public funds in its custody with primary emphasis on the preservation and safety of the principal amount of the investment. Secondly, investments must be of sufficient liquidity to meet the day to day cash requirements of the university. Finally, the university invests to maximize yield within the two previously indicated standards. All investments within this policy conform to all applicable state statutes and local rules governing the investment of public funds. This policy is promulgated in accord with the Public Funds Investment Act (Government Code, Chapter 2256), and related portions of the Texas Education Code.

Scope

This policy establishes rules for the investment of all university funds that are governed by Chapter 2256 of the Government Code. Endowment funds are invested in accordance with a separate policy approved by the Board of Regents. Quasi-endowment funds that are considered to be public funds will be governed by this policy.

Objectives

The foremost objective of all investment decisions shall be safety of principal. All investments must be undertaken with the fiduciary responsibility associated with that of a reasonable and prudent person. Investments must be in accord with Texas law. Investment maturity must be diversified to match the university's liquidity requirements.

Investments shall incur no unreasonable risk in order to maximize potential income.

Investments shall remain sufficiently liquid to meet all reasonably anticipated operating requirements.

Investments may be diversified in order to respond to changing economic and/or market conditions.

No investments within the portfolio or investment practices conducted to effect investment activities shall violate the terms of this policy.

Authorized Investments

All university funds and funds held in trust for others may be invested ~~only~~ in the securities listed below *and/or pooled with another institution of higher education as authorized in Texas Education Code (TEC) Section 51.0031*. Credit rating requirements will be monitored at least monthly for ~~applicable~~ securities *that are subject to Chapter 2256 of the Government Code*. If or when a rating drops below the established minimum, the investment will be liquidated as soon as prudently possible. *Securities authorized by Chapter 2256 of the Government Code include:*

- A. obligations, including letters of credit, of the United States of America, or its agencies and instrumentalities;
- B. direct obligations of the state of Texas or its agencies and instrumentalities;
- C. collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States of America, the underlying security for which is guaranteed by an agency or instrumentality of the United States of America;
- D. other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the state of Texas or the United States of America or their agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States;
- E. obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm of not less than A or its equivalent;
- F. certificates of deposit issued and share certificates by a depository institution that has its main office or a branch office in Texas that is:
 - 1. guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
 - 2. secured by obligations that are described in Authorized Investments section A-E listed above, including mortgage backed securities directly issued by a federal agency or instrumentality that have a market value of not less than the principal amount of the certificates, but excluding those mortgage backed securities of the following nature:
 - a. obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgaged-backed security collateral and pays no principal;
 - b. obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
 - c. collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and
 - d. collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

3. In addition to the authority to invest funds in certificates of deposit in Section (F), an investment in certificates of deposit made in accordance with the following conditions is an authorized investment under Subchapter 2256.010:
 - a. the funds are invested by an investing entity through a broker that has its main office or a branch office in Texas and is selected from a list adopted by the investing entity as required by Section 2256.025; or
 - b. the broker or the depository institution selected by the investing entity under Subsection (a) arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever location, for the account of the investing entity;
 - c. the full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States;
 - d. the investing entity appoints the depository institution selected by the investing entity under Subsection (a), an entity described by Section 2257.041(d), or a clearing broker-dealer registered with the Securities and Exchange Commission (SEC) and operating pursuant to SEC Rule 15c3-3 (17 C.F.R. Section 240.15c3-3) as custodian for the investing entity with respect to the certificates of deposit issued for the account of the investing entity
- G. fully collateralized repurchase agreements with a definite termination date, secured by a combination of cash and obligations described by Authorized Investments section A-E, requiring the securities being purchased by the entity or cash held by the entity to be pledged to the entity, held in the entity's name, and deposited at the time the investment is made with the entity or with a third party selected and approved by the entity; and placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this state;
- H. bankers acceptances having a stated maturity of 270 days or fewer from the date of issuance, to be liquidated in full at maturity, eligible for collateral for borrowing from a Federal Reserve bank, and accepted by a bank organized and existing under the laws of the United States of America or any state, if the short- term obligations of the bank, or of a bank holding company of which the bank is the largest subsidiary, are rated not less than A-1 or P-1 or an equivalent rating by at least one nationally recognized credit rating agency;
- I. commercial paper that has a stated maturity of 270 days or fewer from the date of its issuance, and is rated not less than A-1 or P-1 or an equivalent rating by at least two nationally recognized credit rating agencies or one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States of America or any state;
- J. no-load money market mutual funds registered and regulated by the Securities and Exchange Commission, having a dollar-weighted average stated maturity of 90 days or fewer, and including in their investment objectives the maintenance of a stable net asset value of \$1 for each share; and no-load mutual funds that conform to Section 2256.014 of the Government Code;

- K. guaranteed investment contracts conforming to Section 2256.015 of the Government Code;
- L. investment pools conforming to Sections 2256.016 and 2256.019 of the Government Code;
- M. cash management and fixed income funds sponsored by organizations exempt from federal income taxation under Section 501(f), Internal Revenue Code of 1986 (26 U.S.C. Section 501(f));
- N. negotiable certificates of deposit issued by a bank that has a certificate of deposit rating of at least 1 or the equivalent by a nationally recognized credit rating agency or that is associated with a holding company having a commercial paper rating of at least A-1, P-1, or the equivalent by a nationally recognized credit rating agency;
- O. corporate bonds, debentures, or similar debt obligations rated by a nationally recognized investment rating firm in one of the two highest long-term rating categories, without regard to gradations within those categories;
- P. assets and/or funds reportable within the scope of the university's annual financial report may not be invested in or used to purchase securities, including obligations, of a private corporation or other private business entity that owns 10% or more of a corporation or business entity which records or produces any song, lyrics or other musical work that explicitly describes, glamorizes or advocates
 - 1. acts of criminal violence, including murder, assault, assault on police officers, sexual assault, and robbery;
 - 2. necrophilia, bestiality, or pedophilia;
 - 3. illegal use of controlled substance;
 - 4. criminal street gang activity;
 - 5. degradation or denigration of females; or
 - 6. violence against a particular sex, race, ethnic group, sexual orientation, or religion.

Insurance or Collateral

All depository bank accounts deposits and investments of university funds other than direct purchase of United States Treasury securities or United States Agency securities and in money market funds invested in U. S. Treasury or Agency securities shall be secured by a pledge of collateral with a market value equal to no less than 100% of the deposits or investments plus accrued interest less any amount insured by the FDIC or FSLIC and pursuant to Chapter 2257 of the Government Code, the Public Funds Collateral for Public Funds. Act. Evidence of the pledged collateral associated with *depository bank demand accounts and investments* shall be maintained by the director of financial services. Eligible repurchase agreements shall be documented by a specific agreement noting the collateral pledged in each agreement. Collateral shall be reviewed monthly by the controller and director of financial services to assure the market value of the securities pledged equals or exceeds the ~~related bank and certificates of deposit~~ *depository bank balances*.

Pledged collateral shall be maintained for safekeeping by a third party depository.

Collateral Defined

The university shall accept only the following securities as collateral:

- A. FDIC and FSLIC insurance coverage;
- B. United States Treasury, Agency, or Instrumentality securities;
- C. Direct obligations of the state of Texas or its agencies and instrumentalities;
- D. Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by the State of Texas or the United States of America;
- E. Obligations of states, agencies thereof, counties, cities, and other political subdivisions of any state having been rated as to investment quality by a nationally recognized investment rating firm and having received a rating of no less than A or its equivalent;
- F. Collateralized mortgage obligations (CMO) directly issued by a federal agency or instrumentality of the United States of America, the underlying security for which is guaranteed by an agency or instrumentality of the United States of America. CMO must have a stated final maturity date of less than 10 years.

Investment Strategy

All investments will be made in accordance with the university's investment policy. Investments may be diversified as needed to provide investment suitability to the university's financial requirements. The preservation and safety of principal is the first priority, however, it is recognized that unrealized losses will occur in a rising interest rate environment, just as unrealized gains will occur during periods of falling interest rates. Investments will be of the type to provide sufficient liquidity and marketability for any operating requirements. The investment portfolio may be diversified with authorized securities to accommodate changing market conditions.- *Diversification may include investment pooling with another public institution as authorized in TEC 51.0031.* ~~However, United States Treasury securities are preferable because of their low risk and high liquidity.~~ An investment decision shall consider yield only after the requirements for principal preservation, liquidity, and marketability have been met.

Investments may be categorized and described as:

- A. Short Term - less than 90 days Funds needed to meet short term operating requirements normally will be invested in either investment pools or overnight sweep accounts established with banking institutions. The benchmark is the average three month Treasury Bill yield.
- B. Intermediate Term - 90 days to one year United States Treasury and Agency securities, United States Agency Discount Notes are the primary investment vehicles. United States Treasury securities are preferable because of their low risk and the ease with which they are traded. The benchmark is 95 percent of the average one-year Treasury Bill yield.

- C. Long Term - over one year United States Treasury and Agency securities are the primary investment vehicles. Normally, investments are laddered so that most principal is returned over a five year period in increments sufficient to meet anticipated operating and capital needs. The 30 Year Treasury Bond rate is the benchmark for long term funds.
- D. Maturity - The length of time for investments within this policy will vary according to fund type and will be dependent on funding requirements. As a general rule, funds will be invested for the time periods indicated:

Current Unrestricted and Restricted Funds - 2 days to one year

Plant Funds- 3 months to 3 years

Delegation of Authority

The vice president for finance and administration (VPFA) of Stephen F. Austin State University is responsible for investment management decisions and activities. The VPFA delegates the day-to-day management of the investment activities to the director of financial services.

The VPFA shall be ultimately responsible for all transactions undertaken and shall establish a system of controls (Appendix A) to regulate the activities of officials and staff involved in investment transactions.

The VPFA shall develop and maintain written administrative procedures and guidelines for the operation of the investment program which are consistent with and part of this Investment Policy (Appendix B).

The VPFA and director of financial services shall be designated as the university's investment officers and are responsible for the duties outlined herein. The names and titles of the investment officers shall be filed with the Board of Regents. Changes of names and/or titles must be filed with the Board of Regents as they occur.

The VPFA may establish an investment committee. The committee may review investment reports, monitor investment activity or review and revise qualified investment brokers that are eligible to serve in an investment capacity for the university. The chair of the Board of Regents may designate a board member to serve as a liaison on the investment committee.

The maximum stated maturity date of any security may not exceed ten years, and the weighted average duration of the portfolio shall not exceed five years without approval by the VPFA and ratification by the Board of Regents. No officer or designee may engage in an investment transaction except as provided under terms of this policy as approved by the Stephen F. Austin State University Board of Regents.

Prudence

The "prudent person" standard will be used in the investment function and shall be applied in the context of individual transactions as well as management of the overall portfolio.

Accordingly, all investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the expected income to be derived.

Internal Controls

Stephen F. Austin State University has established a system of written internal controls designed to prevent loss of public funds due to fraud, employee error, misrepresentation by third parties, unanticipated market changes, or imprudent actions by employees of the university. These controls are shown in Appendix A of this investment policy. These controls are subject to the review of and recommendations from the university's Department of Audit Services' office.

Investment Authority

The VPFA or director of financial services shall invest only those funds regulated by this policy and shall purchase only those securities authorized by the Authorized Investments section of this policy. *The governing board may contract with institutions to invest all or part of the university's funds in accordance with TEC 51.0031.*

Authorized Financial Dealers and Institutions

Investment transactions (bids and offers) will occur only between the university and board authorized broker/dealers *or institutions authorized by TEC 51.0031. For funds subject to Chapter 2256 of the Government Code, Aa* written copy of the investment policy shall be presented to any person offering to engage in an investment transaction with Stephen F. Austin State University. The qualified representative of the business organization offering to engage in an investment transaction with Stephen F. Austin State University shall execute a written instrument substantially to the effect that the business organization has (a) received and reviewed the investment policy of the university and (b) acknowledges that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the university and the organization that are not authorized by Stephen F. Austin State University's investment policy.

Securities may not be bought from any organization whose representative has not provided the university with the acknowledgment required in the above paragraph.

External Financial Advisor Contract Renewal or Extension

Pursuant to Chapter 2256 of the Texas Government Code, a contract with an external investment manager may not exceed two years. A renewal or extension of the contract by the board must be made by order, ordinance, or resolution. Disclosure Requirements for Outside Financial Advisors External financial advisors and service providers shall comply with Texas Government Code Chapter 2263, Ethics and Disclosure Requirements for Outside Financial Advisors and Service providers.

Disclosure Requirements for Investment Officers

Pursuant to Texas Government Code Sec. 2256.005, an investment officer of an entity who has a personal business relationship with a business organization offering to engage in an investment transaction with the entity shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity, as determined under Chapter 573, to an individual seeking to sell an investment to the investment officer's entity shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the governing body of the entity. For purposes of this subsection, an investment officer has a personal business relationship with a business organization if:

1. the investment officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization;
2. the investment officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization;
3. the investment officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment officer.

Diversification

Investments may be diversified to minimize the risk of loss resulting from unauthorized concentration of assets in a specific maturity, specific issuer, or specific class of securities. The diversification limits by security type and issuer shall be:

| Category | Maximum |
|-----------------------------------------------------------------------------------------------------------|---------|
| U. S. Treasury securities and securities having principal and interest guaranteed by the U. S. Government | 100% |

| | |
|--------------------------------------------------------------------------------------------------------------------------|------|
| U. S. Government agencies, instrumentalities and government sponsored enterprises (excluding mortgage backed securities) | 50% |
| Collateral mortgage backed securities | 25% |
| Fully insured or collateralized certificates of deposit | 100% |
| Bankers' acceptances | 25% |
| Commercial paper | 50% |
| Repurchase agreements | 100% |
| Registered money market funds | 80% |
| Local Government Investment Pool | 100% |
| Corporate Bonds | 50% |

The VPFA may diversify investment maturity to limit interest rate risk. Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment the greater the sensitivity of its fair value to changes in market interest rates. To the extent possible, investment maturity will be matched with anticipated cash flow requirements. Matching maturity and cash flow requirements will minimize occasions for sale of securities prior to maturity, thereby reducing market risk. However, no provision of this policy shall be interpreted as prohibiting the sale of any security prior to maturity, provided that it is in the university's financial interest to affect the sale. The weighted average maturity of the entire portfolio shall be maintained at no more than 10 years and shall be reported quarterly to the Board of Regents. Pooled fund groups eligible for university investment shall have a maximum weighted average maturity of 10 years.

Credit risk is the risk that an issuer or counterparty to the investment will not fulfill its obligations to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. To limit credit risk, this policy limits investments in corporate bonds, debentures or similar debt obligation to the two highest long-term rating categories.

Safekeeping and Collateralization

All securities transactions, including collateral for repurchase agreements, but excluding mutual funds and investment pools, must be settled on a delivery versus payment basis. Collateral for certificates of deposit shall be held by a third party custodian in the name of the university. The third party custodian shall be required to issue a safekeeping receipt to the university listing the

specific instrument, rate, maturity, safekeeping receipt number, and other pertinent information. Any collateral safekeeping receipt shall be clearly marked on its face that the security is "pledged to Stephen F. Austin State University". Collateralization shall be required on certificates of deposit and repurchase agreements. The collateralization level shall be no less than 100% of the market value of the principal and interest due on these instruments. Collateral for certificates of deposit and repurchase agreements shall consist of any of the securities authorized for investment within this policy.

Performance Evaluation

The VPFA and director of financial services shall submit quarterly reports to the Board of Regents through its finance/audit committee and the president of the university in the format prescribed by the Public Funds Investment Act, within a reasonable time after the end of the quarter. The reports must: (A) describe in detail the investment position of the university on the date of the report; (B) be prepared by the investment officer(s) of the university; (C) be signed by the investment officer(s) of the university; (D) contain a summary statement of each pooled fund group that states the: (1) beginning market value for the reporting period; (2) ending market value for the period; and (3) fully accrued interest for the reporting period; (E) state the book value and market value of each separately invested asset at the end of the reporting period by the type of asset and fund type invested; (F) state the maturity date of each separately invested asset that has a maturity date; (G) state the account or fund or pooled group fund for which each individual investment was acquired; and (H) state the compliance of the investment portfolio of the university as it relates to the relevant provisions of the Public Funds Investment Act.

Training

The investment officer(s) will attend training as required by Section 2256.007 of the Texas Government Code. Training for the investment officer(s) will be conducted by an organization or firm that is approved by the Texas Higher Education Coordinating Board.

Audits

In order to comply with the audit requirements of the Texas Public Funds Investment Act, the university's Department of Audit Services shall conduct audits and reviews of the university's investment function and report the findings to the appropriate oversight authorities.

Investment Policy Adoption and Certification

Upon adoption by the Stephen F. Austin State University Board of Regents, the university's investment policy shall be reviewed annually to ensure current applicability and significant modifications thereto submitted to the Board of Regents for approval.

Cross Reference: Tex. Gov't Code Ch. 573, 2256-2257, 2263; 26 U.S.C. § 501(f); Tex. Educ. Code § § 51.0031-.0032

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Vice President for Finance and Administration

Forms: None

Board Committee Assignment: Finance and Audit

APPENDIX A

INTERNAL CONTROLS

The university has prepared an investment policy as of April 12, 1996. The policy was approved by the Board of Regents April 30, 1996. The investment policy will be reviewed and/or updated no less than annually. All pledged securities shall be held by a third party custodian in the name of the university. A safekeeping receipt will be issued to the university listing the specific instrument, rate, maturity, safekeeping receipt number, and other relevant information. The signature of the president, VPFA or director of financial services is required for release of pledged securities from safekeeping. Only changes in the level of collateralization require approval by the president, VPFA or director of financial services. The controller's office will reconcile the appropriate investment accounts to broker's statements and other supporting documents monthly. ~~All purchases of securities from and deposits of funds to or withdrawals of funds from investment pools require the signature of the VPFA or the director of financial services, and either the budget director, the controller, or the assistant controller.~~

APPENDIX B

ADMINISTRATIVE PROCEDURES

The bursar's office will maintain a daily list of cash balances held in depository bank accounts. All investment transactions and related cash transfer requests, except for investment "rollovers" as defined, will require two signatures. "Rollovers" are investment transactions whereby an investment of certain type held by an entity matures and the proceeds are then used to purchase

an investment of the same type within the same account within the same entity. The controller's office will record investments in compliance with Governmental Accounting Standards Board (GASB) and state comptroller's reporting requirements and reconcile the appropriate investment accounts to broker's statements and other supporting documents monthly. Quarterly investment reports are prepared by the director of financial services and approved by the vice president of finance and administration in accordance with the Performance Evaluation section of this investment policy. The market price of securities will be monitored quarterly using industry published data or appropriate financial publications.

Missing Student Notification (D-56)

Original Implementation: July 20, 2010

Last Revision: ~~None~~ July 16, 2013

Purpose:

This policy, along with its accompanying procedures, establishes a framework for cooperation among members of the university community, in accordance with the Higher Education Opportunity Act of 2008, aimed at locating and assisting currently enrolled students who reside in on-campus student housing and have been reported missing.

Any person having reason to believe that a student may be missing should immediately contact the University Police Department. The University Police Department shall investigate each report and immediately notify the appropriate university administration.

A student is presumed to be missing when his or her absence is inconsistent with his or her established patterns of behavior, and the deviation cannot be readily explained. Before presuming that a person is missing, reasonable measures should be taken to determine whether or not the student is at another place of residence and whether or not anyone familiar with the person has seen or heard from the person recently or is aware of where he or she may be.

Contact Information:

All students shall have an opportunity to designate a contact person who will be notified in the event the student is determined to be missing. This contact information is separate from the emergency contact information a student may have provided as part of the registration process and will not be disclosed outside of a missing person investigation.

If a student fails to provide a separate contact person to be notified in a missing person investigation, the university may contact any person listed as an emergency contact for the student.

If the student deemed missing is younger than 18 years of age and is not emancipated, the University Police Department is required to notify the parent or guardian of the missing student within 24 hours after that determination is made.

Procedure:

- Anyone who suspects a student may be missing should notify the University Police Department immediately at 936-468-2608.

- Any report of a missing student made to a university office or employee, should be directed immediately to the University Police Department at 936-468-2608.
- When a student is reported missing, the University Police Department shall;
 - Initiate an investigation to determine the validity of the missing person report;
 - Notify the vice president for university affairs;
 - Make a determination as to the status of the missing student;
 - If the student is determined to be missing:
 - notify the confidential contact person identified by the missing student as the emergency contact within 24 hours;
 - notify the dean of student affairs and the director of student services;
 - If the student has failed to provide a confidential contact person, notification may be made to any person listed as an emergency contact for the student;
 - Notify the student's custodial parent or guardian as contained in the records of the university within 24 hours of the determination that the student is missing if the student is younger than 18 years of age and is not emancipated.
- The vice president for university affairs shall initiate any action he or she deems appropriate under the circumstances to be in the best interest of the missing student.
- The University Police Department may request the assistance of other law enforcement agencies as deemed necessary in the investigation.

Awareness:

A statement of this policy and the missing student notification procedures shall be provided in the university's annual security report in accordance with federal law and regulations.

The dean of student affairs shall have the responsibility to inform students of the provisions of this policy, and the procedures set forth above.

Cross Reference: 20 U.S.C. § 1092(j); 34 C.F.R. § 668.46

Responsible for Implementation: Vice President for University Affairs

Contact for Revision: Chief of University Police

Forms: None

Board Committee Assignment: *Academic and Student Affairs*

Outside Employment (E-35)

Original Implementation: April 21, 1981

Last Revision: ~~July 20, 2010~~ July 16, 2013

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

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

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

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

Cross Reference: Faculty Handbook, ~~Non-Academic Employee Handbook~~

Responsible for Implementation: President

Contact for Revision: President

Forms: Request for Approval of Outside Employment form is available on-line at https://apache.sfasu.edu/sfa_forms/outsideemprequest.shtml

Board Committee Assignment: Academic and Student Affairs

Overtime and Compensatory Time (E-36)

Original Implementation: Unpublished

Last Revision: ~~January 31, 2012~~ July 16, 2013

This policy ~~applies only to non-academic employees~~ *does not apply to faculty.*

Non-Exempt Employees:

A non-exempt employee who works ~~an~~ *in* excess of 40 hours in a workweek is entitled to compensation for the excess hours through one of the following methods:

1. The employee should be allowed (or required) to take compensatory time off within twelve (12) months following the end of the workweek in which the overtime occurred at the rate of 1-1/2 hours off for each hour of overtime. Time that is to be taken is at the discretion of the supervisor and must be authorized in advance.
2. When granting compensatory time off is impractical, the employee receives pay for the overtime at the rate of 1-1/2 times the employee's regular rate of pay. Payment must be made for all overtime in excess of 240 hours, which is 160 straight time hours.

Any paid leave or holidays taken are not counted as hours worked in determining overtime hours under the preceding paragraph. In situations in which the employee has not worked more than 40 hours in a workweek but the total hours worked and hours of paid leave or paid holidays exceeds 40 hours, the employee shall be allowed equivalent compensatory time off for the excess hours. The compensatory time must be taken during the 12-month period following the end of the workweek in which the compensatory time was accrued *or it lapses*. Compensatory time under this paragraph may not be carried forward past the end of the 12-month period and only in specially approved instances may an employee, whose compensatory time off would be disruptive to normal teaching, research or other critical function, be paid for the unused time.

With authorization of the president or the president's designee, an employee may be paid for the hours of compensatory time the employee earns for work directly related to a disaster or emergency declared by the appropriate officer of the state or federal government.

Non-exempt part-time employees must be paid for hours worked over their designated hours; they may not accrue compensatory time.

Exceptions to the workweek overtime calculation for University Police Department law enforcement officers shall be made in accordance with the Fair Labor Standards Act.

To receive overtime pay:

1. Semi-monthly and monthly paid non-exempt employees record all time worked in the approved timekeeping system. The system calculates overtime based on the rules established in this policy.
2. Non-exempt employees must obtain approval from their *appropriate vice president* ~~department head~~ to receive overtime pay in lieu of compensatory time off. If the employee is to be paid for overtime, the employee's name, CID, and dates worked as overtime are to be recorded on the Time Record (<http://www.sfasu.edu/documents/time-record.pdf>) and submitted to *the* Payroll ~~Services~~*Department*. If the overtime is to be paid from a funding source different from the employee's regular task code, the department head must approve and submit a Time Record to the appropriate vice president for signature, then route to *the Payroll Department* for payment.

Non-exempt employees (or their estate) must be paid for any unused accumulated compensatory time at the time of separation from employment or when transferring to an exempt classification.

Exempt Employees:

An exempt employee is not subject to the overtime provisions of the FLSA and may be allowed compensatory time off for hours in excess of 40 hours in a work week in which the combination of hours worked, paid leave, and holidays exceeds a total of 40 hours. Each department is responsible for submitting the "Comp Time Earned Record" (found on *the SFA Business Forms website*) for all exempt employees in the department. The form must contain the employee's name, CID, total comp time hours earned for the month and the signature of each employee. The department head must sign the report and then route to *the Payroll Department* for processing. *Forms must be submitted by the due date established by the Payroll Department. If time is not submitted by the due date, no compensatory time will be reported as earned during that pay period.*

An exempt employee, may be allowed compensatory time off during the 12-month period following the end of the workweek in which the overtime was accrued, at a rate not to exceed equivalent time, but limited to ~~ten (10) days~~ *80 hours* during any one fiscal year. An exempt employee will not be paid for any unused compensatory time earned in this

manner. It is the department head's responsibility to ensure that no more than 80 hours of compensatory time are taken in a fiscal year for each exempt employee. *If an employee reports more than 80 hours of compensatory time used, the Payroll Department will adjust the leave to report it as vacation time used.*

With authorization of the president or the president's designee, an employee may be paid for the hours of compensatory time the employee earns for work directly related to a disaster or emergency declared by the appropriate officer of the state or federal government.

Part-time exempt employees may accrue compensatory time when the number of hours worked plus holiday or other paid leave taken during that week exceeds the number of hours that the employee was designated to work.

Time that is to be taken is at the discretion of the supervisor and must be authorized in advance on a ~~Request for Vacation, Compensatory Time, Sick Leave Taken~~ Request form which is maintained in the employee's departmental file.

All Employees:

Except as otherwise provided by law No employee may accrue compensatory time for work performed at any location other than the employee's regular place of employment or duty point. For compensatory time purposes, the employee's personal residence may not be considered to be their regular place of employment or duty point. An employee may accumulate compensatory time off for hours worked during any calendar week at the employee's personal residence if approved in advance by the president or president's designee.

If an employee submits a written request to use accrued compensatory time not later than the 90th day before the date on which the accrued compensatory time will lapse, the department head must approve in writing the employee's request or provide the employee with an alternate date on which the employee may use the compensatory time. The department head should make an effort to accommodate the employee's use of the accrued compensatory time before it lapses.

Cross Reference: ~~Non-Academic Employee Handbook~~; Fair Labor Standards Act, 29 U.S.C. § 201 et seq.; Tex. Gov't Code §§ 659.015-.016, .018, .022-.023.

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Human Resources

Forms: ~~Request for Vacation, /-Comp Time, and /Sick Leave Taken Form~~ *Request*
~~(available on line at mysfa under myServices and on the payroll website);~~ *Comp Time*
~~Earned Report-Exempt Employees Only; both forms are available on the SFA Business~~
~~Forms website.~~

Board Committee Assignment: Academic and Student Affairs

Policy Development & Format

Original Implementation: July 16, 2013

Last Revision: None

A. POLICY FORMAT

Each policy will have a title that is concise but descriptive.

Each policy is indexed with a numeric indicator which indicates the position of the entry within the policy manual. Each policy contains two sets of numbers separated by a period. The number preceding the period refers to the subject area and the number following the period identifies the sequentially numbered policy within that subject area. The index number will be noted in the footer.

Each policy will have the following captions, defined as follows:

- **Original Implementation:** All new policies must be approved by the board of regents. The caption specifies the date of original approval of the policy by the board of regents. If the date of original implementation could not be determined accurately, Unpublished is substituted.
- **Last Revision:** All revisions to policies must be approved by the board of regents. This caption indicates the latest date that the policy was approved by the board of regents; the text of the policy is the latest revision, as of this date.
- **Cross Reference:** These consist of other policies or statutory references that may have a direct impact upon the policy.
- **Responsible for Implementation:** This caption indicates the position title of the senior university administrator who has been delegated by the board of regents and/or the president with the responsibility of administering this policy. This caption should state either the president or the vice president(s) to whom the president has delegated this responsibility. If the policy is a university-wide policy, the responsible office listed is president; if the policy affects or is administered by a division of the university, the vice president of the division is listed.
- **Contact for Revision:** This caption lists the position title of the university employee who directly administers the policy on a day-to-day basis and/or has been assigned the responsibility for revision of the policy. In some cases, there are multiple employees listed as responsible for revision and each must collaborate in the revision to coordinate changes that will impact more than one university division.

- Forms: Forms necessary to implement the policy are listed by title, followed by a parenthetical reference which indicates where the form may be obtained.
- Board Committee Assignment: This caption indicates which committee of the board of regents is responsible for initial review and recommendation for approval by the board.

Each policy will have a footer containing the page number, title and index number of the policy.

Policies will be styled consistent with the most recent version of the *Associated Press Stylebook*.

The general counsel may modify policies as necessary to ensure compliance with this section. Additionally, the general counsel may modify the structure and format of the policy manual as needed to increase its usability and effectiveness.

B. PROCESS FOR PROPOSAL OR REVISION OF POLICIES

Policies may be revised by the board of regents at any time it becomes necessary or advisable. At a minimum, policies are to be reviewed every three years, with the exception of the following policies which require annual review:

- 3.20 Investments – Endowment Funds
- 3.21 Investments
- 10.4 Student Conduct Code
- 13.14 Parking and Traffic Regulations

The employee listed as contact for revision in each policy is responsible for initiating the review process and submitting the suggested policy changes through administrative channels to the president or to the vice president of the appropriate university division. In the academic affairs division, policy revisions should be submitted to the provost/vice president through a policy review committee.

New policies may originate from individual students, faculty or staff members, administrators, or from ad hoc or standing committees, groups, or boards; new policies must be submitted through the same process described above for policy revisions.

New or revised policies should be submitted for approval to the office of the board of regents by the president, vice presidents, general counsel, or director of audit services. The deadline for submission is approximately one and one half month before each quarterly board meeting. The coordinator of board affairs will format the submitted policies for consistency and post online at www.sfasu.edu/regents for campus-wide review and input. Additionally, copies will be sent to the president and vice presidents. All policies are reviewed by the general counsel. Proposed policies or revisions should be submitted to the board members in the agenda book approximately two weeks before each regular board meeting.

Immediately following approval by the board of regents, policies are available online at www.sfasu.edu/policies. A campus wide email will be sent to highlight policy changes after each board meeting. Each university division will brief its staff concerning changes to relevant policies during staff meetings that follow each board meeting.

Cross Reference: None

Responsible for Implementation: President

Contact for Revision: General Counsel; Coordinator of Board Affairs

Forms: None

Board Committee Assignment: Academic and Student Affairs

Procurement Training (C-65) NEW

Original Implementation: July 16, 2013

Last Revision: None

Various sections of state government code, education code, and human resources code, in addition to numerous sections of administrative rules, apply to purchases made by Stephen F. Austin State University. University policies and procedures apply additional requirement to purchases.

Because the university adheres to a policy of centralized purchasing, the procurement office is charged with ensuring that applicable laws, rules, policies and procedures are followed for each purchase. Employees are required to be aware of their limited delegated purchasing authority and that various laws, rules, policies and procedures may affect the processing of their requisition to a purchase order.

Therefore, mandatory training is required for all individuals having access in the university's financial system to enter requisitions, with the exception of employees who enter only travel requisitions. Training is required every two years. All training is documented in the university's myTraining system.

Failure to complete training within 60 days of notification will result in all ordering for the department, including p-cards, being shut down until the individual completes training.

The procurement director may allow exceptions to the training timeframes for employees on FMLA leave, out of the country, or as otherwise deemed appropriate.

Cross Reference: Delegated Purchasing Authority (C-10)

Responsible for Implementation: Vice President for Finance and Administration

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

Forms: None

Board Committee Assignment: Finance and Audit

Prohibition of Enrollment Inducement of Military Service Members (A-82) NEW

Original Implementation: July 16, 2013

Last Revision: None

Stephen F. Austin State University prohibits inducements (including any gratuity, favor, discount, entertainment, hospitality, loan, transportation, lodging, meals, or other items having a monetary value of more than a de minimus amount) to any individual or entity (other than salaries paid to employees or fees paid to contractors in conformity with all applicable laws) for the purpose of securing enrollments of military service members or obtaining access to tuition assistance (TA) funds. This includes:

- Refraining from high-pressure recruitment tactics such as making multiple unsolicited phone calls to military service members for the purpose of securing their enrollment.
- Refraining from providing any commission, bonus, or other incentive payment based directly or indirectly on securing enrollments or federal financial aid (including TA funds) to any persons or entities engaged in any student recruiting, admission activities, or making decisions regarding the award of student financial assistance.

Fraud or ethics concerns should be reported to Audit Services at www.sfasu.edu/audit/fraudreport.asp.

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

Board Committee Assignment: Academic and Student Affairs

Property Inventory and Management (C-42)

Original Implementation: September 28, 1996

Last Revision: ~~April 23, 2013~~ July 16, 2013

Stephen F. Austin State University will comply with Texas Government Code § 403.2715, university policies, and procedures outlined in the property management manual. 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, except as otherwise stipulated by the grant.

PROPERTY RESPONSIBILITY AND ACCOUNTABILITY

All references to financial responsibility are understood to apply only when employee negligence is involved; *see* Property Liability (B-34).

Director of procurement and property services and property managers - The president has delegated to the director of procurement and property services and two property managers responsibility for the overall management of university property, maintenance and control of centralized property records, and disposition of surplus and salvage property.

Equipment manager - The chair or administrative head of a department is designated equipment manager for the department. The equipment manager may not delegate this responsibility. The equipment manager may be held financially responsible for any property listed on his/her department property records.

Designee - The equipment manager 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 equipment manager. The designee(s) may sign property documents on behalf of the equipment manager.

Custodian - The custodian is any employee who is listed on property records as entrusted with the care and safekeeping of specific pieces of property, and may be held financially responsible for any university property assigned to him/her. If the equipment manager or his/her designee, fail to assign property to a custodian, the equipment manager shall be listed on property records as the custodian.

All University Employees - All employees will receive the property liability acknowledgement form advising that he/she may be entrusted with university property. The property liability acknowledgement, *described in* Property Liability (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, regardless of whether the employee is listed as a custodian on property records.

PROPERTY DEFINITIONS

Property is defined and will be accounted for in accordance with Texas Government Code § 403.272. The property managers, in conjunction with the director of procurement, and with appropriate administrative approval may define additional equipment to be tracked in property records. 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 equipment manager and custodian 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 and updating include, but are not limited to:

Annual Property Inventory Audit - Once per year a property inventory audit will be conducted one of two ways: 1) physical count by department, or 2) RFID scan by the property office. An official property report and certification must be returned to the property manager by the deadline stated in the annual property inventory instructions. Reports in campus mail will not be considered received.

Departments failing to return the official property report and certification to the property manager by 5:00 p.m. 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 return the official property report and certification to the property manager by 5:00 p.m. on the 2nd deadline will result in all ordering continuing to be shut down until the official property report and certification are received in the property manager's office, and 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 - 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 throughout the year except during annual property inventory.

Monthly Transaction Statements - Transaction information for all additions and deletions to each department's property records will be provided monthly to the equipment manager and his/her designee(s), along with a request to update location and custodian information.

Adjustment Of Property Records - The following property information must be updated throughout the year as changes occur.

1. Equipment Manager - 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. Custodian - procedures apply upon transfer or termination of any employee listed as a custodian on department property records; information regarding the change must be completed within 30 days of the transfer or termination.
3. Permanent location changes including building room number and/or transfer to another department.

USE OF STATE PROPERTY

In accordance with Texas Government Code § 2203.004 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.

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

Mandatory training is required for all equipment managers, designees, and custodians. After initial training, refresher updates are required every *two (2)* years. All training is documented in the university's myTraining system.

Failure to complete training within 30 days of notification (equipment manager, designee, or *property* custodian) will result in having the individual's p-card inactivated. Failure to complete training within 60 days of notification will result in all ordering for the department, including p-cards, being shut down until the individual completes training.

The property manager may extend the training timeframes for employees on FMLA leave, out of the country, or as otherwise deemed appropriate and approved by the Director of Procurement & Property Services/HUB Coordinator.

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 traded in, transferred to another department or transferred to surplus with appropriate documentation.

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 Texas Government Code § 2175.304 and § 2175.905 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 surplus sales fund and org, 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, agriculture farms, etc. or where the proceeds will provide an off-set to a large project purchase such as a road bus, etc.

Where possible hard drives (“loose”, internal or external), memory cards from printers or scanners, or copiers must have all data removed before final disposal of the property. Memory cards from printers or scanners will be destroyed by the property manager. Hard drives will be degaussed for re-use or destroyed by information technology services. Procurement will work with departments to document that data stored on copiers is removed before a copier leaves the campus.

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, Property Liability (B-34). 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 defined in the General Appropriations Act.

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 university police.

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, Property Liability (B-34). Failure to report stolen property to the property manager and/or university police immediately may result in a determination of negligence.

Cross Reference: Tex. Gov't Code §§ 403.2715, 403.272, 403.273(h), 403.275; Tex. Gov't Code § 2054.003(3)(A); Tex. Gov't Code § 2175.905; Tex. Gov't Code § 2175.304; Tex. Gov't Code § 2203.004; Property Liability (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), Certification of Physical Inventory with Change In Department Head (ITS Forms Server), Missing, Damaged or Stolen Property Report (ITS Forms Server), Police Report (available from University Police Department), Property Liability Acknowledgement (HR), Property Transfer Form (ITS Forms Server), Removal of Property from Campus Request (available on the ITS Forms Server), Responsible Party Termination/Transfer (ITS Forms Server), Salvage Property Request (ITS Forms Server)

Board Committee Assignment: Finance and Audit

Reasonable Workplace Accommodation for Disabilities (E-67)

Original Implementation: April 20, 2004

Last Revision: ~~July 20, 2010~~ July 16, 2013

Stephen F. Austin State University shall make reasonable workplace accommodation for any employee having a known physical or mental impairment as defined under the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and the ADA Amendments Act of 2008, or the Texas Commission on Human Rights Act, which does not constitute an undue hardship to the university. Job postings will include a statement that all responsible workplace accommodations are requested by calling the Human Resources ~~Office~~ Department.

The director of Human Resources or designee will be responsible for overseeing the reasonable workplace accommodation policy and procedures to ensure compliance.

Definitions:

- Disability: Any employee having a known mental or physical impairment that substantially limits ~~at least one~~ or more *major* life activities of that individual; a record of such an impairment; or being regarded as having such an impairment.
- Qualified Individual with a Disability: A qualified individual with a disability is an individual who meets all the skills, experience, knowledge, educational and other job requirements of the position. In addition, the individual can perform the essential functions of the position with or without reasonable accommodation.
- Reasonable Accommodation: Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position such qualified applicant desires; modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; or modifications or adjustments that enable SFA's employees with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.
- Undue Hardship: Accommodation requests may be disapproved based on the impact on operations and business, the cost factors involved, and the effect on the safety of the requestor or other individuals.

Procedures for requesting a reasonable workplace accommodation:

Any employee requiring an accommodation shall notify his/her immediate supervisor as soon as practical, informing the supervisor of the nature of the disability.

Any supervisor notified of a disability shall immediately report it to the director of Human Resources or their designee.

The employee shall provide to the director of Human Resources or their designee the following within a reasonable time from the date of notification, not to exceed fourteen (14) days:

- A letter from an appropriate healthcare or rehabilitation professional. The letter shall contain a diagnosis; prognosis and an evaluation as to the effect the impairment will have on the employee's ability to perform the essential duties associated with the employee's position.
- A copy of all documentation relevant to making a decision about reasonable accommodation. Relevant documents may include, but are not limited to, medical records.

The director of Human Resources or their designee may request a letter from the employee that includes:

- The nature and extent of the physical or mental impairment,
- A complete medical diagnosis by a qualified professional, including the results of any tests conducted to verify the extent of the condition,
- Which, if any, of the major life functions are substantially limited as a result of the employee's condition,
- A prognosis, including the permanent or temporary nature of the condition and a list of all job functions or tasks the employee cannot perform but can perform if reasonable accommodation is provided, and
- Recommendations for appropriate accommodations based on the job description and current duties, if applicable, including the source and type of any special equipment that may be needed.

The director of Human Resources or their designee shall confer with the employee to ascertain the employee's requirements and input on a reasonable accommodation.

Before making a decision regarding the accommodation, the director of Human Resources or their designee may submit the employee's request for accommodation, accompanying documentation and medical records to an appropriate health care professional or a disability committee of appropriate university employees familiar with determining disability status for evaluation and recommendations at the university's expense. All information will be kept confidential by the expert or committee and all

documentation provided to the expert/committee will be returned to the university by the expert/committee.

Based on the relevant information provided, the director of Human Resources or their designee shall determine what, if any, reasonable accommodation will be made and shall convey it to the employee and management. If accommodation would constitute undue hardship on the university, supporting documentation will state the reasons. An undue hardship determination will conform to definitions provided by the courts, ADA Amendments Act of 2008, and the Texas Commission on Human Rights Act. Factors that may affect an accommodation decision should include, but are not limited to, the availability of funding, the amount of disruption of work of other employees, and the impact on the university's ability to conduct business.

Reasonable workplace accommodations taken may include making existing facilities readily available; modifications or adjustments to the work environment or manner or circumstances under which the position's essential functions are customarily performed; modifications or adjustments that enable the individual with the disability to enjoy equal benefits and privileges as other similarly situated employees without disabilities; and other appropriate adjustment to the work environment of a qualified individual with a disability.

Unless extenuating circumstances exist, the review process should not exceed a period of thirty (30) days.

The director of Human Resources or their designee shall periodically confer with the employee with the disability to determine continuance of the workplace accommodation and shall notify the appropriate university personnel regarding the continuation or discontinuation of the workplace accommodation.

In addition to ADA information, all medical information concerning the employee requesting an accommodation shall remain confidential and separate from personnel files. This includes any doctor's statements; leave forms, or any other information that pertains to the medical condition or medical history of the employee.

This pertains not only to all records kept by the Human Resources Department, but extends to any records kept in the departmental offices. The president or their appointed representative shall periodically review and update this policy and procedures to ensure compliance with EEO laws.

Cross Reference: Non-Academic Employee Handbook; Rehabilitation Act of 1973, Pub. L. No. 93-112, 29 U.S.C. § 793, 34 C.F.R. § 104, 41 C.F.R. § 60-741; the Americans with Disabilities Act of 1990, Pub. L. No. 110-325, 42 U.S.C. §§ 12101-12213 as

amended by the American with Disabilities Act Amendments Act of 2008, Pub. L. No. 110-325, 122 Stat. 3553; and the Texas Commission on Human Rights Act, Tex. Lab. Code §§ 21.051-129

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Human Resources and General Counsel

Forms: None

Board Committee Assignment: *Academic and Student Affairs*

Student Conduct Code (D-34.1)

Original Implementation: January 1998

Last Revision: ~~July 19, 2011~~ July 15, 2013

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 and 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:

- 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. 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. 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 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 directing it to such action with the likelihood of producing that 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.

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).

Sexual harassment, as defined in university policy E-46, Discrimination Complaints / Sexual Harassment, sexual assault, sexual abuse or other sexual misconduct.

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.

Violating any rule, regulation, or law for which the university could be penalized including but not limited to fire, safety, or environmental codes.

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 (D-16); Illicit Drugs and Alcohol Abuse (D-19); Student ID Cards (F-27); Computer & Network Security (D-8.1); Digital Millennium Copyright (D-42); Computing Software Copyright (D-43); Acceptable Use of Information (F-40); Discrimination Complaints/Sexual Harassment (E-46); Discipline and Discharge (E-11)

Responsible for Implementation: Vice President for University Affairs

Contact for Revision: Dean of Student Affairs

Forms: None

Board Committee Assignment: Academic and Student Affairs

Travel (C-49)

Original Implementation: October 31, 2000

Last Revision: ~~July 17, 2012~~ July 16, 2013

Applicability

The Stephen F. Austin State University Travel Guidelines are located on the university's travel website. Unless otherwise stated, they apply to employees and prospective employees traveling in a university capacity except ~~members of the Board of Regents, the president, and persons traveling for, or on behalf of,~~ intercollegiate athletics. All policies, rules, and regulations related to travel on behalf of, or in connection with, intercollegiate athletics are located in the current issue of the Intercollegiate Athletics Policy Manual.

Travel by the Board of Regents and president will be made in accordance with applicable law.

The reimbursement limits stated in the SFA Travel Guidelines may be exceeded only if funds are available in, and the additional costs are charged to, a discretionary account controlled by the budget manager authorizing the additional expenditure. For this policy, discretionary funds shall be defined ~~as specified accounts established for the sole purpose of discretionary use by the controller's office. A list of funds that can be used for discretionary purposes will be published on the controller's office website. Expenses paid above the allowable limits will be reported annually to the administration as excess travel expenditures.~~

Employees traveling under contracts and grants (federal, state, local, or private) shall be reimbursed for travel expenses and allowances on the same basis as other university employees, except in those instances where the terms of the contract or grant specify travel guidelines and reimbursement rates which differ from university reimbursement rates.

General Travel Regulations

Generally, the Texas Comptroller of Public Accounts (TCPA) is the authoritative source regarding travel. TCPA travel rules, Textravel, are located on the university's travel website. In case of conflict between SFA Travel Guidelines and Textravel, SFA Travel Guidelines take precedence except where state of Texas law prevails. The university president, at his/her discretion, may establish lower travel reimbursement rates than those in Textravel. Travelers will be notified in advance of the effective date of any rate change. The university shall make every effort to ensure that travel expenses paid and/or

reimbursed are reasonable and the most cost-effective considering all relevant circumstances.

A state employee is responsible for ensuring that his or her travel complies with applicable state law and SFA Travel Guidelines. Failure to comply may result in reimbursement delays and/or rejection of the employee's claim for travel reimbursement. Fraudulent travel claims will be grounds for disciplinary action.

Cross Reference: *Tex. Gov't Code § 660.203; Tex. Educ. Code § 101.19; Intercollegiate Athletics Policy Manual; Textravel (Texas Comptroller of Public Accounts travel rules); SFA Travel Guidelines*

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Controller

Forms: None

Board Committee Assignment: Finance and Audit

Vacation/Sick Leave/Compensatory Time Reporting - Faculty and Exempt Staff Employees (E-54)

Original Implementation: Unpublished

Last Revision: ~~July 19, 2011~~ July 16, 2013

This policy pertains to the requesting and reporting of leave earned and taken by faculty and exempt staff employees. Exempt refers to employees who are exempt from the provisions of the Fair Labor Standards Act.

Official leave records are to be maintained for faculty employees and exempt employees. It is the supervisor's responsibility to instruct the employee on how and when to request and report leave. It is the employee's responsibility to request leave and to accurately report leave, as per the supervisor's instructions. An employee who fails to report leave taken is subject to disciplinary action.

Employees requesting leave should submit a written request to the supervisor in the format designated by the supervisor. The supervisor shall approve or disapprove the request. This form must be kept on file by each department and is backup to the on-line leave activity and balances. *In addition, leave used must be reported and approved online in the Banner system by the due date established by the Payroll Department.*

Time taken cannot exceed the *employee's* available balance. *Additionally, compensatory time taken may not exceed 80 hours per fiscal year.* It is the department head's (or assigned designee's) responsibility to verify leave taken is entered in the online system and to verify/certify through the approval process that entries accurately reflect leave taken for the applicable period. *The Payroll Department may adjust leave balances when an employee's reported time exceeds the available balance or when an employee uses compensatory time in excess of the maximum allowed.* All entries and approvals must be completed by the due dates established by the Payroll Department.

Vacation and sick leave earned will automatically be added to leave balances without any action by the employee or the department. Compensatory time earned ~~and used~~ must be submitted to the Payroll Department in the format and by the due dates established by the Payroll Department. *If compensatory time earned is not reported by the due date established by the Payroll Department, an employee is not eligible to subsequently use that time.*

Employees can view their leave earned, used, and cumulative balances in Self-Service Banner through mySFA. *At year end, vacation time will be adjusted to the maximum*

| *amount allowed to be carried forward.* Any discrepancies should be resolved with the Payroll Department immediately.

Cross Reference: None

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Controller

Forms: Varies by Department

Board Committee Assignment: Academic and Student Affairs

Vendor Protests (F-35)

Original Implementation: July 14, 1998

Last Revision: ~~July 20, 2010~~ July 16, 2013

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

In the event of a timely protest or appeal under this section, Stephen F. Austin State University shall not proceed further with the solicitation or award of the contract unless the procurement director, after consultation with the end user, makes a written determination that the award of contract without delay is necessary to protect the best interests of the ~~state~~ university.

A formal protest must be sworn and contain:

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

The procurement director shall have the authority, prior to appeal to the vice president for finance and administration, to settle and resolve the dispute concerning the solicitation, evaluation, or award of a contract. The procurement director may solicit written responses to the protest from other interested parties.

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

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

The procurement director's determination on a protest may be appealed by the protesting party to the vice president for finance and administration. An appeal of the director's determination must be in writing and must be received in the vice president's office no later than 10 working days after the date of the director's determination. The appeal shall be limited to review of the procurement director's determination. Copies of the appeal must be mailed or delivered by the protesting party to any other interested parties and must contain a certified statement that such copies have been provided.

The general counsel shall review the protest, procurement director's determination and the appeal and prepare a written opinion and recommendation to the vice president for finance and administration. The vice president may, in his/*her* discretion, refer the matter to the president for his/her consideration or issue a written decision on the protest.

When a protest has been appealed to the vice president for finance and administration and has been referred to the president by the vice president, the following requirements shall apply:-

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

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

A decision issued in writing either by the president or in writing by the vice president for finance and administration, shall be the final administrative action of Stephen F. Austin State University.

Cross Reference: ~~None~~ *Tex. Gov't Code § 2155.076; 34 Tex. Admin. Code § 20.384*

Responsible for Implementation: Vice President for Finance and Administration

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

Forms: None

Board Committee Assignment: *Finance and Audit*