REPORT TO THE BOARD OF REGENTS

January 29-30, 2023

Meeting 360

STEPHEN F. AUSTIN
STATE UNIVERSITY

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Stephen F. Austin State University
Board of Regents
Meeting 360
January 29-30, 2023

O P E N M E E T I N G N O T I C E

Stephen F. Austin State University
Board of Regents Board Meeting and Committee Meetings
Nacogdoches, Texas
January 29-30, 2023
Meeting 360
Austin Building, Room 307

The Board of Regents of Stephen F. Austin State University will convene a two-day Board Meeting and Committee Meetings on January 29-30, 2023 according to the following agenda. In-person attendance is permitted or view a livestream of the meeting at: http://www.sfasu.edu/about-sfa/board-of-regents/meeting-information.

SUNDAY, January 29, 2023
2:30 p.m.
CALL TO ORDER IN OPEN SESSION

Welcome and Introductions

Presentation and Board Action on Agenda Items 1-2:

1. Naming of Sole Finalist for the Presidency

2. Resolution of Congratulations

RECESS TO EXECUTIVE SESSION
(Scheduled for approximately 3:00 p.m.)

The board will move to executive session for consideration of the following items:

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

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

Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to reported complaints, EEOC charges, *Ann Wilder v. SFASU*; *Christin Evans v. Sydney Miley, et al.; Tammy Wheeler v. Board of Regents of Stephen F. Austin State University, et al.; Sarah Evans vs. Stephen F. Austin State University, et al.;* and *Mark Sanders, Ph.D. and Kimberly Verhines v. SFASU, et al.* (Texas Government Code, Section 551.071)

Consideration of Individual Consideration of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to the director of athletics, chief marketing communications officer, chief information officer, chief diversity officer, director of governmental relations, vice presidents and the president. (Texas Government Code, Section 551.074)

RECONVENE BOARD MEETING IN OPEN SESSION

(Scheduled for approximately 6:00 p.m.)

The board will recess for the evening at approximately 6:00 p.m. with no further action expected.

THIS IS A CONTINUATION OF A TWO-DAY BOARD MEETING AND COMMITTEE MEETINGS AGENDA:

MONDAY, January 30, 2023
8:30 a.m.
RECONVENE BOARD MEETING IN OPEN SESSION

Call to Order

Welcome and Introductions

RECESS TO COMMITTEE MEETINGS

MEETING OF THE ACADEMIC AND STUDENT AFFAIRS COMMITTEE
(Scheduled at approximately 8:35 a.m. or following the previous agenda item)

Presentation and Committee Action on Agenda Items 6-7:

6. Department Name Change for Department of Earth Sciences and Geological Resources in in the College of Sciences and Mathematics

7. Academic and Student Affairs Policy Revisions
- Academic Appointments and Titles 7.2
- Academic and Professional Qualifications 7.1
- Academic Probation, Suspension, and Reinstatement for Undergraduates 6.4
- Academic Program Review 5.1
- AIDS and HIV 13.1
- Annual Disclosure of Crime Statistics 13.3
- Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities 6.6
- Distinguished Guests 2.16
- Doctoral Students: Allowable Credit Hours and Completion Times 6.11
- Faculty Development Leaves 12.7
- Faculty Disagreements 7.25
- Faculty Merit Pay 7.6
- Graduate Student Advising 6.13
- Lumberjack Education Assistance Program 12.5
- Misconduct in Scholarly or Creative Activities 7.19
- Oral English Proficiency Program 5.14
- Performance Review of Officers Reporting to the Provost and Vice President for Academic Affairs 4.8
- Stone Fort Museum Collections 5.17
- Student Academic Dishonesty 4.1
- Student Media 10.8
- Student Organization Risk Management Training 10.10
- Student Travel 10.12
- Substantive Change 4.10
- Summer Teaching Appointments 7.28
- Tenure and Continued Employment 7.29
- Title IX 2.13

MEETING OF THE FINANCE AND AUDIT COMMITTEE
(Scheduled for approximately 8:45 a.m. or following the previous agenda item)

Presentations and Committee Action on Agenda Items 9-21:

9. Acknowledge Receipt of Audit Services Report
    - Charter School Annual Financial Report Audit
    - Agreed Upon Procedures Report for the NCAA Financial Statement
    - Construction Close Out of Basketball Performance Center Audit
    - Office of Provost Departmental Audit
    - University Marketing Communications Departmental Audit
    - Athletic Ticket Office
    - Internal Projects / Investigations
    - Update on Audit Plan

10. Resolution to Acknowledge Review of the Investment Policy and Strategy

11. Resolution to Approve Qualified Financial Institutions and Investment Brokers

12. Tuition, Fees, Exemptions and Waivers for FY2023-2024

13. FY2024 Room and Board Rates

14. Acknowledge Receipt of Contract Monitoring Report

15. Acknowledge Receipt of 2021-2022 Annual Financial Report

16. Grant Awards

17. Contract over $1 Million - Vintage King Audio for Sound Recording Technology Studio

18. Adoption of a Reimbursement Resolution for the Expenditure of Funds for an Interdisciplinary and Applied Sciences Building and Infrastructure Capital Construction Assistance Project

19. Employee Compensation

20. Amendment to Bank Depository Contracts

21. Finance and Audit Policy Revisions
    - Central Receiving 17.2
    - Check Cashing 3.7
    - Investments 3.21
    - Investments – Endowment Funds 3.20
    - Prompt Payment to Vendors 17.13
    - Property Liability 16.22
    - Purchase of Surplus Property 17.17
    - Receipts and Deposits 3.26
    - Safe and Vault Combinations 14.9
    - Student Fiscal Appeals 6.19
    - Student and Non-Student Accounts Receivable 3.28

MEETING OF THE BUILDING AND GROUNDS COMMITTEE
(Scheduled at approximately 10:00 a.m. or following the previous agenda item)

Presentations and Committee Action on Agenda Item 8:

Report: Construction Report

Report: Planned Maintenance Report

8. Building and Grounds Policy Revisions
    Austin Building Conference Rooms 16.5
    Homer Bryce Stadium and William R. Johnson Coliseum 16.13
    Use of University Facilities 16.33

Building and Ground Committee Tour

RECESS COMMITTEE MEETINGS

The board will break for lunch at approximately 12:15 p.m.

RECONVENE BOARD MEETING IN OPEN SESSION
(Scheduled for approximately 1:30 p.m. or following the previous agenda item)

Pledge and Invocation

Special Recognitions

Board Action on Item 3:

3. Approval of Board Minutes Meeting 358, October 30-31, 2022 and Special Called Meeting 359, November 29, 2022

Board Action on Personnel Items 4-5:

4. Approval of Faculty and Staff Appointments

5. Approval of Change of Status

Committee Reports and Board Action:

Academic and Student Affairs Committee Report and Board Action on Agenda Items 6-7:

6. Approval of Department Name Change for Department of Earth Sciences and Geological Resources in the College of Sciences and Mathematics

7. Approval of Academic and Student Affairs Policy Revisions
    Academic Appointments and Titles 7.2
    Academic and Professional Qualifications 7.1
    Academic Probation, Suspension, and Reinstatement for Undergraduates 6.4
    Academic Program Review 5.1
    AIDS and HIV 13.1
    Annual Disclosure of Crime Statistics 13.3

Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities 6.6
Distinguished Guests 2.16
Doctoral Students: Allowable Credit Hours and Completion Times 6.11
Faculty Development Leaves 12.7
Faculty Disagreements 7.25
Faculty Merit Pay 7.6
Graduate Student Advising 6.13
Lumberjack Education Assistance Program 12.5
Misconduct in Scholarly or Creative Activities 7.19
Oral English Proficiency Program 5.14
Performance Review of Officers Reporting to the Provost and Vice President for Academic Affairs 4.8
Stone Fort Museum Collections 5.17
Student Academic Dishonesty 4.1
Student Media 10.8
Student Organization Risk Management Training 10.10
Student Travel 10.12
Substantive Change 4.10
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Building and Grounds Committee Report and Board Action on Agenda Item 8:

8. Approval of Building and Grounds Policy Revisions
Austin Building Conference Rooms 16.5
Homer Bryce Stadium and William R. Johnson Coliseum 16.13
Use of University Facilities 16.33

22. Potential Naming Opportunity (Pending Executive Session)

23. Potential Naming Opportunity (Pending Executive Session)

Finance and Audit Committee Report and Board Action on Agenda Items 9-21:

9. Acknowledge Receipt of Audit Services Report
Charter School Annual Financial Report Audit
Agreed Upon Procedures Report for the NCAA Financial Statement
Construction Close Out of Basketball Performance Center Audit
Office of Provost Departmental Audit
University Marketing Communications Departmental Audit
Athletic Ticket Office
Internal Projects / Investigations
Update on Audit Plan

10. Approval of Resolution to Acknowledge Review of the Investment Policy and Strategy

11. Approval of Resolution to Approve Qualified Financial Institutions and Investment Brokers

12. Approval of Tuition, Fees, Exemptions and Waivers for FY2023-2024

13. FY2024 Room and Board Rates

14. Acknowledge Receipt of Contract Monitoring Report

15. Acknowledge Receipt of 2021-2022 Annual Financial Report

16. Approval of Grant Awards

17. Approval of Contract Over $1 Million – Vintage King Audio for Sound Recording Technology Studio

18. Adoption of a Reimbursement Resolution for the Expenditure of Funds for an Interdisciplinary and Applied Sciences Building and Infrastructure Capital Construction Assistance Project

19. Approval of Employee Compensation

20. Approval of Amendment to Bank Depository Contracts

21. Approval of Finance and Audit Policy Revisions
    - Central Receiving 17.2
    - Check Cashing 3.7
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    - Prompt Payment to Vendors 17.13
    - Property Liability 16.22
    - Purchase of Surplus Property 17.17
    - Receipts and Deposits 3.26
    - Safe and Vault Combinations 14.9
    - Student Fiscal Appeals 6.19
    - Student and Non-Student Accounts Receivable 3.28

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- Student Recognition

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- Spring 2023 Initiatives

Student Government Association Report
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- SGA Week
- Chamber Days in Austin
- Community Service
- Senatorial Elections and Upcoming Presidential Elections

President Report

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Vice President for Student Affairs
Legislative Session Update
Purple Promise
Affiliation Transition
Capital Campaign

Nominating Committee Report

ESTIMATED ADJOURNMENT OF BOARD MEETING
(Approximately 4:00 p.m.)

Where appropriate and permitted by law, Executive Sessions may be held for the above listed subjects (Section 551.071). Possible action may be taken in Open Session on matters considered in Executive Session. Further details regarding the posted agenda are available for public review in the Office of the Board of Regents, Austin Building 310, and Telephone (936) 468-4048.

Stephen F. Austin State University
Board of Regents
Meeting 360
January 29, 2023

ROLL CALL

Regents

Karen Gantt, Chair
Tom Mason, Vice Chair
Jenn Winston, Secretary
David Alders
Robert Flores
Brigettee Henderson
Judy Olson
Laura Rectenwald
Nancy Windham
Paige Vadnais, Student Regent

Administrators

Steve Westbrook
Damon Derrick
Jane Ann Bridges
Mike Coffee
Brandon Frye
Graham Garner
Rachele Garrett
Ryan Ivey
Michara DeLaney-Fields
Gina Oglesbee
Lorenzo Smith
Jill Still
Charlotte Sullivan

NAMING OF SOLE FINALIST FOR THE PRESIDENCY

EXPLANATION:

Prior to his retirement, Dr. Steve Westbrook served Stephen F. Austin State University with distinction in various capacities, including as Vice President for University Affairs, Acting President, and Interim President. On April 20, 2021, the Board of Regents recognized his unwavering commitment to the university and named Dr. Westbrook as Vice President for University Affairs Emeritus. His dedication to Stephen F. Austin State University continued in retirement and he graciously agreed to return to the university on April 10, 2022 to once again serve as Interim President. Dr. Westbrook has stated unequivocally that he will serve through May 31, 2023 and that he will not be a candidate for President. The Board of Regents is grateful to Dr. Westbrook for his two-time service as Interim President and desires to honor Dr. Westbrook by removing "Interim" from his title and naming him as the tenth President of Stephen F. Austin State University. The Board of Regents suspended its rules on November 29, 2022 in order for the search for a President of Stephen F. Austin State University to be conducted by The University of Texas Board of Regents. That search will take place and will conclude with the naming of the eleventh President of Stephen F. Austin State University.

In accordance with the Texas Education Code, the Board of Regents Rules and Regulations require that the board announce the name, background, and qualifications of the finalist for president at least twenty-one (21) days prior to the meeting at which board action is to be taken on the employment of the individual.

RECOMMENDATION:

The Board of Regents hereby names Dr. Steve Westbrook as sole finalist to serve as the tenth President of Stephen F. Austin State University. Dr. Westbrook holds bachelor and master degrees from Stephen F. Austin State University and a doctor of education degree from Texas A&M University-Commerce. He has been employed by Stephen F. Austin State University in various capacities since 1981, most recently serving as Interim President.

RESOLUTION OF CONGRATULATIONS

James I. and Margaret Perkins were recently awarded the Texas Higher Education Distinguished Service Award by the Council of Public University Presidents and Chancellors, the Texas Association Community Colleges, and the Independent Colleges and University of Texas.


STEPHEN F. AUSTIN STATE UNIVERSITY
1923
Executive Session

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

- Chief Information Officer Security Report

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

Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to reported complaints, EEOC charges, *Ann Wilder v. SFASU*; *Christin Evans v. Sydney Miley, et al*; *Tammy Wheeler v. Board of Regents of Stephen F. Austin State University, et al.; Sarah Evans vs. Stephen F. Austin State University, et al.* and *Mark Sanders, Ph.D. and Kimberly Verhines v. SFASU, et al.* (Texas Government Code, Section 551.071)

Consideration of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to director of athletics, chief marketing communications officer, chief information officer, chief diversity officer, director of governmental relations, vice presidents and the president. (Texas Government Code, Section 551.074)


Stephen F. Austin State University
Board of Regents
Meeting 360
January 29-30, 2023

Stephen F. Austin State University
Board of Regents
Meeting 360
January 30, 2023

ROLL CALL

Regents

Karen Gantt, Chair
Tom Mason, Vice Chair
Jenn Winston, Secretary
David Alders
Robert Flores
Brigettee Henderson
Judy Olson
Laura Rectenwald
Nancy Windham
Paige Vadnais, Student Regent

Administrators

Steve Westbrook
Damon Derrick
Jane Ann Bridges
Mike Coffee
Brandon Frye
Graham Garner
Rachele Garrett
Ryan Ivey
Michara DeLaney-Fields
Gina Oglesbee
Lorenzo Smith
Jill Still
Charlotte Sullivan


STEPHEN F. AUSTIN STATE UNIVERSITY
1923
Academic and Student Affairs Committee

DEPARTMENT NAME CHANGE FOR DEPARTMENT OF EARTH SCIENCES AND GEOLOGICAL RESOURCES

Explanation:

The College of Sciences and Mathematics recommended a name change for the Department of Geology, which was approved at the October 2022 board meeting, with Board Order 22-73. The name was incorrectly listed as the Department of Earth Sciences and Geological Resources. The correct new name for the department is Department of Earth Sciences and Geologic Resources.

Recommendation:

The administration recommends approval of the department name change to the Department of Earth Sciences and Geologic Resources.

ACADEMIC AND STUDENT AFFAIRS POLICY REVISIONS

Explanation:

The *Board Rules and Regulations* state that the Academic and Student Affairs Committee will consider: the curricula of the various colleges and departments of the university with any other matters dealing with academic programs and the progress thereof; the research programs within the university and their relationship to all graduate education; student affairs within the university; and personnel matters within the university.

The following policies are necessary to incorporate organizational, job title, and regulatory changes and to improve the flow of information in the above areas of responsibility. The general counsel has reviewed the proposed revisions.

Recommendation:

The administration recommends that the Board of Regents adopt the following policy revisions as presented:

Academic Appointments and Titles 7.2
Academic and Professional Qualifications 7.1
Academic Probation, Suspension, and Reinstatement for Undergraduates 6.4
Academic Program Review 5.1
AIDS and HIV 13.1
Annual Disclosure of Crime Statistics 13.3
Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities 6.6
Distinguished Guests 2.16
Doctoral Students: Allowable Credit Hours and Completion Times 6.11
Faculty Development Leaves 12.7
Faculty Disagreements 7.25
Faculty Merit Pay 7.6
Graduate Student Advising 6.13
Lumberjack Education Assistance Program 12.5
Misconduct in Scholarly or Creative Activities 7.19
Oral English Proficiency Program 5.14*
Performance Review of Officers Reporting to the Provost and Vice President for Academic Affairs 4.8*
Stone Fort Museum Collections 5.17
Student Academic Dishonesty 4.1
Student Media 10.8
Student Organization Risk Management Training 10.10
Student Travel 10.12

Substantive Change 4.10
Summer Teaching Appointments 7.28
Tenure and Continued Employment 7.29
Title IX 2.13

*Note: Policy New Name
4.8 – Performance Review of Officers Reporting to the Provost and Executive Vice President for Academic Affairs
5.14 – English Proficiency

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Academic Appointments and Titles

Policy Number: 7.2

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for academic appointments and titles

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Academic Appointments and Titles

Original Implementation: September 6, 1979
Last Revision: ~~October 28, 2019~~*January 30, 2023*

The *P*~~p~~rovost and *Executive* ~~v~~*V*ice ~~p~~*P*resident for ~~a~~*A*cademic ~~a~~*A*ffairs is responsible for the allocation of positions and appointments based on recommendations from colleges and academic units.

All conditions of appointment will be in writing at the time of appointment.

The rank of initial appointment is based upon the qualifications of the appointee. In order to be appointed to a tenure-track position, individuals are expected to have completed the terminal degree in the discipline of the appointment. All appointees should meet the qualifications as prescribed by SFA policies and the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).

In exceptional circumstances, special training in recognized institutions, e.g., conservatories or research institutes, or the attainment of nationally recognized licenses or certificates, may be judged to satisfy the requirement for advanced degrees. Practical experience and/or demonstrable expertise and performance in activities related directly to one's faculty appointment may be judged to satisfy the requirement for advanced degrees and/or years of experience. Exceptions may be granted by the ~~p~~*P*rovost and *Executive* ~~v~~*V*ice *P*~~p~~resident for ~~a~~*A*cademic *A*~~a~~ffairs.

The titles of instructor, assistant professor, associate professor and full professor, or librarian I, II, III and IV are used for full-time, tenure-track appointments. These positions are subject to the terms and conditions of the policy on Tenure and Continued Employment (7.29). All other appointments are not on tenure-track. Generally, service in non-tenure track ranks is not applicable toward tenure and not subject to the terms and conditions of the tenure policy.

An interim appointment may occur when there is a vacancy in an administrative position. The interim administrator has full authority until a person is named to the respective position. Interim appointments of administrative positions are made by the supervising administrator and are subject to approval by the Board of Regents.

Assistant/Associate administrative appointments may occur when there is a need for additional support to the academic unit head, dean, or provost. Assistant/Associate administrators are appointed by the supervising administrator and are subject to approval by the Board of Regents.

Tenure-track Ranks

Faculty

The rank of **Instructor** may be held by an individual without a terminal degree but with contract provisions specifying a completion date of the terminal degree. The minimum criterion on

appointment to the rank of instructor at Stephen F. Austin State University is a master's degree in the field in which the individual will be teaching.

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

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

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

Librarian

The rank of **Librarian I** is ~~held~~*held* by an individual who has a master's degree in library science from a school accredited by the American Library Association.

The rank of **Librarian II** is held by an individual who has demonstrated capabilities to be an effective and productive librarian and a contributing member of the academic and general communities.

The rank of **Librarian III** is held by an individual who has a proven record of effective and productive librarianship and has made numerous professional contributions to the academic and general communities through presentations at professional meetings, professional publications, and service to library organizations.

The rank of **Librarian IV** is held by an individual whose contributions to the profession of librarianship are substantial and are recognized at the state and national levels to be of high quality. The applicant's professional contributions to the academic and general communities should be significant as evidenced by exceptional records of accomplishment in the lower ranks.

Non-tenure Track Ranks

Service in the following ranks is not applicable toward tenure.

~~Archivist~~

~~The rank of **Archivist I** is held by an individual with a Master of Arts degree in public history with an archival studies concentration.~~

~~The rank of **Archivist II** is held by an individual who has a proven record of effective and productive performance.~~

~~The rank of **Archivist III** is held by an individual who has a proven record of effective and productive performance. The individual shall also have made significant professional contributions to the academic and general communities through presentations at professional meetings, professional publications and service to library organizations.~~

~~The rank of **Archivist IV** is held by an individual who has a proven record of substantial contributions to the profession recognized at the state and national levels. Additionally, the individual holding this rank must have successfully passed the Academy of Certified Archivist Examination.~~

~~Other Faculty~~

Clinical Instructor I *is a full-time, nine-month appointment. Entry level appointment. Faculty in this classification are those with expertise in professional practice disciplines where instruction does not necessarily take place in the traditional academic setting (e.g. nursing, hospitality, etc.)*

Clinical Instructor II *is a full-time, nine-month appointment. Must have a proven record of performance at all appropriate levels and evidence of contributions to the profession as defined by the candidate's academic department.*

Clinical Instructor III is a full-time, nine-month appointment. Must have a proven record of performance at all appropriate levels and evidence of substantial contributions to the profession as defined by the candidate's academic department.

~~**Clinical Instructor II** is a full-time, nine-month appointment. Must have a proven record of performance at all appropriate levels and evidence of contributions to the profession as defined by the candidate's academic department.~~

~~**Clinical Instructor I** is a full-time, nine-month appointment. Entry level appointment. Faculty in this classification are those with expertise in professional practice disciplines where instruction does not necessarily take place in the traditional academic setting (e.g. nursing, hospitality, etc.)~~

Lecturer I is a *full-time, nine-month appointment to an on-going position. Master's degree minimum.*

Lecturer II *is a full-time, nine-month appointment. Must have a proven record of performance at all appropriate levels and evidence of contributions to the profession as defined by the candidate's academic department.*

Senior Lecturer is a full-time, nine-month appointment requiring a terminal degree (or the equivalent in professional experience or credentials). Must have a proven record of performance at all appropriate levels and evidence of substantial contributions to the profession as defined by the candidate's academic department.

~~**Lecturer II** is a full-time, nine-month appointment. Must have a proven record of performance at all appropriate levels and evidence of contributions to the profession as defined by the candidate's academic department.~~

~~**Lecturer I is a** full-time, nine-month appointment to an on-going position. Master's degree minimum.~~

Adjunct, whether part-time or full-time, is intended to be temporary, with appointments made on a semester-by-semester basis as required to fill instructional needs beyond those that can be covered by current faculty. Reoccurring full-time adjunct appointments should be considered as evidence for the necessity of an additional lecturer/tenure-track position.

Visiting (Rank): Professor, Associate Professor, Assistant Professor, or Instructor

Visiting faculty rank is determined by degree, experience, and/or current rank at another institution. These positions are full-time, nine-month, or semester appointments depending on the circumstances.

Special Designated Titles

Special Designated Titles ~~This category is~~*are* used for part-time and/or full-time appointments. Appointees may carry specially designated titles assigned by the appropriate academic dean in consultation with the *P*~~p~~provost and *Executive* ~~v~~*V*ice *P*~~p~~resident for ~~a~~*A*cademic *A*~~a~~ffairs. The designated title should reflect the appointee's assignment. Designations such as the following are examples: ~~-~~clinical instructor, artist-in-residence, director of bands, or research associate.

Cross Reference: *Graduate Assistantships (6.12);* Academic and Professional Qualifications (7.1); Academic Promotion *of Full Time Faculty* (7.4); ~~Administrative Evaluation of~~ Adjunct Faculty Performance *Evaluation* (7.5); Faculty Workload (7.13); *Library Faculty (7.17);* Part-time Faculty (7.21); Performance Evaluation of Faculty (7.22); Tenure and Continued Employment (7.29); ~~Library Faculty (7.17); Graduate Assistantships (6.12);~~ Terminal Degrees (7.30)

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
January 31, 2017
July 29, 2014
April 19, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Academic and Professional Qualifications

Policy Number: 7.1

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides qualifications for academic and professional teaching roles.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Academic and Professional Qualifications

Original Implementation: April 20, 1999
Last Revision: ~~October 28, 2019~~*January 30, 2023*

The selection, development, and retention of competent faculty are essential to provid*ing* students a ~~high quality~~*high-quality* education. Stephen F. Austin State University will follow requirements established by accrediting bodies and state agencies.

Full-time and part-time faculty members teaching credit-earning courses leading toward the baccalaureate degree, other than activity courses, normally must have completed at least 18 graduate semester hours in the content discipline and, at a minimum, hold a master's degree from an accredited institution.

Qualifications for Clinical Teaching Field Supervisors must meet the standards outlined in Texas Administrative Code Chapter 228, Requirements for Educator Preparation Programs.

Each faculty member teaching courses at the master's degree level normally must hold a terminal degree from an accredited institution, usually the earned doctorate, in the content or related discipline. A master's degree in the content discipline coupled with a doctoral degree in a related discipline may be appropriate. It is the responsibility of the academic unit head to justify the master's degree, or master's degree in the content discipline coupled with a related doctorate, as the terminal degree for faculty members teaching in those disciplines. All faculty members teaching courses at the doctoral degree level normally must hold a terminal degree from an accredited institution in the content or related discipline. Outstanding professional experience and demonstrated contributions to the content discipline may be presented in lieu of formal academic qualifications. In rare cases, graduate faculty who have demonstrated exceptional scholarly or creative activity, or professional experience, but who may not possess the required academic credentials may be considered.

Graduate teaching assistants who have primary responsibility for teaching a course for credit and for assigning final grades must have earned at least 18 graduate semester hours in the content discipline, be under the direct supervision of a faculty member experienced in the content discipline, and be evaluated periodically within the academic unit.

Appropriate documentation and justifications must be provided by the academic unit head. Appropriate documentation includes official transcripts and, if applicable for demonstrating competence, official documentation of professional and work experience, technical and performance competency, records of publications, certifications, and other qualifications. Appropriate documentation must be kept current and on file in the Office of the Provost and *Executive* Vice President for Academic Affairs.

Cross Reference: ~~Faculty Handbook;~~ Southern Association of Colleges and Schools; Graduate Assistantships (6.12); Academic Appointments and Titles (7.2); Terminal Degrees (7.30); 19 Tex. Admin. Code ~~§~~ *Ch.* 228~~.2(16).~~

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

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

Forms: Faculty Credential Certification

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
April 12, 2016
April 23, 2013
April 20, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Academic Probation, Suspension, and Reinstatement for Undergraduates

Policy Number: 6.4

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines to determine a student's academic status and the steps of reinstatement if applicable.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Academic Probation, Suspension, and Reinstatement for Undergraduates

Original Implementation: January 30, 1981
Last Revision: ~~October 28, 2019~~*January 30, 2023*

Good Standing

An undergraduate student must maintain a minimum cumulative grade point average of 2.0 to remain in good academic standing.

Academic Probation

An undergraduate student is placed on academic probation after the first regular semester in which the cumulative GPA falls below 2.0. Undergraduate students on academic probation whose semester GPA is 2.0 or higher will be allowed to continue in the university on academic probation until the cumulative GPA is 2.0 or higher. Academic probation will continue until the student achieves good standing or is placed on academic suspension.

Academic Suspension

An undergraduate student on academic probation will be placed on academic suspension if the student's semester GPA is below 2.0.

Reinstatement

An undergraduate student on academic suspension may be allowed to continue in the university through any of the following procedures:

- Meet conditions established by the student's dean; or
- *After the first academic suspension, attend summer school at Stephen F. Austin State University and either raise the cumulative GPA to 2.0 or above or obtain a GPA of 2.0 or above for at least nine (9) semester credit hours in courses specified by the student's dean; or*
- Be readmitted provisionally automatically after one regular semester's absence from the university. Following a second or subsequent academic suspension and absence from the university for two regular semesters, be readmitted automatically. Summer terms are exempt from periods of academic suspension. Automatic readmission will not occur if the student takes courses elsewhere and fails to attain a GPA of 2.0 for those courses.~~; or,~~
- ~~After the first academic suspension, attend summer school at Stephen F. Austin State University and either raise the cumulative GPA to 2.0 or above or obtain a GPA of 2.0 or above for at least nine (9) semester credit hours in courses specified by the student's dean.~~

Change of Major

Undergraduate students on academic probation or suspension may change majors with approval from their current and receiving deans.

Cross Reference: General Bulletin, Faculty Handbook, Student Handbook and Activities Calendar

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
January 31, 2017
April 15, 2014
April 19, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Academic Program Review

Policy Number: 5.1

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for academic program reviews.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Significant revision to reflect change in procedure of APR for undergraduate and graduate programs.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Academic Program Review

Original Implementation: April 28, 2005
Last Revision: ~~October 28, 2019~~*January 30, 2023*

Academic Program Review (APR) is driven by the university's mission statement and strategic plan. *The APR* ~~and~~ enhances the quality of all academic programs and ensures the ongoing support necessary for continuation, modification, and development of programs. All undergraduate and graduate degree programs fall within this policy. APR encourages self-study and planning within programs and aligns the strategic plans of the program, the college, and the university. APR provides information for curricular and budgetary planning decisions at each administrative level. In turn, the resources needed for growth, continuation, or modification of programs can be included in planning processes. *Faculty involvement in the APR process is critical and required.*

~~The normal cycle for APR is every 10 years.~~ *All undergraduate and graduate degree*~~*degree progra*~~*programs* ~~*ms undergraduate and graduate, including certificates and minors*~~ *must undergo APR annually.* ~~*The procedure for annual APR may be found*~~ ~~A timeline for program review may be found on the website for the provost and vice president for academic affairs. All programs including certificates and minors, in addition to degree programs, in an academic unit should be reviewed at the same time.~~

Additionally, ~~*A*~~*all* ~~*graduate degree programs*~~~~, including locally awarded certificates ,~~ *must undergo a comprehensive decennial APR.* ~~If one program in an academic unit is governed by a discipline-specific accrediting agency, all programs in the academic unit will be reviewed concurrently and in the same cycle as the accredited review.~~ If accreditation *by a discipline-specific accrediting agency* is on a cycle of less than 10 years, that cycle will be followed. ~~If the cycle is 10 years or more, a program review will be required in the interim.~~ Academic units with multiple accrediting agencies should follow the cycle of the accrediting agency most appropriate to the *program*~~unit~~. Notwithstanding accreditation requirements, at a minimum all master's and doctoral degree programs will be reviewed at least once every 10 years.

The ~~decennial~~ APR ~~template guides~~*procedures and requirements are detailed in the APR Handbook* ~~the development of the self-study report (see APR Handbook).~~. ~~The~~ *P*~~p~~rovost and *E*~~e~~*xecutive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs must approve in advance a deviation from ~~the template~~*published procedures*. Accreditation reports *may* ~~will~~ substitute for the *external* program review report required by this policy *if approved*. However, any information required by the APR ~~appendices~~ *Handbook* ~~but~~ *and* not *already* included in the accreditation review must be ~~added~~*submitted to the P*~~p~~*rovost and E*~~e~~*xecutive V*~~v~~*ice P*~~p~~*resident for A*~~a~~*cademic A*~~a~~*ffairs with the external accreditation report*.

In conjunction with the Texas Higher Education Coordinating Board, t~~T~~he P~~p~~rovost and E~~e~~xecutive V~~v~~ice P~~p~~resident for A~~a~~cademic A~~a~~ffairs establishes a decennial schedule of programs to be reviewed along with deadlines for completing each task. ~~The Texas Higher Education Coordinating Board required academic program review schedule must be coordinated to ensure compliance.~~

~~The following definitions are relevant to the APR process:~~

- ~~An **academic program** is a structured grouping of course work designed to meet educational objectives leading to a baccalaureate degree, graduate degree, certificate, or teaching credential.~~
- ~~An **academic unit** (e.g., department, division, school) manages one or more academic programs.~~
- ~~**Unit Outcomes** are the measureable benefits of the services provided by an academic unit.~~
- ~~**Program Learning Outcomes** (PLOs) are the knowledge, skills, and abilities students are expected to demonstrate upon completion of an academic program/major.~~
- ~~**Student Learning Outcomes** (SLOs) define the knowledge, skills and abilities students are expected to demonstrate upon completion of a particular course.~~
- ~~**Core Objectives** (COs), as prescribed by the Texas Higher Education Coordinating Board (THECB), are critical thinking skills, communication skills, empirical and quantitative skills, teamwork, personal responsibility and social responsibility.~~

~~**Process**~~

Processes identified in the APR Handbook are required and fulfill:

1. ~~The annual APR process adheres to the s~~Standards of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)~~; and the THECB. Academic units are required to evaluate their effectiveness in achieving unit outcomes and learning outcomes to accomplish college and university goals (i.e., mission statements and strategic plans). Faculty teaching in a program must be actively involved in the review.~~
1.
2. *Requirements overseen~~managed~~ by the Texas Higher Education Coordinating Board for compliance with Texas Administrative Code.*

Academic units with core curriculum courses must conduct an assessment of core objectives (C*O*~~o~~s). SFA must submit a Texas Core Curriculum report to the THECB every ten years, based on annual assessment of student learning regarding COs. Instructions for core assessment may be found on the Office of Institutional Effectiveness's Core Objective Assessment webpage.

The decennial APR consists of an Internal Program Review or self-study (including assessment of unit outcomes), an External Program Review, and a Program Improvement Plan. All master's and doctoral program reviews are submitted to THECB according to its established schedule. Master's and doctoral programs in the same discipline are reviewed simultaneously using the

same self-study materials and reviewers.

~~Academic units must be engaged in the ongoing assessment of their unit outcomes and program learning outcomes. Academic units with core curriculum courses must conduct an assessment of COs.~~

~~The provost and vice president for academic affairs establishes a schedule of programs to be reviewed along with deadlines for completing each task. The self-study is developed by a committee composed of faculty within the academic unit appointed by the academic unit head. The report must adhere to the APR template (see APR Handbook).~~

~~The self-study includes the following: (1) program overview and unit effectiveness; (2) curriculum and student learning (PLOs and COs); (3) faculty characteristics and qualifications; and (4) summary conclusions. All required data must be completed even if an accrediting report is submitted in lieu of the APR report.~~

~~All *graduate* programs are subject to external review. Reviewers must have subject matter expertise, employment at an institution of higher education outside Texas and faculty status in a program nationally recognized for excellence in the discipline. External reviewers cannot have a conflict of interest that could influence their judgment (e.g., SFA alumni, former students or employees of the university, or formal collaborators with faculty in the unit under review) or employment at institutions within Texas. Faculty members of the academic unit nominate three individuals from comparable institutions of higher education to serve as possible external reviewers. The dean of the college selects at least one person from the three nominated. Preference is given to nominees from colleges and universities accredited by SACSCOC. Doctoral programs must have at least two external reviewers who conduct an on-site visit (see APR Handbook to obtain guidelines for selection of external reviewers). Upon completion of the external review, the faculty members of the academic unit consider the recommendations. A final report is prepared that includes the self-study (Internal Program Review), the External Program Review and the Program Improvement Plan that describes the actions taken or to be taken to improve the performance of the academic unit. All documentation is sent to the dean for comment. The dean forwards all materials to the provost and vice president for academic affairs for review and feedback.~~

Cross Reference: 19 Tex. Admin. Code §*§ 4.30,* 5.52 ~~; Schedule of Formal Academic Program Reviews~~*; Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) The P~~p~~rinciples of A~~a~~ccreditation, Standards 7,1, 8.1, 8,2a~~6.2.b~~.; APR Handbook*

Reviews Responsible for Implementation: Provost and Executive Vice President for Academic Affairs

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

Forms: APR Handbook

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
July 25, 2017
July 29, 2014
April 19, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: AIDS and HIV

Policy Number: 13.1

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration and Vice President of Student Affairs

Purpose of Policy (what does it do): Outlines SFA's approach to working with those diagnosed with HIV or AIDS

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: This policy is required by the Texas Education Code. The majority of information covered is already outlined in other policies, such as the Non-Discrimination Policy, therefore the policy was condensed to remove redundancies.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Brandon Frye, Vice President of Student Affairs
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel
Steve Westbrook, Interim President

AIDS and HIV

Original Implementation: September, 1990
Last Revision: January ~~28, 2020~~*30, 2023*

Purpose

This policy establishes guidelines for how the university will conform its actions in regard to persons with AIDS and HIV.

Definitions

***AIDS** means acquired immune deficiency syndrome.*

***HIV** means human immunodeficiency virus.*

General

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

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

Students and employees (faculty and staff) of the university who may become infected with HIV will not be excluded from enrollment or employment, or restricted in their access to university services or

facilities, unless medically-based judgments in individual cases establish that exclusion or restriction is necessary to the welfare of the infected person or of the other members of the university community.

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

~~When circumstances arise that require review of any matter regarding HIV/AIDS, the president will seek the advice of the director of the Health Clinic, the attending physician, and other relevant parties. An opportunity will be provided for persons involved in the matter to discuss their circumstances. Members of the Public Health Committee will be available to review the issues and to provide recommendations to the president for appropriate action.~~

~~In the event of public inquiry concerning university policy, programs, problems, or statistics related to AIDS on campus, the director of University Marketing Communications will serve as the official spokesperson for the university and will enlist the cooperation of the director of the Health Clinic and the Public Health Committee as necessary to prepare an appropriate response. All inquiries from the press, elected public officials, or the public in general will be referred to the spokesperson.~~

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

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

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

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

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

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

~~Policy for the Work Environment~~

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

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

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

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

~~Based on federal and state law, any medical documentation of information provided by an HIV-infected employee to university officials must be considered confidential and private information. As such, university officials are forbidden by law from disclosing this information to others without the employee's knowledge and consent. (Some exceptions to confidentiality are permitted by law.) The university requires that any consent to disclosure by the employee be in writing. Any university~~

~~employee who breaches the confidentiality of this information commits a serious offense that may be cause for litigation, resulting in both civil and criminal penalties.~~

~~University employees who refuse to work with HIV infected co-workers may be subject to disciplinary action up to and including termination. University departmental unit heads should carefully monitor and document any instances of such refusal in violation of this policy and take appropriate disciplinary action.~~

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

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

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

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

~~At a minimum, the HIV curriculum will include:~~

1. ~~modes of transmission;~~
2. ~~methods of prevention;~~
3. ~~behaviors related to substance abuse;~~

4. current laws and regulations concerning the rights of an AIDS/HIV-infected individual; and,
5. behaviors associated with HIV transmissions which are in violation of Texas law.

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

1. provides appropriate documentation that the employee may have been exposed to the HIV virus while performing duties of employment with that agency, and
2. was exposed to HIV in the manner that the U.S. Public Health Service has determined is capable of transmitting HIV.

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

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

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

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

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

Policy fo**r the Academic Environment**

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

~~they are physically able to attend class.~~

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

~~The university recognizes that the best currently available medical information does not support the existence of a risk to those sharing residence halls with HIV-infected individuals; in some circumstances however there may be reasonable concern for the health of those with AIDS or HIV who might be exposed to certain contagious diseases (e.g., measles or chicken pox) in a close living environment. Thus, decisions about residential housing of students with AIDS or HIV shall be made on a case-by-case basis. The university may decide to assign students with AIDS or HIV to private rooms in the interest of protecting the health of those students. The university shall provide education programs about AIDS and HIV to its residence hall staff (both students and employees).~~

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

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

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

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

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

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

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

Cross Reference: Texas Human Immunodeficiency Virus Services Act, Tex. Health & Safety Code Ch. 85; Texas Communicable Disease Prevention and Control Act, Tex. Health & Safety Code Ch. 81; Tex. Educ. Code § 51.919

Responsible for Implementation: President

Contact for Revision: ~~General Counsel~~*Vice President for Finance and Administration; Vice President ~~for~~of Student Affairs*

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: *January 28, 2020*
January 31, 2017
October 21, 2013
July 20, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Annual Disclosure of Crime Statistics

Policy Number: 13.3

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy discloses specified crime and fire statistics in accordance with the "Clery Act," and/or the Higher Education Opportunity Act of 2008 (HEOA).

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

John Fields, Executive Director and Chief of Police
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Annual Disclosure of Crime Statistics

Original Implementation: October 30, 2007
Last Revision: January *30*~~28~~, 202~~0~~*3*~~3~~

Purpose

This policy requires the disclosure~~s~~ of specified crime and fire statistics in accordance with the "Clery Act," and/or the Higher Education Opportunity Act of 2008 (HEOA).

General

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly referred to as the "Clery Act," and/or the Higher Education Opportunity Act of 2008~~ (HEOA)~~, requires institutions of higher education receiving federal financial aid to report specified crime and fire statistics on college campuses and to provide other safety and crime information to members of the campus community. Campuses must publish an Annual *Fire and*~~Security and Fire~~ Safety *Security* Report detailing statistics regarding reported crimes committed on campus and at affiliated locations for the previous three calendar years, fires that occur in on-campus residence halls, and describing specified policies, procedures and programs regarding safety and security. This requirement of the Clery Act is intended to provide students and their families, as higher education consumers, with accurate, complete and timely information about the safety of the campus so that they can make informed decisions.

The federal law requires the collection and reporting of annual crime statistics reflecting reports of specified crimes that occur on and adjacent to a university campus and certain properties associated with the campus as well as fires that occur in on-campus residence halls. The statistical compilation must be broken down by specified types of crimes and campus disciplinary referrals, and must indicate if a specified crime is a hate crime. Campuses must also provide a geographic breakdown of the crime statistics according to the following defined geographic areas: "on campus" (including further breakdown of the number of crimes that occurred in campus student residential facilities), "in or on a non-campus building or property" and "on public property."

Annual *Fire*~~Security~~ and ~~Fire~~ Safety *Security* Report

The Stephen F. Austin State University Police Department (UPD) prepares an Annual Security and Fire Safety Report (A*F*~~S~~*S*~~F~~SR) to comply with the Clery Act and the HEOA. The summary of crime statistics is included as part of this report. *The report is due on October 01, each year.*

The university's A*FSS*~~SFS~~R is available on the SFA website at: http://www.sfasu.edu/upd/.~~.~~ Copies of the A*FS*SR may also be obtained at the SFA University Police Department, located on East College Street, or by calling 936.468.2252.

Cross Reference: 20 U.S.C. § 1092(f); Higher Education Opportunity Act, Public Law 110-315 (8/14/08); 42 U.S.C. § 13925(a); Timely Warning (13.22)

Responsible for Implementation: Vice President for *Finance and Administration*~~University Affairs~~

Contact for Revision: *Executive Director* and Chief of Police

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities

Policy Number: 6.6

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Chief Diversity Officer

Purpose of Policy (what does it do): Provides information regarding the appeal of accommodation provisions for individuals with disabilities.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Tiffany Rivers, Director of Disability Services
Michara DeLaney-Fields, Chief Diversity Officer
Damon Derrick, General Counsel

Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities

Original Implementation: July 14, 1998
Last Revision: ~~October 28~~*January 30,* ~~2019~~*2023*

Students, faculty or staff at Stephen F. Austin State University, who disagree with the provision of accommodations for students with disabilities, may submit an appeal to the director of disability services/ADA coordinator~~ located in disability services, room 325 of the Human Services Building~~. Appeals related to decisions made by the director of disability services regarding the denial of accommodations should be submitted to the ~~vice president for university affairs~~*chief diversity officer*, or their designee~~, located in room 314 of the Austin Building~~.~~ Grievances or complaints of discrimination based on disability relating to other circumstances not described above should be addressed through the university's policy 2.11, ~~Discrimination Complaints~~*Nondiscrimination*.

Appeals may be initiated by:

1. student or faculty member, regarding academic accommodations;
2. student or staff member, regarding accommodations for non-academic programs~~ or~~, activities*, or housing*;
3. student, regarding accommodation decisions of the director of disability services;

~~student, regarding accommodation decisions of the director of residence life.~~ Appeals must:

- be submitted in writing;
- state the specific nature and basis of the appeal;
- be signed and dated by the individual making the appeal; and
- be submitted no later than 180 days from the date of notification of the decision being appealed.

Appeal Review

Within two (2) working days of receiving the appeal, the director or ~~vice president for university affairs~~*chief diversity officer* or their designee will schedule a meeting with the chair/director of the department involved, the faculty or staff member involved, and the student. The purpose of this meeting will be to review the circumstances and, if possible, to reach a mutually agreed upon resolution.

If unresolved, the appeal will be forwarded by the director or ~~vice president for university affairs~~*chief diversity officer* or their designee to an Appeal Review Committee for a second and final decision.

Appeal Review Committee

The Appeal Review Committee will be composed of three members selected by the director or the ~~vice president for university affairs~~*chief diversity officer* or their designee. The director will serve as chair and ex officio member of the committee except when their decision is being appealed; in such circumstances, the ~~vice president for university affairs~~*chief diversity officer* or their designee will appoint a faculty or staff member or academic administrator with background and/or experience in disability-related matters to serve as chair.

- For academic accommodation appeals, the committee will be composed of one faculty member from the department involved, the dean *or associate dean* of the college involved, and a member of the ADA Advisory Committee.
- For appeals in non-academic programs/activities and housing accommodations, the committee will be composed of one staff member from the department involved, the director of the department involved, and a member of the ADA Advisory Committee.
- For appeals regarding decisions of the director of disability services, the committee will be composed of one faculty member from the Department of Human Services and two additional individuals knowledgeable about ADA issues.

When selecting committee members, the director or ~~vice president of university affairs~~*chief diversity officer* or their designee shall exclude individuals who ~~served on the Academic Assessment Committee or the Residence Life Assessment Committee that~~ provided initial review of the documentation and/or request. The director or ~~vice president for university affairs~~*chief diversity officer* or their designee will communicate the decision and/or recommendations of the Appeal Review Committee to the individual seeking the appeal.

In all circumstances listed above, the Appeal Review Committee may seek input from appropriate parties other than committee members, including the student making the appeal, a faculty or staff member with experience relevant to the circumstances, the provost/*executive* vice president for academic affairs, dean *or associate dean* of another college, or another director or department head with relevant experience. The Appeal Review Committee may seek advice from the university's general counsel.

It is the intent of the university that meetings related to the appeal are informal in nature to allow all parties the opportunity for reasonable input and discussion. The appeal process, including the initial meeting, the meeting of the Appeal Review Committee and communication of the final decision to the individual making the appeal should be completed with expediency, ideally within seven (7) working days to avoid any delay in provision of accommodations or support services.

For specific information regarding provision of academic assistance, refer to policy 6.1, Academic Accommodation for Students with Disabilities. Refer to policy 13.2, Animals on University

Property, for service animal or emotional support animal information. For general policy information, refer to policy 2.2, Accessibility for Persons with Disabilities.

Cross Reference: Accessibility for Persons with Disabilities (2.2); Academic Accommodation for Students with Disabilities (6.1); Animals on University Property (13.2)

Responsible for Implementation: Chief Diversity Officer

Contact for Revision: Director of Disability Services

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
November 7, 2016
October 21, 2013
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Distinguished Guests

Policy Number: 2.16

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy requires all university departments and employees (excluding the Board of Regents) to notify the president's office prior to extending invitations to distinguished guests. If invitation is accepted, the president's office must be notified of details.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: No changes.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Steve Westbrook, Interim President
Damon Derrick, General Counsel

Distinguished Guests

Original Implementation: January 28, 2020
Last Revision: ~~None~~*January 30, 2023*

All university departments and employees (excluding those reporting directly to the Board of Regents), while acting in the scope of their employment, will notify the president's office prior to extending an invitation to a current or former member of the Board of Regents, elected official, or other distinguished guest such as a donor or prospective donor to visit campus. Such notification should include the proposed itinerary and reason for the visit. If the invitation is accepted, the president's office must be notified and kept informed of the details of the visit.

Cross Reference: None

Responsible for Implementation: President

Contact for Revision: President

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: None

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Doctoral Students: Allowable Credit Hours and Completion Times

Policy Number: 6.11

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2022

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for allowable credit hours, and completion times for doctoral students.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Doctoral Students: Allowable Credit Hours and Completion Times

Original Implementation: April 21, 1998
Revision Date: January ~~28, 2020~~*30, 2023*

The doctoral degree typically requires a minimum number of credit hours beyond a master's degree as specified by the program. After three years of enrollment, a formal review of each student's doctoral progress will be conducted within the respective graduate program and shared with the student.

Students who have reached ninety-nine (99) or more credit hours above a master's degree:

- will be ineligible for student employment at Stephen F. Austin State University (SFA);
- will pay the current rate for out-of-state tuition and fees, or the equivalent of full-cost-of-education as determined by SFA; and
- may be terminated from the program by the dean of research and graduate studies in consultation with the appropriate academic dean and academic unit head of the program.

If terminated from a program, a student may file a written appeal to the University Graduate Council whose recommendation will be forwarded to the *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs for final resolution.

Cross Reference: Graduate Bulletin; Tex. Educ. Code § 61.059(l)

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Faculty Development Leaves

Policy Number: 12.7

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for faculty development leaves.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Faculty Development Leaves

Original Implementation: April 26, 1983
Last Revision: January ~~28, 2020~~*30, 2023*

Faculty development leaves may be granted by the Board of Regents for field observations, research, study, writing, or other scholarly/creative activities. They should not be used to complete work for a terminal degree. No more than six percent of university faculty members may be on development leave at any one time.

This policy applies to full-time faculty and librarians whose duties include teaching, research, administration, or the performance of professional services. Except for special circumstances, individuals are eligible for a development leave after serving full time for at least three consecutive years. After completion of a development leave, recipients may not apply for four years.

Applications for faculty development leaves will be reviewed annually by the Faculty Development Leave Committee. The committee will consist of full-time faculty members, one from each academic college and one from the library. The committee will make recommendations to the *P*~~p~~rovost and *Executive* ~~v~~*V*ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs and the *P*~~p~~resident, who will make the final leave recommendation to the Board of Regents.

A faculty development leave may be awarded for one long semester at full base salary or for two long semesters at half the base salary. Payment of salary may be made from the funds appropriated by the legislature specifically for that purpose or from such other funds as might be available to the institution.

Recipients of faculty development leaves must guarantee the university that they will return to their regular duties, or others that might be assigned, for a period of at least one year following the expiration of the leave, provided they are offered a contract by the university. Recipients will submit a brief written report on the activities and accomplishments resulting from the leave to the academic unit head, dean, and *P*~~p~~rovost and *Executive V*~~v~~ice ~~p~~*P*resident for *A*~~a~~cademic *A*~~a~~ffairs within ninety days following completion of the leave.

Faculty members on faculty development leave, under law, may accept a grant or stipend for study, teaching, research, or travel from any institution of higher education or from a charitable, religious, or educational corporation or foundation, from any business enterprise, or from any federal, state, or local governmental agency. The faculty member may not accept employment from any other person, corporation, or governmental agency, unless the Board of Regents determines that it would be in the public interest to do so and expressly approves the employment. An accounting of all leave funds will be made by faculty members through the *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for ~~a~~*A*cademic ~~a~~*A*ffairs and the president to the Board of Regents.

The university will deduct from the salary of faculty members on development leave the deposit and membership dues required to be paid by them to the Teacher Retirement System of Texas or to the Optional Retirement Program or both, the contribution for Old Age and Survivors Insurance, and any other amounts required or authorized to be deducted. Faculty awarded development leave

will continue to participate in the programs and receive the benefits (retirement, insurance, etc.) made available by or through the university or the state to all other faculty members, and will be eligible for salary increases, merit pay, and all other fringe benefits awarded for the year following the expiration of the leave.

This policy will be filed with the Texas Higher Education Coordinating Board no later than thirty (30) days after the approval of any amendment by the Board of Regents.

Cross Reference: ~~Faculty Handbook;~~ Tex. Educ. Code § 51.101-.108

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

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

Forms: Faculty Development Leave Request Form; Faculty Development Leave Proposal Format; and Faculty Professional Development Form

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
July 29, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Faculty Disagreements

Policy Number: 7.25

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy outlines the process for resolving faculty disagreements regarding adminsitrative decisions, other disputes involving faculty or other personnel, and employement disputes.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Steve Westbrook, Interim President
Damon Derrick, General Counsel

Faculty Disagreements

Original Implementation: April 3, 1979
Last Revision: January ~~28, 2020~~*30, 2023*

The resolution of disagreements regarding administrative decisions or other disputes involving faculty or other personnel, other than dismissal or non-renewal, will be pursued initially with the academic unit head. If the matter cannot be satisfactorily resolved at that level, the faculty member may put the disagreement in writing and submit it to the college dean, along with a copy to the academic unit head.

The college dean will consult with the faculty member(s) and the academic unit head in an effort to resolve the disagreement. The dean may consult with any others deemed to have insight into the matter. If the matter cannot be satisfactorily resolved by the dean, the faculty member may appeal in writing to the provost and *executive* vice president for academic affairs, along with a copy to the dean and academic unit head.

The provost and *executive* vice president for academic affairs will consult with the faculty member(s), the academic unit head, the college dean, and any others with insight into the matter. If the matter cannot be satisfactorily resolved by the provost and *executive* vice president for academic affairs, either party may appeal the issue.

In situations that do not involve conditions of employment, an appeal from the provost and *executive* vice president for academic affairs will be forwarded directly to the president who will consult with the faculty member(s), the academic unit head, the college dean, the provost and *executive* -vice president for academic affairs, and any others with insight into the matter.

Employment Disputes

If the disagreement involves an allegation that conditions of employment under university policy have been violated, the appeal will be forwarded to the University Grievance Panel at the faculty member's request. This process will operate under the guidelines below.

1. An advisory subcommittee of the University Grievance Panel will review the evidence. The subcommittee will be composed of five members, with two members selected by the faculty member, two by the president or the president's designee, and one selected at random. Each party will have one challenge without stated cause.
2. Once constituted, the subcommittee will establish defined procedures for resolving the dispute.
3. *W*~~W~~hen the subcommittee has made its determination, it will advise the president and the faculty member(s) of its findings in writing.
4. The president will review the subcommittee's report, consult with the faculty member(s) and any others with insight into the matter, and render a decision that will be final.

In all cases, the decision of the president is final and will be communicated to the faculty member in writing within a reasonable time.

Cross Reference: Faculty Handbook

Responsible for Implementation: President

Contact for Revision: President

Forms: None

Board of Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
July 29, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Faculty Merit Pay

Policy Number: 7.6

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: President and Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for faculty merit pay

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Sentence added to include what criteria may be considered in the merit process; addition to show that faculty will be informed of availability of funds.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President
Steve Westbrook, Interim President
Damon Derrick, General Counsel

Faculty Merit Pay

Original Implementation: September, 1982
Last Revision: January ~~28, 2020~~*30, 2023*

For merit pay consideration, full-time faculty members will present to their academic unit head all relevant or requested documentation, including at least the completed annual *faculty activity* report of professional activities and performance, as well as any other information required under individual academic unit, college or university policy. Adjunct faculty members are not eligible for merit pay increases.

Academic units and/or colleges will establish their own appropriate and specific merit criteria and awarding procedures. ~~.~~*Quality of teaching, research, scholarly/creative activity, administrative responsibilities, collegiality, and service may be considered in the merit process.*

Merit recommendations by the academic unit head will be subject to approval by the *D*~~d~~ean, *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs, and *P*~~p~~resident.

Merit pay is contingent upon available funds. *Faculty will be informed on the availability of funds for merit pay*

Cross Reference: ~~Faculty Handbook~~ *Part-Time Faculty (7.21), Faculty Compensation (12.6)*

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

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

Forms: Annual *Faculty Activity Report, Faculty Success (FAR) Reporting System* ~~report of professional activities and performance and administrative evaluation form available in the Office of the Provost and Executive Vice President for Academic Affairs~~

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: July 23, 2019
July 26, 2016
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Graduate Student Advising

Policy Number: 6.13

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides the guidelines on how graduate students are advised.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Graduate Student Advising

Original Implementation: October 31, 2000
Last Revision: ~~October 28, 2019~~*January 30, 2023*

Academic units must provide effective academic advising for students enrolled in their graduate programs and must assign each student a graduate faculty member to serve as the academic advisor. The unit must provide students with information as to departmental/school/office organization, administration, key personnel, facilities, degree requirements, and procedures.

The academic advisor informs advisees of university resources, guidelines, procedures, policies, and graduate student rights and responsibilities. Advising topics include, but are not limited to, registration process, degree requirements, proper sequencing of courses, thesis/non-thesis options, time limits for completion of program, and comprehensive examination expectations.

~~All graduate student advising programs must be evaluated as part of the annual program assessment report, including information on how assessment results will be used.~~

Cross Reference: Graduate Bulletin~~, Graduate Student Handbook, Student Handbook~~

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

Contact for Revision: Dean of Research and Graduate Studies

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: October 28, 2019
November 7, 2016
January 28, 2014
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Lumberjack Education Assistance Program

Policy Number: 12.5

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/26/2022

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy permits active, regular (100% FTE) employees of the university, their spouses, and dependents, to participate in the Lumberjack Education Assistance Program (LEAP) provided eligibility requirements are met and funding is available.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☒ Other, please explain: Clarify definition

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Definition clarification.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Michaelyn Greene, Director of Treasury and Student Business Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Lumberjack Education Assistance Program

Original Implementation: January 28, 2003
Last Revision: ~~July 26, 2022~~*January 30, 2023*

Purpose

This policy permits active, regular (100% FTE) employees of the university, their spouses, and dependents, to participate in the Lumberjack Education Assistance Program (LEAP) provided eligibility requirements are met and funding is available.

Definitions

Eligible employee – for purposes of LEAP, an eligible employee is an active, regular (100% FTE) employee who has completed six months of continuous service for the university prior to the end of the enrolled semester.

Eligible dependent – for purposes of LEAP, a child, stepchild, or qualified dependent of an eligible employee *must meet the tests to be claimed as a "qualifying child"* ~~meeting the definition of dependent~~ under IRS regulations.

Eligible spouse – for purposes of LEAP, an individual recognized by law as a spouse or common law spouse and meets insurance eligibility requirements for a spouse set forth by the Employees Retirement System of Texas (ERS).

Third party or contract – a sponsoring organization or agency who takes responsibility for paying a student's tuition and fee balance either in full or in part.

Outside scholarship – a scholarship provided by a private donor, foundation, business, or other sources external to Stephen F. Austin State University, SFASU Foundation, Inc., and SFASU Alumni Association.

General

Detailed program and eligibility requirements can be found on the human resources website. LEAP is designed as an employee benefit initiative and is subject to available resources.

LEAP benefits apply only to mandatory tuition and fee charges excluding statutory tuition. Statutory tuition, excessive hours tuition, 3-peat charges, and non-mandatory incidental fees are not covered by LEAP benefits.

LEAP benefits will be reduced if tuition and fees are paid by a third party or contract, or are paid by any other exemption or waiver. LEAP benefits will also be reduced by student financial aid with the exception of PELL grant, FSEOG (federal supplemental educational opportunity grant), outside scholarships, or loans.

Participation in the LEAP program requires maintaining a minimum cumulative GPA of 2.0 for undergraduate degree programs and a minimum cumulative GPA of 3.0 for graduate degree programs.

The university complies with federal and state tax regulations governing any applicable taxability, tax reporting, and/or withholding of taxes on LEAP benefits. The value of any taxable tuition and fee benefits paid by LEAP above the annual IRS eligible amount is treated as a taxable benefit to the employee.

Employees

Active, regular (100% FTE) employees become eligible for LEAP benefits when they will have completed six months of continuous service for the university before the last day of the enrolled term. If an employee retires from the university, or terminates for any reason, LEAP eligibility will end on the last day of the enrolled term.

If departmental workload permits, an employee may attend one class during normal working hours by utilizing an alternative work schedule or by using accrued compensable leave. To be eligible for an alternative work schedule, an employee must request approval from the appropriate supervisor and director/dean for the time off to attend class.

Statutory tuition related to courses eligible for LEAP will be covered by a separate employee scholarship.

Spouse/Dependents

Eligible employees may apply for LEAP benefits on behalf of their spouse/dependents when the employee becomes eligible as set forth by this policy. The LEAP benefits may be applied to undergraduate or graduate courses that are part of the overall degree plan of the spouse/dependent so long as he/she meets the definition of spouse/dependent as set forth by this policy. Documentation may be required to determine spouse/dependent eligibility.

If the eligible employee that applied for LEAP on behalf of the spouse/dependent retires from the university or terminates for any other reason, LEAP eligibility for the spouse/dependent will end on the last day of the enrolled term.

Cross Reference: LEAP Requirements Document on the Human Resources Website

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Vice President for Finance and Administration

Forms: LEAP Application on mySFA; Employee Scholarship Application

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: July 26, 2022
April 18, 2020
April 24, 2018
April 14, 2015
April 17, 2012
April 21, 2009

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Misconduct in Scholarly or Creative Activities

Policy Number: 7.19

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/23/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides the guidelines on steps to take if misconfuct is found present in scholarly or creative activities.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executie Vice President for Academic Affairs
Damon Derrick, General Counsel

Misconduct in Scholarly or Creative Activities

Original Implementation: July 17, 2012
Last Revision: ~~July 23, 2019~~*January 30, 2023*

I. Introduction

Stephen F. Austin State University (SFA) strives to create a climate that promotes faithful adherence to high ethical standards in scholarly and creative activities without inhibiting the productivity and creativity of the academic community.

Faculty, staff, and students at SFA are expected to comply with generally understood and accepted standards of professional conduct, which include following accepted practices of scholarship and acknowledging collaborators and sources used in reports, publications, and presentations.

Any inquiry or investigation of allegations of misconduct in scholarly or creative activity must proceed promptly and with due regard for the reputation and rights of all individuals involved.

The university will take all reasonable steps to assure that the persons involved in evaluating allegations and evidence have appropriate expertise and that no person involved in the procedures is either biased against the accused person(s) or has a conflict of interest.

II. Scope

This policy applies to all non-federally funded research and other scholarly or creative activities (hereafter referred to as "scholarly activity"). Furthermore, this policy applies to any person paid by and/or subject to the rules and policies of SFA, including faculty, research scientists, trainees, technicians and other staff members, students, and visiting professors.

Misconduct in scholarly activity includes fabrication, falsification, or plagiarism in proposing, performing, reviewing, or reporting scholarly results, or in conducting, reporting, and/or publishing scholarly activities. ~~This~~ *Misconduct also* includes improprieties of authorship, abuse of confidentiality, violation of generally accepted research practices, failure to comply with university requirements affecting research (such as use of human subjects, care and use of animals, and use of hazardous materials), misuse of funds for personal gain, and misrepresentation of qualifications.

Misconduct in scholarly activities does not include honest error or differences of opinion. Procedures for misconduct in research funded by federal agencies are outlined in Misconduct in Federally Funded Research (8.7). Student academic dishonesty is covered under Student Academic Dishonesty (4.1).

III. Procedures

This policy and its procedures will apply when a university official receives an allegation of possible misconduct in scholarly activity. Circumstances in individual cases may require variation from normal procedures to meet the best interest of the university or an external sponsor, if applicable. Deviation from the normal procedures must ensure fair treatment of the subject of the allegation. Any significant variation should be approved in advance by the scholarly misconduct officer (SMO).

The SMO is the associate provost and has primary responsibility for implementing the university's policies and procedures for allegations of scholarly misconduct. Responsibilities of the SMO include: (1) assessing allegations of scholarly misconduct to determine if they fall within the definition of scholarly misconduct and warrant an inquiry on the basis that the allegation is sufficiently credible and specific so that potential evidence of scholarly misconduct may be identified; (2) overseeing inquiries and investigations; and (3) handling other responsibilities as described in this policy.

A. Reports of alleged misconduct in scholarly activity may be submitted to a university academic official, including unit heads, college deans, dean of the Office of Research and Graduate Studies, *A*~~a~~ssociate *P*~~p~~rovost, and *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs. The allegation should be submitted in writing and should detail the nature of the allegation and state if any efforts have been made to address the complaint.
B. All proceedings will be confidential and will protect the rights and reputations of the individuals involved. Notwithstanding, information may be disclosed in order to adequately conduct an inquiry.
C. Within 10 working days of receipt of an allegation of misconduct in scholarly activity, the written allegation will be forwarded to the SMO who, in consultation with appropriate individuals, will determine whether misconduct in scholarly activity may have occurred and whether an inquiry is warranted.
D. If an inquiry is warranted, the SMO will inform the individual(s) of the allegation and will determine if a formal review is required or if the allegation can be resolved by the SMO with the parties involved.
E. If the need for a formal review is determined, the SMO will establish a three-member investigative committee consisting of one member appointed by the SMO and one member selected by the individual(s) in question. These two members will select the third member from the SFA faculty. In all cases, the individuals selected should not create, or create the appearance of, a conflict of interest.
F. The committee will hear from the complainant and any witnesses, and after reviewing the evidence, will hear from the individual(s) and review evidence they may provide. Upon conclusion of these activities, the committee will draft a report of findings to the SMO that states whether in its judgment, misconduct in scholarly activity has occurred, will detail the evidence that supports the conclusion, and will make recommendations for appropriate

corrective actions.

G. A copy of the draft report of findings will be presented to the complainant and the individual(s) for review. The complainant and individual(s) have five working days upon receipt of the report to submit written comments to the committee.
H. Within 30 calendar days of receiving the draft report, a final report will be prepared by the committee, including any comments provided by the complainant and the individual(s).
I. The final report with recommendations and outcomes will be reviewed and considered for approval by the SMO. Once approved, the complainant and the individual(s) will receive a copy of the final report.
J. Corrective actions may include but are not limited to:
    - notification to involved parties, as appropriate;
    - withdrawal or correction of all pending or published abstracts and papers involving the misconduct;
    - removal of the responsible person(s) from the particular project, letter of reprimand, special monitoring of future work, probation, suspension, or initiation of procedures leading to revocation of tenure or termination of employment;
    - restitution of funds to a grantor agency or other entities; and
    - other actions appropriate to the misconduct.
K. In cases warranting corrective action, the final report and/or other information regarding the complaint or inquiry may be disclosed as necessary to effectuate any recommendations or corrective actions, or otherwise notify affected individuals.

The individual(s) may appeal the decision to the ~~p~~*P*rovost and *Executive V*~~v~~ice *P*~~p~~resident for ~~a~~*A*cademic ~~a~~*A*ffairs within ten working days of receipt of the final report. In considering the appeal, the *P*~~p~~rovost and *E xecutive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs will consider the final report, comments submitted by the individual(s), and any other evidence deemed relevant.

Cross Reference: Student Academic Dishonesty (4.1); Faculty Code of Conduct (7.11); Financial Conflicts of Interest in Sponsored Activities (8.2); Misconduct in Federally Funded Research (8.7); Ethics (2.6).

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: July 23, 2019
January 26, 2016

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Oral English Proficiency Program

Policy Number: 5.14

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/31/2017

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy is a requirement by Texas state law ensuring all faculty members speak or write proficient english so their classes can be taught in english.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Eliminated the ELI program wording as that is no longer being used at SFA and the education code associated with this policy changed.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

~~Oral~~ English Proficiency ~~Program~~

Original Implementation: September, 1990
Last Revision: ~~October 29, 2018~~*January 30, 2023*

Texas state law requires instruction at public colleges and universities *to* be delivered in understandable English. Each public institution is required to adopt a policy *that* establish*es*~~ing~~ a procedure to ensure *that* ~~that~~*all faculty members speak or write* proficient English. ~~is spoken by all faculty members, including graduate teaching fellows/assistants.~~ "Faculty member," *for the purpose of this policy*, means a person who teaches a course offered for academic credit by an institution of higher education*; this individual would be any instructor of record and includes adjuncts and graduate teaching assistants. This faculty member definition excludes all librarian ranks*. It is the responsibility of academic deans and unit heads to monitor the English proficiency of *incoming and* current faculty and to address deficiencies where there is ~~a~~ need. The written request for employment contract for these faculty members will bear the following administrative endorsement: "I attest that the English language proficiency of the candidate has been considered, and the candidate is qualified to fill this position."

A*n exception to this policy may occur when a* faculty member ~~may~~ use*s* a foreign language to conduct foreign language courses designed to be taught in a foreign language. Additionally, an exception will be allowed in cases of joint international programs where the course may be taught in the language of the visiting faculty member.

~~*During the search process for instructional positions, or during the appointment of temporary faculty members (e.g., adjuncts, visiting positions, or graduate teaching assistants),* faculty, *academic unit heads, and/or deans will assess the candidate's* written *written English language proficiency during the review of application materials. The academic unit heads and/or deans will further assess the candidate's oral English language proficiency during interviews, the presentation of scholarship or creative activity, and/or the teaching demonstration. As appropriate, during hiring processes for permanent positions,* , using *the approved applicant review matrix may be used to assess English proficiency.* , and will assess the candidate's oral English language proficiency during interviews, the research presentation, and/or the teaching demonstration, using the approved feedback form. *This* written *feedback* form from faculty and administrators w*will include an assessment of* the oral *English language proficiency. The written request for employment contract for these faculty members will bear the following administrative endorsement: "I attest that the English language proficiency of the candidate has been considered, and the candidate is qualified to fill this position."*~~

Further, ~~Each written request for the employment contract for instructional personnel will bear the following endorsement from the academic unit head and from the academic dean: "I attest that this candidate's English language proficiency has been considered as to his/her English oral and written language proficiency and is qualified to fill this position vacancy."~~ ~~A~~all persons ~~applying~~ *hired* for ~~a~~*instructional* positions at the university ~~that involves course instruction will be~~*are* required to indicate on *t*~~T~~he New Employee Work Authorization Questionnaire whether English is their primary language. ~~Aside from native speakers, an individual *is considered proficient in the* 's primary language will be *also* considered English *language* if he/she completed an undergraduate or graduate degree at an accredited institution of higher education in the United States, not including U.S. Territories.~~ *Faculty members who indicate their primary language other than English may be required to demonstrate proficiency in English by passing a formal assessment (e.g., Internet-based test [IBT] Test of English as a Foreign Language [TOEFL] speaking score of 26, or with an International English Language System [IELTS] speaking score of seven).*

~~Newly hired faculty members who do not identify English as their primary language must *receive endorsement of proficiency from the academic unit head and from the academic dean.* The Each written request for the employment contract for these faculty members instructional personnel will bear the following administrative endorsement: from the academic unit head and from the academic dean: "I attest that the this candidate's English language proficiency of the candidate has been considered, as to his/her English oral and written language proficiency aand the candidate is qualified to fill this position vacancy."~~

~~*When*~~*Should it ~~is~~be determined by the chair or dean that there is a concern with ~~the~~a continuing faculty member's oral and/or written English, as evidenced by student and/or faculty comments, the faculty member may also be required to -*

demonstrate proficiency in English by passing a formal assessment (e.g., Internet-based test [IBT] Test of English as a Foreign Language [TOEFL] speaking score of 26, or with an International English Language System [IELTS] speaking score of seven). ~~demonstrate their oral proficiency in English through a two-part assessment:~~

1. ~~Pass an approved test ofof English proficiency (Internet-based test [IBT] Test of English as a Foreign Language [TOEFL] speaking score of 26, International English Language System [IELTS] speaking score of seven, or American Council on the Teaching of Foreign Languages [ACTFL] Oral Proficiency Interview score at advanced mid).~~ *If a chair or dean concludes that a faculty member's teaching effectiveness is seriously diminished by English language deficiencies, the dean or chair shall require the faculty member to take a personalized short course or developmental program as approved by the ~~Board~~Office of Human Resources to remediate those deficiencies.* -
2. ~~Receive a rating of oral English proficiency by a two-person team from the university's English Language Institute (ELI) through observation of a regularly scheduled class during the first two weeks of the initial academic term.~~

The academic unit head will place ~~in the faculty member's employment file~~ the results of these *English* ~~oral~~ proficiency performances *in the faculty member's employment file*. ~~–~~A copy of the English proficiency outcome will be forwarded to the appropriate dean.

Faculty members who do not demonstrate English proficiency will be allowed one year to successfully complete a personalized short course or development program to remediate those deficiencies. W~~–~~ith the approval of the academic unit head and dean, additional time to remediate deficiencies is possible. Texas law requires the faculty member to bear the costs of the program. Unsatisfactory performance in this course will result in appropriate action being taken by the University, up to and including dismissal from employment.

Refusal by *the faculty member* ~~an individual~~ to participate in any *English language* assessment, *reassessment, and/or prescribed tutorial program* ~~of his/her academic English competency~~ ~~*proficiency*~~ ~~will~~ *may* result in *loss of teaching credit-bearing courses or dismissal from employment with the University*. ~~appropriate action being taken by the university, up to and including termination of employment.~~

~~Faculty members who do not demonstrate proficiency in oral English will be allowed one year to complete successfully *complete* the level four Speaking and Listening course of the ELI programa *personalize short course or development program to remediate those deficiencies*. Texas law requires the faculty member to bear the costs of the program. Unsatisfactory performance in this course will result in appropriate action being taken by the university, up to and including termination of employment.~~

Cross Reference: Tex. Educ. Code § 51.917

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

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

Forms: *Request for Contract;* New Employee Work Authorization Questionnaire

Board Committee Assignment: Academic and Student Affairs

Revision History: October 29, 2018
January 27, 2015
October 12, 2009

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Perfomance Review of Officers Reporting to the Provost and Executive Vice President for Academic Affairs

Policy Number: 4.8

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2022

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for performance reviews of officers reporting to the provost and executive vice president for academic affairs.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Minor edits and new policy name.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Performance Review of Officers Reporting to the Provost and *Executive* Vice President for Academic Affairs

Original Implementation: December 6, 1979
Last Revision: January ~~28, 2020~~*30, 2023*

The *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs will conduct an annual performance review of each administrator who reports directly to the provost's office. The review will focus on the performance of assigned responsibilities.

During the second year of service and once every three years thereafter, the review will be augmented by written input from peers, including appropriate deans, academic unit heads, faculty, and administrative staff. The *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs is responsible for developing the survey questions.

The *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident will submit a summary report to the individual reviewed and to the president.

Cross Reference: None

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
April 15, 2014
January 28, 2014
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Stone Fort Museum Collections

Policy Number: 5.17

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides the guidelines on the way collections are added to the stone fort museum.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: No changes.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Stone Fort Museum Collections

Original Implementation: April 1982
Last Revision: ~~October 28, 2019~~*January 30, 2023*

The Stone Fort Museum houses a selective collection of artifacts that the museum's curator determines useful in interpreting the prehistory and history of East Texas prior to 1900. Special emphasis is placed on the Spanish and Mexican periods that began in 1690 with the establishment of the Spanish Mission Tejas and ended with the overthrow of the Mexican government in 1836 by Texas revolutionists.

Permanent Acquisition Policies

1. Objects are added to the collection by means of gifts, bequests, purchases, exchanges, or any transaction by which title to the object passes to the museum. Criteria for acceptance to the permanent collection are the following:
    - Consistency with the museum's focus;
    - A clear title available from the source of acquisition;
    - Adequacy of documentation;
    - Acceptable condition;
    - Ability of the museum to care properly for and use the acquisition;
    - Research potential;
    - Educational, interpretive, and exhibit potential;
    - Intrinsic value associated with important events, individuals, or age and typicality of objects.
2. Potential donors must present evidence of a clear and legal title to any gift, and must complete a "Gift Agreement" form for each donation. Items of questionable provenance or obtained through illicit trade shall not be acquired.
3. In accepting any collection, the museum must acquire any copyright, patent, and/or trademark rights that may legally restrict full use of the acquisition.
4. All donations are tax deductible; however, the museum assumes no responsibility for evaluating donations.
5. All donations become state property and must be outright and unconditional gifts used at the discretion of the museum’s curator.
    - The museum does not accept a gift that contains a condition requiring that it be kept intact, exhibited, either temporarily or permanently, or kept permanently.
    - The museum curator reserves the right to restore, reconstruct, refurbish, or repair any part of any gift.

In the event that a gift is tendered but not accepted by the curator, it must be removed from the Stone Fort Museum within thirty (30) days of notification. All items not removed by this deadline will automatically become the property of the museum and will be subject to disposal.

Incoming Loan Policies

1. The museum does not accept artifacts on loan for extended periods. Temporary loans are considered for special exhibits or programming, but only for assigned time periods. An "Incoming Loan Agreement" form must be completed prior to the loan of objects.
2. All material loaned to the museum is subject to collections care procedures governing permanent collections as outlined in the Stone Fort Museum Policy Manual.
3. All loan items must be removed from the Stone Fort Museum on the date stated on the "Incoming Loan Agreement" form. Any item not removed within thirty (30) days of the deadline will automatically become the property of and subject to the policies of the Stone Fort Museum. Under Texas law, property on loan to a museum for fifteen (15) years or more and to which no person has made claim is considered abandoned. Unless an unexpired loan agreement exists to the contrary, abandoned items will become the property of the museum once the museum's curator notifies the lender.

Outgoing Loan Policies

1. The museum loans collection material solely for educational and/or research purposes. Borrowed items remain the property of the museum and may not be claimed, mortgaged, loaned, assigned, used as collateral, or otherwise encumbered by the borrower. The borrower must complete an "Outgoing Loan Agreement" form.
2. The borrower is prohibited from photographing or digitally recording objects on loan without written consent of the curator, and any prints or digital recordings of the loaned material may not be published for any purposes beyond educational use without written consent of the curator.
3. Any use of the loan material will be credited to the Stone Fort Museum, Stephen F. Austin State University.
4. The borrower will exercise all reasonable precautions to protect the loan from damage, loss, destruction, or alteration. The borrower may not glue, pin, punch, drill, tape, nail, tack, or otherwise violate the integrity of the loan, nor may the borrower clean, repair, retouch, or otherwise alter the loan.
5. In the event of damage, loss, alteration, or any other change in the condition of the loan, the borrower must immediately notify the curator in writing. Damage or loss in shipment must be reported to the curator immediately.

Cross Reference: Tex. Prop. Code Ch. 80; Gift Reporting (3.16); Stone Fort Museum Policy Manual

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

Contact for Revision: Curator of the Stone Fort Museum

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

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
November 7, 2016
January 28, 2014
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Student Academic Dishonesty

Policy Number: 4.1

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides the definition, penalties, and procedures for students who show academic dishonesty.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Student Academic Dishonesty

Original Implementation: Unpublished
Last Revision: January ~~28, 2020~~*30, 2023*

Abiding by university policy on academic integrity is a responsibility of all university faculty and students. Faculty members must promote the components of academic integrity in their instruction, and course syllabi are required to provide information about penalties for cheating and plagiarism, as well as the appeal process.

Definition of Academic Dishonesty

Academic dishonesty includes both cheating and plagiarism. Cheating includes, but is not limited to:

- using or attempting to use unauthorized ~~materials~~*resources* on any class assignment or exam;
- falsifying or inventing of any information, including citations, on an assignment;
- helping or attempting to help other student(s) in an act of cheating or plagiarism.

Plagiarism is presenting the words or ideas of another person as if they were one's own. Examples of plagiarism include, but are not limited to:

- submitting an assignment as one's own work when it is at least partly the work of another person;
- submitting a work that has been purchased or otherwise obtained from the Internet or another source;
- incorporating the words,~~ or~~ ideas*, or the expression of ideas* of an author into one's paper or presentation without giving the author credit.

Penalties for Academic Dishonesty

Penalties may include, but are not limited to, reprimand, no credit for the assignment or exam, resubmission of the work, make-up exam, failure of the course, or expulsion from the university.

Procedure for Addressing Student Academic Dishonesty

A faculty member who has evidence and/or suspects that academic dishonesty has occurred will gather all pertinent information and initiate the following procedure:

1. The faculty member will discuss all evidence of cheating or plagiarism directly with the student(s) involved.
2. After consideration of the explanation provided by the student(s), the faculty member will determine whether academic dishonesty has occurred. The faculty member may consult with the academic unit head and/or dean in making a decision.

3. After a determination of academic dishonesty, the faculty member will inform the academic unit head and submit a Report of Academic Dishonesty with supporting documentation to the office of the dean of the student's major. This report will become part of the student's record and will remain on file with the dean's office for at least four years even if the student withdraws prior to receiving a grade.
4. For a serious first offense or subsequent offenses, the dean of the student's major will determine a course of action, which may include dismissal from the university. The dean may refer the case to the college council for review and recommendations before making this determination.

A student's record of academic dishonesty will not be available to faculty members. The purpose of the record is for the dean to track a pattern of academic dishonesty during a student's academic career at Stephen F. Austin State University.

Student Appeals

A student who wishes to appeal decisions related to academic dishonesty should follow procedures outlined in Final Course Grade Appeals by Students (6.3).

Cross Reference: Student Handbook; Final Course Grade Appeals by Students (6.3); and Course Add/Drop (6.10)

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

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

Forms: Report of Academic Dishonesty Form

Board Committee Assignment: Academic and Student Affairs

Revision History: January 28, 2020
January 31, 2017
July 29, 2014
July 19, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Student Media

Policy Number: 10.8

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Department of Student Publications and Department of Mass Communication

Purpose of Policy (what does it do): Acknowledge existence and importance of student media on campus; outline the individual campus news outlets and how each functions at the univeristy

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Updates on publication format, yearbook distribution, and text clarification regarding revenue.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Amy Roquemore, director of student publications and divisional media
John Hendricks, chair of the department of mass communication
Brandon Frye, Vice President of Student Affairs
Damon Derrick, General Counsel

Student Media

Original Implementation: October 26, 1999
Last Revision: January ~~28, 2020~~*30, 2023*

Stephen F. Austin State University has long recognized the importance of providing for the establishment of student media on campus. These media are the chief means of communicating campus news, providing student entertainment, and expressing student opinion. They also provide experience for students who are working toward ~~a career~~*careers* in ~~the~~ mass media *and related fields*.

Student Publications

The Pine Log, which is the student newspaper, and ~~the~~ *Stone Fort*, which is the *student* yearbook, were the first student media to be established *on campus*. They have existed virtually from the founding of ~~Stephen F. Austin State University~~*the institution*. *The Pine Log* publishes *primarily online, offering* campus news, *photos*, letters to the editor, *opinion pieces, and* ~~local~~ advertising~~, and editorials~~. *The Stone Fort preserves, in written and photographic form, the news, events, trends, traditions, and campus life of each academic year for posterity. Both The Pine Log and Stone Fort operate as editorially independent publications with all decisions regarding design and content resting solely with student staff members.*

The ~~Office~~ *Department* of Student Publications, housed in the *Office of Student Life within the* Division of ~~University~~ *Student* Affairs, is the unit which governs the operation of both ~~the *Stone Fort* and~~ *The Pine Log and Stone Fort.* These publications are intended to ~~be primarily self-supporting~~*produce revenue supporting their operations*. Income is derived from the sale of yearbooks, and, in the case of *The Pine Log*, advertising. The director of student publications and divisional media is the administrative leader of ~~both publications~~*the department* and reports to the ~~vice president for university affairs~~*executive director of student life*. The director shall be responsible for all managerial aspects of student publications. This shall include fiscal management, office staff management and student staff management. The director of student publications and divisional media shall also provide editorial counsel to the student staffs of *The Pine Log* and *Stone Fort* regarding customary news and advertising practices as well as applicable legal issues.

The Student Publications Committee, appointed by the vice president ~~for~~ *of* ~~university~~ *student* affairs, shall serve as an advisory body to student publications. The committee shall recommend editorial policy and provide advice in the appointment of *The Pine Log* and *Stone Fort* editors-*in-chief*. In addition, the committee shall:

a. ~~foster and preserve the American tradition of free expression~~*promote, support, and defend the First-Amendment and free-press rights of student journalists*

b. act as an appeals body on ~~editorial, advertising, and business contracts~~*editorial and advertising matters* related to student publications
c. require compliance with applicable laws in such areas as libel, obscenity, privacy, and false and misleading advertising

The Student Publications Committee shall consist of nine members:

1. The chair of the Department of Mass Communication (committee chair)
2. The director of student publications and divisional media
3. One Mass Communication faculty representative
4. One representative from University Marketing Communications
5. Two faculty members at large
6. Three students at large (not already holding paid positions on ~~the *Stone Fort* or~~ *The Pine Log or Stone Fort*)

Broadcast Media

Stephen F. Austin State University has also provided for the operation of a radio station, KSAU-FM, and a cable television station, SFA-TV2. These facilities shall serve the primary role of laboratories to support the academic program in radio/television and shall be operated by the Department of Mass Communication, housed in the College of Liberal and Applied Arts, Division of Academic Affairs. Two departmental faculty members shall be designated as faculty advisors of radio and television respectively.

~~**Broadcast Media**~~

~~Stephen F. Austin State University has also provided for the operation of a radio station, KSAU-FM, and a cable-connected television facility. These facilities shall serve the primary role of laboratories to support the academic program in radio/television and shall be operated by the Department of Mass Communication, housed in the College of Liberal and Applied Arts, Division of Academic Affairs. Two departmental faculty members shall be designated as faculty advisors of radio and television respectively. These two faculty members shall have one course teaching load reductions to accommodate their responsibilities as advisors of the radio and television operations.~~

Both of these facilities are completely supported by institutional funds and receive no money from student service fees. Programming and production staffs shall consist primarily of students enrolled in various mass communication production courses including the required capstone courses. Faculty who teach the production courses shall supervise the student staffs and serve as the first level of appeal for any issues which might arise.

Programming content for the radio station shall be in compliance with all licensing requirements of the Federal Communications Commission. In addition, the Department of Mass

Communication shall enforce programming guidelines which:

a. comply with any relevant and established university policies
b. to the extent possible reflect current mainstream professional broadcast practice
c. serve a local audience with programming not already readily available
d. serve local informational and cultural needs

The Department of Mass Communication shall enforce television programming guidelines for the local cable channel which:

a. comply with any relevant and established university policies
b. to the extent possible reflect current mainstream professional broadcast practice
c. serve local informational, educational, and cultural needs

Cross Reference: U.S. Const. amend. I

Responsible for Implementation: Provost and *Executive* Vice President for Academic Affairs, Vice President ~~for~~ *of* ~~University~~ *Student* Affairs

Contact for Revision: Chair, Department of Mass Communication and Director of Student Publications and Divisional Media

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Student Organization Risk Management Training

Policy Number: 10.10

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 2/2/2021

Unit(s) Responsible for Policy Implementation: Vice President of Student Affairs

Purpose of Policy (what does it do): Provide risk management training program for student organizations

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Andrew J. Dies, Assistant Vice President of Student Affairs/Dean of Students
Brandon Frye, Vice President of Student Affairs
Damon Derrick, General Counsel

Student Organization Risk Management Training

Original Implementation: October 30, 2007
Last Revision: January ~~28, 2020~~*30, 2023*

At least once during each academic year, Stephen F. Austin State University shall provide a risk management training program for student organizations registered with the office of Student Engagement Programs at the institution.

Four members of each organization are required to attend the training program at least once during the time(s) it is presented during the fall semester. The organization's president and vice president, or their equivalents as listed on the organization's registration with Student Engagement Programs, must be among the four members attending. If an organization has officer positions equivalent to a risk management officer and/or a new member officer, these officers must also attend the program. If the organization does not have officers with the specific titles named, the four highest ranking leaders of their organization are required to attend the training.

Newly registered student organizations must have four appropriate members receive this training within the first 30 business days following its initial registration.

Each listed student organization advisor(s) who has not previously received risk management training as outlined in this policy must also receive this training. For the purposes of this policy an advisor is defined as a person who:

1. serves in an advisory capacity to a student organization to provide guidance to the organization and its members;
2. is older than 21 years of age; and
3. is not an enrolled student at Stephen F. Austin State University, *unless their primary relationship with the University is as an employee*.

The content of the risk management program will include topic areas mandated by the Texas Education Code, as well as topical areas deemed relevant by the university, to include:

1. possession and use of alcoholic beverages and illegal drugs, including penalties that may be imposed for possession or use;
2. hazing;
3. sexual misconduct (including abuse) and harassment, and reporting procedures;
4. fire and other safety issues, including the possession and use of a firearm or other weapon or of an explosive device;
5. travel to a destination outside the area in which the institution is located;
6. behavior at parties and other events held by a student organization;
7. adoption by a student organization of a risk management policy; and

8. issues regarding persons with disabilities, including a review of applicable requirements of federal and state law, and any related policies of the institution, for providing reasonable accommodations and modifications to address the needs of students with disabilities, including access to the activities of the student organization.

~~8.~~*9. review of university policies and procedures that impact student organization processes.*

The university may impose reasonable sanctions on any organization failing to meet the requirements of this policy.

Cross Reference: Tex. Educ. Code § 51.9361

Responsible for Implementation: Vice President of Student Affairs

Contact for Revision: Director of Student Engagement

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
November 7, 2016
October 21, 2013
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Student Travel

Policy Number: 10.12

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Student Affairs

Purpose of Policy (what does it do): Regulates travel undertaken by one or more students enrolled at the institution.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Minor updates.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Andrew J. Dies, Assistant Vice President of Student Affairs/Dean of Students
Brandon Frye, Vice President of Student Affairs
Damon Derrick, General Counsel

Student Travel

Original Implementation: October 23, 2001
Last Revision: January ~~28, 2020~~*30, 2023*

State law requires that all institutions of higher education adopt a policy regulating travel that is undertaken by one or more students presently enrolled at the institution to reach an activity or event that is located more than 25 miles from the institution that is organized and sponsored by the institution and meets certain other criteria.

This policy shall apply if the travel is funded by the university, *and*~~;~~ the travel is undertaken using a vehicle owned or leased by the university; or if the travel is required by a registered SFA student organization to an event that has been organized and sponsored by the university.

I. Travel funded by the university and/or using university owned or leased vehicles

University policy 16.23, Rental of University Vehicles, governs the use of university owned vehicles and vehicles rented using university funds from a non-university fleet. All of the requirements of that policy, such as driver qualifications and passenger capacity, apply to student travel as addressed in this policy.

Other specific requirements of this policy include:

a. All occupants must use seat beats, as provided in the vehicle, in the manner recommended by the vehicle manufacturer.

b. Passengers are limited to the number that can be safely restrained using the available number of seat belts.

c. Drivers should continually assess their state of alertness and not begin to drive, or not continue driving, if they are fatigued. There are many factors that impact driver fatigue, all affecting drivers differently; but conditions such as hours without sleep, time of the day, road conditions, etc. should be all considered and monitored.

d. Only drivers meeting the qualifications set forth in policy 16.23 may drive the vehicle. All drivers must be appropriately licensed to drive the vehicle.

II. Travel by personal vehicle or privately leased vehicle

While the university may not be made aware of trips undertaken by students using their private vehicles, or vehicles privately leased by them, the university will publish the requirements of this policy in publications used by registered student organizations at SFA and will encourage their use in all travel undertaken by students for any trip governed by this policy. All drivers are encouraged to be appropriately licensed and the owner of the vehicle(s) is encouraged to maintain appropriate vehicle insurance as required by law.

This policy will be filed with the Texas Higher Education Coordinating Board after the approval of any amendment by the Board of Regents.

Cross Reference: Tex. Educ. Code § 51.950; Rental of University Vehicles (16.23)

Responsible for Implementation: Vice President ~~of Student~~*of Student* Affairs

Contact for Revision: Assistant Vice President of Student Affairs and Dean of Student*s* ~~Affairs~~

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Sunstantive Change

Policy Number: 4.10

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides requirements and guidelines for the university when substantive changes are made or requested.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: SACSCOC procedure changes and other minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Substantive Change

Original Implementation: August 26, 2008
Last Revision: January ~~28, 2020~~*30, 2023*

Stephen F. Austin State University (SFA) is committed to upholding all of the principles and policies of the Texas Higher Education Coordinating Board (THECB) and the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). The university is also committed to establishing and maintaining procedures to facilitate an effective and timely notification process regarding substantive changes.

As a member of SACSCOC, SFA is responsible for notifying and, when necessary, seeking approval for substantive changes from the Commission in accordance with the SACSCOC substantive change policy. The current policy is located on the SACSCOC website.

Substantive change is defined as a significant modification or expansion of the nature and scope of an accredited institution.

~~Notification is defined as a letter from the university president or designee to the president of the commission summarizing the proposed change. Approval is sought through the submission of a SACSCOC application or prospectus.~~

Procedures

The university is required to notify THECB and SACSCOC of substantive changes and request approval, when required, prior to the initiation of the changes. The SFA SACSCOC liaison, appointed by the Office of the Provost and *Executive* Vice President for Academic Affairs, is responsible for coordinating efforts to identify the need for and creation of notifications *or approvals* ~~letters~~ related to substantive change. The Office of the Provost and *Executive* Vice President for Academic Affairs is responsible for all communication with the appropriate governing body.

Under federal regulations, substantive change includes but is not limited to:

- *Substantially changing the established mission or objectives of an institution or its programs.*
- *Changing the legal status, form of control, or ownership of an institution.*
- *Changing the governance of an institution.*
- *Merging / consolidating two or more institutions or entities.*
- *Acquiring another institution or any program or location of another institution.*
- *Relocating an institution or an off-campus instructional site of an institution (including a branch campus).*
- *Offering courses or programs at a higher or lower degree level than currently authorized.*
- *Changing the way an institution measures student progress, whether in clock hours or credit-hours; semesters, trimesters, or quarters; or time-based or non–*

time-based methods or measures.

- *Adding a program that is a significant departure from the existing programs, or method of delivery, from those offered when the institution was last evaluated by SACSCOC.*
- *Initiating programs by distance education or correspondence courses.*
- *Adding an additional method of delivery to a currently offered program.*
- *Entering into a cooperative academic arrangement.*
- *Entering into a written arrangement under 34 C.F.R. § 668.5 under which an institution or organization not certified to participate in the title IV Higher Education Act (HEA) programs offers less than 25% (notification) or 25-50% (approval) of one or more of the accredited institution's educational programs. An agreement offering more than 50% of one or more of an institution's programs is prohibited by federal regulation.*
- *Substantially increasing or decreasing the number of clock hours or credit hours awarded or competencies demonstrated, or increasing the level of credential awarded, for successful completion of one or more programs.*
- *Adding competency-based education programs.*
- *Adding each competency-based education program by direct assessment.*
- *Adding programs with completion pathways that recognize and accommodate a student's prior or existing knowledge or competency.*
- *Awarding dual or joint academic awards.*
- *Re-opening a previously closed program or off-campus instructional site.*
- *Adding a new off-campus instructional site/additional location including a branch campus.*
- *Adding a permanent location at a site at which an institution is conducting a teach- out program for students of another institution that has ceased operating before all students have completed their program of study.*
- *Closing an institution, a program, a method of delivery, an off-campus instructional site, or a program at an off-campus instructional site.*

- ~~Initiating coursework or programs at a different level than currently approved;~~
- ~~Initiating off-campus sites (including but not limited to Early College High School, dual enrollment programs offered at a high school, and certificate programs);~~
- ~~Expanding programs at current degree level;~~
- ~~Expanding program offerings at previously approved off-campus sites;~~
- ~~Initiating degree completion programs;~~
- ~~Initiating a branch campus;~~
- ~~Initiating distance learning;~~
- ~~Relocating a main or branch campus;~~
- ~~Entering into a contract with an entity not certified to participate in U.S. Department of Education (USDOE) Title IV programs;~~
- ~~Initiating dual or joint degrees;~~
- ~~Initiating a new site;~~
- ~~Initiating a direct assessment competency-based program;~~
- ~~Initiating a merger/consolidation with another institution;~~

- ~~Changing governance, ownership, control, or legal status of an institution;~~
- ~~Acquiring any program or site from another institution;~~
- ~~Adding a permanent location at a site where the institution is conducting a teach-out for students from another institution that is closing;~~
- ~~Initiating a certificate program at a new off-campus site at employer's request and on short notice (previously approved program);~~
- ~~Initiating a certificate program at employer's request and on short notice;~~
- ~~Adding a site under a U.S. military contract for a previously approved program;~~
- ~~Altering significantly the length of a program;~~
- ~~Altering significantly the educational mission of the institution;~~
- ~~Changing from clock hours to credit hours;~~
- ~~Moving an off-campus instructional site;~~
- ~~Initiating programs or courses offered through contractual agreement or consortium; or~~
- ~~Closing a program, approved off-campus site, branch campus, or institution.~~

An institution is required to notify or secure SACSCOC approval prior to implementing a substantive change. An institution is responsible for maintaining compliance at all times with Standard 14.2 (Substantive change) of the Principles of Accreditation and with the Substantive Change Policy and Procedures and related policies.

When planning to make changes that may require substantive change notification *or*~~and~~ approval, proposal sponsors must consult with the SFA SACSCOC liaison to determine the appropriate procedure for the proposed change.

The SFA curriculum review cycle is the process used to identify substantive changes related to the addition, deletion, or modification of courses and degree programs. In addition, all proposals for distance education, off-campus sites, and certificate program requests will follow the curriculum review process. All proposals must follow and document adherence to curriculum review and approval policies and processes described in the university policy on Curriculum Reviews, Modification~~s~~, and Approvals (5.7). *When applicable, t*~~T~~he SFA SACSCOC liaison will provide the information necessary to prepare a prospectus in accordance with the requirements outlined in the SACSCOC Substantive Change Policy and THECB substantive change guidelines. The SACSCOC prospectus and/or THECB proposal must accompany the Curriculum Change Request.

At least once each academic year, the SACSCOC liaison will provide information to the academic deans, division vice presidents, and academic unit heads regarding substantive change policies and procedures. During this session, the deans, division vice presidents, and academic unit heads will identify potential substantive changes.

All substantive change education and review activities must be coordinated to allow ample time to satisfy the time frame for notification and/or approval as set by THECB and/or SACSCOC. SFA will adhere to the reporting times as specified in THECB guidelines and in the Substantive Change for SACSCOC Accredited Institutions policy statement.

~~The Office of the Provost and Vice President for Academic Affairs is responsible for conducting an ongoing review of curricular revisions to identify changes that may be substantive in nature and may require reporting or prior approval by THECB,SACSCOC, and/or accrediting body appropriate to the discipline. The provost and vice president for academic affairs will determine whether changes are substantive and will initiate appropriate reporting and approval processes in compliance with THECB and SACSCOC policies and procedures.~~

Cross Reference: Curriculum Reviews, Modifications and Approvals (5.7); SACSCOC Substantive Change Policy; THECB guidelines*; 34 CFR § 668.5*

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

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

Forms: Forms for program revision, course proposals, substantive change, and distance education are available at the Academic Affairs website http://www.sfasu.edu/acadaffairs/.

Board Committee Assignment: Academic and Student Affairs

Revision History: January 28, 2020
January 31, 2017
October 18, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Summer Teaching Appointments

Policy Number: 7.28

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for faculty summer teaching.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Summer Teaching Appointments

Original Implementation: April 20, 2004
Last Revision: ~~October 28, 2019~~*January 30, 2023*

The university offers no guarantee of a summer teaching appointment to any faculty member except as specifically contracted. All summer instructional contracts are contingent upon sufficient class enrollments and availability of funding. Salaries in summer instructional ~~contracts~~ *appointments* are subject to proration depending upon enrollment.

Utilizing student and programmatic needs and considering faculty input, each academic unit and college is required to adopt a written policy concerning the allocation of summer teaching assignments. These policies will define priority for summer course offerings and set criteria for allocating teaching assignments among the eligible faculty. The impact of grant funds on summer employment should be considered.

Summer teaching policies must be approved by the academic dean and the *P*~~p~~provost and *Executive* ~~v~~*V*ice ~~p~~*P*resident for ~~a~~*A*cademic ~~a~~*A*ffairs. Once final approval is obtained, a copy of the policy will be made available to the faculty. The policy must be reviewed by academic units and colleges every five years.

Cross Reference: ~~Faculty Handbook,~~ Faculty Workload (7.13)

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
January 31, 2017
January 28, 2014
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Tenure and Continued Employment

Policy Number: 7.29

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy provides guidelines and principles for continued employment, pre-tenure, and tenure review of full time faculty members.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Steve Westbrook, Interim President
Damon Derrick, General Counsel

Tenure and Continued Employment

Original Implementation: April 27, 1970 and April 3, 1979
Last Revision: ~~October 28, 2019~~*January 30, 2023*

Tenure may be awarded according to established procedures after an appropriate probationary period, or when an individual who already has tenure at another institution is hired for a senior-level position. Tenure is only awarded after candidates successfully demonstrate that they have met or exceeded performance standards in teaching, research/scholarly/creative accomplishments, and service as established by the academic unit. Extensions of employment beyond the probationary period should not be construed as entitlement to tenure.

Tenure is only granted as prescribed in this policy. Tenure will normally be restricted to full-time faculty members who have earned the highest academic degree customarily awarded in their field of study. Exceptions may be granted by the *P*~~p~~rovost and *Executive* ~~v~~*V*ice ~~p~~*P*resident for ~~a~~*A*cademic ~~a~~*A*ffairs.

This policy establishes procedures to be used for tenure in all academic units of the university. Academic units are responsible for establishing rigorous standards for teaching, research/scholarly/creative accomplishments and service for use in decisions regarding tenure. Unit standards must be approved by the dean and by the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs.~~.

I. General Provisions
   A. Definitions
      1. "Tenure" is a status that may be earned by faculty members and librarians who hold academic rank as defined in policy 7.2, Academic Appointments and Titles. Tenure allows these personnel to continue in their positions, unless dismissed for good cause, circumstances of exigency, or discontinuance of a program or academic unit.
      2. "Academic unit" normally refers to a subdivision of a college, but can also refer to the library.
      3. "Academic unit head" is the administrator immediately responsible for the academic unit.
      4. "Tenure review portfolio" (referred to hereafter as the portfolio) is a set of verifiable materials demonstrating evidence of a candidate's credentials and suitability for tenure. ~~–~~The portfolio should contain a succinct, relevant, substantive and cumulative record of a candidate's performance during the probationary review period at Stephen F. Austin State University (SFA); for senior-level and administrative positions, the portfolio will consist of materials requested by the ~~provost and vice president~~ *Provost and Executive Vice*

President for Academic Affairs~~for academic affairs~~.

5. "Academic year" as used in this policy is the full nine-month period from September through May.
6. "Rigorous standards" are a set of verifiable standards developed by tenured faculty in the academic unit and are subject to approval by the dean and the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~. Standards for tenure may be distinct from standards for promotion.

B. Tenure Policy Principles

1. Recommendations for granting or denying tenure will be based on a verifiable record of performance.
2. Recommendations and decisions on tenure will not discriminate on any basis prohibited by law or policy.
3. The required content of the portfolio and the academic unit standards will be available to the candidate and the reviewers.
4. The tenure policy and guidelines at the time of hire will be used for evaluation and rating during the critical year for tenure as stated in the initial contract letter.
5. The portfolios of all candidates within a given academic unit should conform to the same criteria, although variation related to the nature of the candidate's activity is expected.
6. Review committees must consistently follow tenure procedures when evaluating all candidates within a college.
7. Each critical area—teaching, research/scholarly/creative accomplishment, and service—must be evaluated and rated separately and will include criteria addressing collegiality. An overall tenure rating must also be provided.
8. At a minimum, the rating system must include two levels—satisfactory/meets expectations and unsatisfactory/does not meet expectations.
9. Each person in the review process has a professional responsibility to treat information that evaluates another's work as confidential unless otherwise required by law.
10. Allegations of misconduct made against a candidate during the tenure review process will not be considered by the reviewers. Confirmed professional misconduct that occurred during the probationary period is a valid consideration.

II. Appointments

A. With the exception of special appointments clearly limited to a brief association with the university and reappointments of retired faculty members on special conditions, all full-time appointments eligible for tenure under Academic Appointments and Titles (7.2) will be either 1) tenured or 2) probationary.

1. Tenured appointments will require that, prior to the appointment, the candidate successfully complete tenure procedures specified in this policy.
2. Probationary appointments are subject to annual renewal at the university's

discretion and are made on the basis of several factors.

a. A probationary faculty member's tenure status and years of credit for probationary service will be specified in the initial appointment letter, along with any conditions.
b. Beginning with full-time appointment to the rank of instructor or above, the probationary period for a faculty member will not exceed six years, including within this period credit granted for appropriate full-time service in all institutions of higher education, unless extended as permitted by university policy.
c. At the discretion of the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs* ~~for academic affairs~~, prior full-time service at another university may be counted toward fulfillment of the required probationary period for tenure at SFA. Normally this credited time is no more than two years and must be determined at the time of initial appointment to a tenure-track position.
d. Leaves of absence for appropriate scholarly reasons specified in Policy 12.11, *Leaves of Absence and Miscellaneous Leave – Faculty and Staff*, will count as part of the probationary period, unless an exception to this provision is agreed to in writing at the time the leave is granted.
e. Leaves of absence for one semester or more due to health-related issues or military service as specified in Policy 12.11 will not be counted toward fulfillment of the required probationary period, unless an exception to this provision is agreed to in writing at the time the leave is granted.
f. For purposes of calculating the period of probationary service, an "academic year" is the full nine-month period from September through May. If a faculty member begins service after September 1, the partial year will not be counted toward fulfillment of the maximum probationary period.
g. The portfolio must be submitted in the fall semester of the final year of probationary service, unless permission is granted by the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs* ~~for academic affairs~~ for earlier submission.
h. Circumstances may justify adjustment of the probationary period. It is the faculty member's responsibility to provide documentation that demonstrates why an adjustment should be granted. This documentation must be submitted to and approved by the candidate's academic unit head, dean and then the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs* ~~for academic affairs~~.

B. The reappointment of probationary faculty will be determined by the appropriate academic administrators.
C. Notice of reappointment will be in writing and will specify the probationary faculty member's tenure status, years of credit for probationary service and any special

conditions. Any special conditions contained in the initial appointment letter will continue to be in effect until expressly revoked by the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~, regardless of whether such special conditions were re-published in the annual contract letter.

D. Notice of non-reappointment, or of intention not to reappoint a faculty member, will be provided in writing according to the following schedule. Non-reappointment may be made for any lawful reason or no reason.
   1. During the first year of probationary service, notice will be provided no later than March 1 and termination will occur at the end of that year's contract.
   2. During the second year of probationary service, notice will be provided no later than December 15 and termination will occur at the end of that year's contract.
   3. During subsequent years of a probationary appointment, the faculty member will be notified no later than August 31 that a terminal contract will be offered for the next academic year.

III. Pre-tenure Reviews

A. Each college and its academic units will establish a pre-tenure review process that is approved by the dean and the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~. Copies must be filed in the offices of the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs* ~~for academic affairs~~ and the general counsel. Each faculty member's progress toward tenure will be formally reviewed at least once during the probationary period. The process must allow all tenured faculty members at the academic unit level, the academic unit head, elected tenured faculty (one from each academic unit) at the college level, the dean, and the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~ to review probationary faculty materials. The candidate will receive written feedback that includes strengths and weaknesses (with recommendations for addressing any weaknesses), a statement indicating whether the candidate is progressing satisfactorily toward tenure, and specific expectations concerning the continuation of appointment. At a minimum, pre-tenure reviews must be conducted according to the following schedule:
   1. Faculty fulfilling a six-year or five-year probationary period must be reviewed in the third year of probationary service.
   2. Faculty fulfilling a four-year or three-year probationary period must be reviewed in the second year of probationary service.

B. Failure to submit the pre-tenure portfolio will result in a terminal contract for the following academic year.

IV. Tenure Reviews

A. The academic unit, with approval of the dean and the ~~provost and vice president~~

Provost and Executive Vice President for Academic Affairs~~for academic affairs~~, will establish tenure standards for teaching, research/scholarly/creative accomplishments and service. Each college and its academic units will also establish a tenure review process that is approved by the dean and the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~.

1. Copies must be filed in the offices of the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~ and the general counsel.
2. The process must allow all tenured faculty members at the academic unit level, the academic unit head, elected tenured faculty (one from each academic unit) at the college level, and the dean to review probationary faculty materials.
3. Academic unit heads and deans may consider other pertinent information during the review process. All candidates for tenure will be evaluated based upon standards in place as of the candidate's initial contract letter.
4. Research/scholarly/creative achievements produced prior to employment at SFA will only count toward fulfilling an academic unit scholarship requirement for tenure if recommended by the unit head and dean in the initial hiring contract and approved by the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~.

B. During the academic year prior to the year of the tenure review, the academic unit head will meet with the candidate to discuss the tenure review process including the requirements for preparation of the portfolio, which is due the following fall semester.

1. A candidate must apply for tenure in the final year of probationary service, according to the date specified in the initial contract or the schedule set by the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~.
2. Candidates are responsible for preparing and submitting a portfolio that demonstrates how the candidate meets or exceeds the tenure standards. The portfolio must contain all relevant supporting materials, including a table of contents, current vitae, all annual performance reports, all pre-tenure reviews, all administrative evaluations, all student evaluations while at the university since the candidate's pre-tenure review and other materials required by the academic unit. The candidate may consult with the academic unit head (or dean) in preparation of the portfolio.
3. Faculty members in administrative positions will submit their portfolios to their immediate supervisors who will receive recommendations and supporting comments from the tenured faculty reviewers at the academic unit and college levels. In all other respects the review process for faculty in administrative positions will be consistent with the approved faculty review process for their college.

4. Faculty members with concurrent appointments in two academic units and/or two colleges will be evaluated by both academic units and/or colleges.

C. The candidate will be notified in writing within five (5) class days after the academic unit head completes all recommendations regarding applications for tenure. Within five (5) class days of reviewing the written recommendation and supporting comments, the candidate may attach a letter of response addressing errors of fact in the recommendation. Such a notification and any subsequent response by the candidate will become part of the candidate's portfolio.

D. The candidate will be notified in writing within five (5) class days after the college tenure committee and dean complete all recommendations regarding applications for tenure. Within five (5) class days of reviewing the written recommendation and supporting comments, the candidate may attach a letter of response addressing errors of fact in the recommendation. Such a notification and any subsequent response by the candidate will become part of the candidate's portfolio.

E. The complete portfolio will then be submitted to the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~ for review. The ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~ will submit the complete portfolio and a recommendation to the president and notify the candidate of the recommendation.

F. The president will review the complete portfolio and recommendations and any other evidence deemed pertinent as a basis for a recommendation to the Board of Regents.

G. The recommendation of the president is then submitted for consideration by the Board of Regents. Tenure may only be granted by official action of the Board of Regents. Within the next class day following the action of the Board of Regents, each candidate will be notified in writing of the board's action by the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~.

V. Termination and Non-Renewal of Contracts Procedural Guarantees

A. Tenured or Probationary Faculty with an Unexpired Appointment Extending Beyond the Date of Proposed Dismissal

1. Good cause for the dismissal of a probationary faculty member whose specified term of employment has not expired, or for the revocation of tenure and dismissal of a tenured faculty member includes but is not limited to: moral turpitude; conviction of any felony; professional incompetence; substantial neglect of professional responsibilities; finding of sexual harassment/misconduct or discrimination under policies 2.11, *Nondiscrimination* and/or 2.13, *Title IX*; bona fide financial exigency or phasing out of programs or an academic unit requiring faculty reduction; and physical or mental disability of a continuing nature rendering the faculty member unable to perform professional responsibilities of the position.
2. The burden of proof that good cause exists for dismissal rests with the university.

The burden of proof will be by preponderance of the evidence.

3. Dismissal will be preceded by discussion between the faculty member and appropriate administrative officers of the university. If a mutually agreeable resolution cannot be achieved, a written statement of specific charges will be prepared by the president or the president's designee.
4. If a written statement of specific charges is issued, the faculty member has the right to a hearing by a hearing committee of the grievance panel. Notice of the hearing with specific charges in writing will be served at least twenty (20) calendar days prior to the hearing. Hearings should be completed without undue delay. The hearing will be private and confidential, to the extent allowed by law, unless the faculty member elects to have a public hearing.
    a. The hearing committee will be comprised of seven members selected from the grievance panel; three will be selected by the faculty member, three by the president's designee and one by random selection. The faculty member and the university may each challenge the selection of two committee members without stated cause. In the event the faculty member fails to make his/her selection, the three individuals will be selected at random. If a selected member of the hearing committee deems himself/herself biased, he/she will remove herself/himself and an alternate selection will be made using the same procedure that named the removed committee member.
    b. The hearing committee will assign members' roles and establish procedures to carry out its responsibilities in a manner that affords both parties due process and fairness. At a minimum, both parties have the right to appear in person at the scheduled time, present all evidence that is relevant or material to the matter, and introduce and cross-examine witnesses.
    c. The faculty member may have an advisor present at the hearing; however the advisor may only consult and advise the faculty member and is not permitted to participate in the hearing.
    d. At least five (5) calendar days prior to the hearing, the faculty member and president's designee will provide the hearing committee and each other with copies of any evidence to be used at the hearing, the names of witnesses to be called, and a summary of each witnesses' expected testimony.
    e. The hearing committee will not be bound by strict rules of legal evidence and may consider any evidence of probative value.
    f. The hearing committee, by a majority of its total membership, will make written findings on each charge and recommendations. The findings and recommendations will be based solely on the hearing record. The hearing committee's findings, recommendations, and the basis for them will be communicated in writing to the faculty member and the president. It will be accompanied by a verbatim written record and audio recording of the

hearing.

g. If the hearing committee concludes that good cause for dismissal has not been established by the evidence in the record and the president rejects the committee's recommendation, the reason for doing so will be stated in writing to the committee and the faculty member. The president will provide a reasonable time for response before presenting the case to the Board of Regents.

5. When it is the president's final judgment to recommend dismissal, the recommendation, a verbatim written record of the hearing, and the report of the hearing committee will be presented to the Board of Regents.

   a. If the recommendation of the president for dismissal conflicts with the recommendation of the hearing committee, the Board of Regents will review the case based on the record of the hearing, with opportunity for argument by the faculty member and president's designee.

   b. If the recommendations of the president and the hearing committee are in accord, the Board of Regents may choose to limit its review to the record of the hearing. The Board of Regents chair will communicate the decision in writing through the president to the chair of the hearing committee and the faculty member.

6. Pending action by the Board of Regents, the faculty member may be suspended without pay and immediately removed from the university, or assigned to other duties with pay, if the faculty member: (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 of a felony or crime of moral turpitude. In cases of suspension or reassignment, the president will set a hearing before the appropriate administrator or committee on the faculty member's case as soon thereafter as is practical unless otherwise waived by the faculty member.

7. Faculty members with tenure subject to termination due to failure to successfully complete a plan for assisted development will be given the opportunity for referral of the matter to a nonbinding alternative dispute resolution process as described in Chapter 154, Civil Practice and Remedies Code, or other type of alternative dispute resolution as mutually selected by the faculty member and president or president's designee.

B. Probationary Faculty Whose Contract is Not Renewed

1. A probationary faculty member who has been notified of non-reappointment may appeal through the proper channels only on presentation of a prima facie case that constitutional guarantees or academic freedom was violated. Appeals will adhere to the following schedule:

   a. Non-reappointment on or before March 1 during the first year of probationary service must be appealed within 30 days of notification.

   b. Non-reappointment on or before December 15 during the second year of

probationary service must be appealed within 60 days of notification.

c. Non-reappointment during a subsequent year of probationary service must be appealed within 30 days after the beginning of the next *academic year*~~fall term~~.

2. The burden of proof for allegations of abridgement of constitutional guarantees or academic freedom is upon the probationary faculty member. The burden of proof will be by the preponderance of the evidence.
3. A faculty member who alleges abridgement of constitutional guarantees or academic freedom will present evidence to a grievance panel hearing committee.
   a. The committee will be comprised of five members selected from the grievance panel; two will be selected by the faculty member, two by the president's designee, and one by random selection. The faculty member and the university may each challenge the selection of one committee member without stated cause. In the event the faculty member fails to make his/her selection, the two individuals will be selected at random.
   b. The committee will assign members' roles and establish procedures to carry out its responsibilities.
   c. The faculty member may have an advisor present at the hearing; however the advisor may only consult and advise the faculty member and is not permitted to participate in the hearing.
   d. At least five (5) calendar days prior to the hearing, the faculty member and president's designee will provide the committee and each other with copies of any evidence to be used at the hearing, the names of witnesses to be called, and a summary of each witnesses' expected testimony.
   e. Hearings should be completed without undue delay. The hearing will be private and confidential, to the extent allowed by law, unless the faculty member elects to have a public hearing.
4. If the hearing committee finds probable cause that there was an abridgement of constitutional guarantees or academic freedom, conferences between the faculty member and appropriate administrative officers of the university will be scheduled. If the conferences fail to achieve a mutual settlement, the faculty member's institutional due process is completed.
5. If the hearing committee finds no probable cause that there was an abridgement of constitutional guarantees or academic freedom, the faculty member's institutional due process is completed.
6. A written report of the hearing committee's findings will be sent to the president and to the faculty member.

Cross Reference: Academic Appointments and Titles (7.2); ~~Administrative Leave (Faculty and~~

~~Staff)~~*Leaves of Absence and Miscellaneous Leave – Faculty and Staff* (12.11); Academic Freedom and Responsibility (7.3); Performance Evaluation of Faculty (7.22); *Non*~~D~~*d*iscrimination ~~Complaints~~ (2.11); ~~Sexual Misconduct~~ *Title IX* (2.13); Faculty Code of Conduct (7.11); Authorization for the University President to Suspend Faculty and Staff (11.3); Tex. Educ. Code § 51.942(d)

Responsible for Implementation: President

Contact for Revision: President

Forms: Faculty Activity Report; Administrative Evaluation; Promotion/Tenure Application

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
July 26, 2016
October 18, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Title IX

Policy Number: 2.13

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/27/2022

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): Establish process and procedure for implementation of Title IX.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☒ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Section VIII. Supportive Measures, Generally.: Statement added in accordance with TWC's audit finding.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Lissy Turner, Title IX Coordinator
John Wyatt, Interim Director of Human Resources
Damon Derrick, General Counsel

Title IX

Original Implementation: July 27, 2015
Last Revision: July 26, 2022

I. Policy Statement

Stephen F. Austin State University (the "University") is committed to providing an educational and employment environment free of unlawful sex discrimination. Consistent with Stephen F. Austin State University's Non-Discrimination Notice and the U.S. Department of Education's implementing regulations for Title IX of the Education Amendments of 1972 ("Title IX"), the University prohibits Sexual Harassment that occurs within its Education Programs and Activities.

As further defined below, for purposes of this Policy, Sexual Harassment includes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

Administrators, faculty members, staff, students, contractors, guests, and other members of the University community who commit Sexual Harassment are subject to the full range of university discipline.

II. Scope

This Policy applies to Sexual Harassment, as defined below, that occurs within the University's Education Programs and Activities and that is committed by an administrator, faculty member, staff, student, contractor, guest, or other member of the University Community within the United States.

Non-Discrimination in Application: The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the institution's policy or process may contact the Department of Education's Office for Civil Rights using contact information available at https://ocrcas.ed.gov/contact-ocr. Pg. 1.

Disability Accommodations: This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX process that do not fundamentally alter the process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

III. Definitions

A. **"Sexual Harassment"** for purposes of this Policy is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.

B. **"Quid Pro Quo Sexual Harassment"** occurs when an employee of the University conditions the provision of aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct.

C. **"Hostile Environment Sexual Harassment"** is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person access to the University's education programs and activities.

D. **"Sexual Assault"** includes the sex offenses of Rape, Sodomy, Sexual Assault with an Object, Fondling, Incest, and Statutory Rape.[1]

1. **"Rape"** is the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

2. **"Sodomy"** is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

3. **"Sexual Assault with an Object"** is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

4. **"Fondling"** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

5. **"Incest"** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Texas law.

6. **"Statutory Rape"** is sexual intercourse with a person who is under the statutory age of consent as defined by Texas law.

[1] The University's definition of "Sexual Assault" is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require the University to adopt a definition of "Sexual Assault" that incorporates various forcible and non-forcible sex crimes as defined by the FBI's Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a)(3). When applicable, we have included the state law definition. In any criminal action brought by law enforcement, the state law definition will apply.

E. **"Domestic (Family) Violence"** is felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or who has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Texas[2], or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Texas. This includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who is:

- a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;
- is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- with whom the victim shares a child in common; or
- commits acts against youth or adult victim who is protected from those acts under the family and domestic violence laws of Texas.

It should be understood that domestic violence/dating violence applies to any pattern of coercive behavior that is used by one person to gain power and control over a current or former intimate partner or dating partner. This pattern of behavior may include physical or sexual violence, emotional and psychological intimidation, threats, verbal abuse, stalking, isolation, and economic control.

F. **"Dating Violence"** [3] is violence committed by a person:

[2] Family Violence is defined by the Texas Family Code Section 71.004 as:
(1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;
(2) abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household; or
(3) Dating violence, as that term is defined by Section 71.0021.

[3] Dating violence is defined by the Family Code, Section 71.0021 as:
(a) an act, other than a defensive measure to protect oneself, by an actor that:
(1) is committed against a victim:
(A) with whom the actor has or has had a dating relationship; or
(B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and
(2) is intended to result in physical harm, bodily injury, assault, or Sexual Assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or Sexual Assault.

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

2. Where the existence of such a relationship will be determined based on a consideration of the following factors:

   - The length of the relationship;
   - The type of relationship; and
   - The frequency of interaction between the persons involved in the relationship.

G. **"Stalking"** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

   - Fear for their safety or the safety of others; or
   - Suffer substantial emotional distress.

For the purposes of this definition—

1. *Course of Conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, or communicates to or about a person, threats that a reasonable person would regard as threatening bodily injury or death of that person, their family members including someone with whom the person is dating or interferes with that person's property.

2. *Reasonable Person* means a person under similar circumstances and with similar identities to the person subjected to the stalking behavior would fear for their safety or the safety of others, or suffer substantial emotional distress.

3. *Substantial Emotional Distress:* Significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

H. **"Economic Abuse"** in the context of domestic violence and dating violence means behavior that is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled,

(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:
(1) the length of the relationship;
(2) the nature of the relationship; and
(3) the frequency and type of interaction between the persons involved in the relationship.
(c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

including using coercion, fraud, or manipulation to:

i. Restrict a person's access to money, assets, credit, or financial information;
ii. Unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage; or
iii. Exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.

I. **"Technological Abuse"** means an act or pattern of behavior that occurs within domestic violence, sexual assault, dating violence or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to:

1. Internet enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, or communication technologies, or any other emerging technologies.

J. **"Reasonable Person"** a hypothetical person that is used as a comparative standard regarding the action(s) or situation of another individual and whether or not the approach taken or not taken was appropriate given the circumstances. This comparative standard is used in addition to the definition of "stalking".

K. **"Relevant"**- evidence pertinent to proving whether facts material to the allegations under investigation are more or less likely to be true. "Relevant" evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true. "Relevant" evidence and questions do not include the following types of evidence and questions, which are deemed "irrelevant" at all stages of the Title IX Process:

1. Evidence and questions about the complainant's sexual predisposition or prior sexual behavior unless:
   i. They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
   ii. They concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).
2. Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege.
3. Any party's medical, psychological, and similar records unless the party has given voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020)

L. **"Mandatory Reporter"**-All University Employees, with the exception of Confidential Employees, operating in the scope of their employment who witness or receive information regarding an incident that the employee reasonably believes constitutes Sexual Harassment, Sexual Assault, Dating Violence, and/or Stalking

and has been alleged to have been committed by or against a person who was a student enrolled at or an employee of the University at the time of the incident.

M. **"Consent"** is a clear voluntary, ongoing, mutual understanding among all participants that clearly indicates a willingness, through words or physical actions, and demonstrates a knowing, intentional agreement to engage in each specific instance and stage of sexual contact or activity. Knowledge of consent is the responsibility of each person involved in every instance of sexual contact and/ or activity and consent can be withdrawn at any time. A person who is Coerced and/or Incapacitated is not capable of giving Consent. Consent cannot be inferred from silence, absence of resistance, or lack of protest.

The following list provides examples of when Consent has not been obtained or is not effective:

- Consent is not effective when any participant in the sexual activity is unsure if a knowing, intentional, voluntary agreement to engage in each act of sexual activity has been demonstrated.
- Consent is not effective if one person knew or reasonably should have known that another person involved was incapacitated.
- Consent to one act does not imply consent to another; past consent does not imply future consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of consent.
- Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) Intimidation,[4] (d) Coercion, (e) Incapacitation or (f) any other factor that would eliminate an individual's ability to exercise their own free will to choose whether or not to have sexual activity.
- A current or previous dating or sexual relationship does not, by itself, constitute consent. Even in the context of a relationship, there must be a voluntary, mutually understandable agreement that clearly demonstrates a willingness to engage in each instance of sexual activity.
- An individual's manner of dress does not, by itself, constitute Consent to engage in sexual conduct and/or activity.

[4] *Intimidation* means intentional behavior that would cause a reasonable person to fear injury or harm.

N. **"Incapacitated"** refers to a state of being that prevents an individual from having the mental ability, emotional stability, or maturity to provide consent at the time the alleged behavior occurs. Incapacitation could result from the use of drugs or alcohol, a person being asleep or unconscious, or because of an intellectual or other disability or medical condition.

> Alcohol and drugs can impair judgment and decision-making capacity, including the ability to rationally consider the consequences of one's actions. The effects of alcohol and drug consumption often occur along a continuum. For example, inhibition to euphoria and memory impairment, and to disorientation and incapacitation. Incapacitation due to alcohol or drug use is a state beyond "mere" intoxication or even being drunk. Indicators of incapacitation may include inability to communicate, lack of control over physical movements, and/or lack of awareness of circumstances. An incapacitated person can also experience a blackout state during which they appear to give consent but do not have conscious awareness or the capacity to consent.

O. **"Coercion"** is the use of pressure and/or other oppressive behavior, including expressed or implied threats of physical harm, or severe and/or pervasive emotional intimidation which places an individual in fear of immediate or future harm or physical injury or causes a person to engage in unwelcome sexual activity. A person's words or conduct amounts to coercion if they wrongfully limit the other's ability to freely choose whether or not to engage in sexual activity. Coercion also includes administering a drug, intoxicant, or other substance that impairs the person's ability to give consent.

P. **"Retaliation"** is intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Retaliation is prohibited and is considered a stand-alone policy violation without regard to any finding of responsibility for violation of this policy.

Q. **"Complainant"** means the individual(s) who is alleged to have been impacted by a violation of this Policy.[5]

R. **"Respondent"** means the individual(s) who is alleged to have violated this Policy.

S. **"Formal Complaint"** means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the University investigate the allegation of Sexual Harassment in accordance with this Policy. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the University's education programs

[5] A Complainant and Respondent are each individually a "Party" and collectively the "Parties" with respect to a Formal Complaint filed under this Policy.

and activities. A "document filed by a Complainant" means a document or electronic submission (such as the reporting form) that contains the Complainant's physical or electronic signature or otherwise indicates that the Complainant is the person filing the Complaint.

T. **"Supportive Measures"** are non-disciplinary, non-punitive individualized services offered, as appropriate, and reasonably available, and without fee or charge, that are designed to restore or preserve equal access to the University's Education Programs and Activities without unreasonably burdening another Party, including measures designed to protect the safety of all parties implicated by a report or the University's education environment, or to deter Sexual Harassment. Supportive measures may include: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.

U. **"Education Programs and Activities"** refers to all the operations of the University, including, but not limited to, in-person and online educational instruction, employment, research activities, extracurricular activities, athletics, residence life, dining services, performances, and community engagement and outreach programs. Additionally, the term applies to all activity that occurs on campus or on other property owned or occupied by the University. It also includes off-campus locations, events, or circumstances over which the University exercises substantial control over the Respondent and the context in which the Sexual Harassment occurs, including Sexual Harassment occurring in any building owned or controlled by a student organization that is officially recognized by the University. It also includes off-campus conduct when the conduct could deny or limit a person's ability to participate in or benefit from the University's programs and activities or when the University, in its sole discretion, has an identifiable interest in the off-campus conduct.

IV. Understanding Hostile Environment Sexual Harassment

In determining whether a Hostile Environment exists, the University will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant; the nature and severity of the conduct at issue; the frequency and duration of the conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the respective ages of the parties; the context in which the conduct occurred; and the number of persons affected. The University will evaluate the totality of circumstances from the perspective of a reasonable person in the Complainant's position. A person's adverse subjective reaction to conduct is not sufficient, in and of itself, to establish the existence of a hostile environment.

The University encourages members of the University Community to report any and all instances of Sexual Harassment, even if they are unsure whether the conduct rises to the level of a policy violation.

Sexual Harassment also includes gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender or gender stereotyping, sexual orientation, and gender identity even if those acts do not involve conduct of a sexual nature.

Some specific examples of conduct that may constitute Sexual Harassment if unwelcome include, but are not limited to:

- Unreasonable pressure for a dating, romantic, or intimate relationship or sexual contact;
- Unwelcome kissing, hugging, or massaging;
- Sexual innuendos, jokes, or humor;
- Displaying sexual graffiti, pictures, videos, or posters;
- Using sexually explicit profanity;
- Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities;
- E-mail and Internet use that violates this policy;
- Leering or staring at someone in a sexual way, such as staring at a person's breasts or groin;
- Sending sexually explicit emails, text messages, or social media posts;
- Commenting on a person's dress in a sexual manner;
- Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship; or
- Insulting, demeaning, or degrading another person based on gender or gender stereotypes.

V. Reporting Sexual Harassment

A. *Title IX Coordinator*

Any person may report Sexual Harassment to the Title IX Coordinator. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours.

Reporting options and online reporting forms can be found at the following website: www.sfasu.edu/lumberjacks-care. In addition, a link to reporting information will be maintained on the university home page.

Contact information for the Title IX Coordinator and Deputy Title IX coordinators is outlined below. This information is subject to change and the most updated contact information for the Title IX coordinator and deputy coordinators can be found at www.sfasu.edu/lumberjacks-care.

Title IX Coordinator	McKibben Education Building, Suite 304 titleix@sfasu.edu | (936) 468-8292
Deputy Title IX Coordinator for Faculty, Staff, and Third Parties: Director of Human Resources	Austin Building, Suite 201 titleixemployees@sfasu.edu | (936) 468-2304

Deputy Title IX Coordinator for Athletics: Senior Woman Administrator, SFA Intercollegiate Athletics	SFA Athletic Fieldhouse titleixathletics@sfasu.edu | (936) 468-3751
Deputy Title IX Coordinator for the SFA Charter School: CEO/Principal SFA Charter School	2428 Raguet Street titleixcharter@sfasu.edu | (936) 468-5899

B. *Mandatory Reporting Requirement for University Employees*

Under Texas law, all University employees, with the exception of Confidential Employees, who:

1. in the course and scope of their employment[6]

2. witnesses or receives information regarding an incident that the employee reasonably believes constitutes Sexual Harassment,[7] Sexual Assault, Dating Violence, or Stalking, which

3. is alleged to have been committed by or against a person who was a student enrolled at or an employee of the University at the time of the incident

must promptly report within 48 hours the incident to the University's Title IX Coordinator or a Deputy Title IX Coordinator.

Writing required. The University's online reporting form is the preferred method of communicating incidents promptly, so that a record is made of the time and all factual details disclosed in the initial report. A written memo is also acceptable if it can be delivered to a Coordinator promptly after the employee's duty to report arises.

Report Contents. The employee's report must include all information concerning the incident known to the employee which is relevant to an investigation under this Policy, including whether the subject of the report has expressed a desire for an institutional response to the incident or made a request for confidentiality in reporting the incident.

Privacy vs. Confidentiality.
References made to confidentiality refer to the ability of identified confidential resources to not report full details of crimes and violations, in accordance with mandatory reporting laws, to law enforcement or university officials without permission, unless waived in writing by the affected individual, or for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to privacy mean University officials and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed

[6] "Course and Scope of Employment" means an employee performing duties in the furtherance of the institution's interests.
[7] For the purposes of Texas's mandatory reporting requirement only, "Sexual Harassment" means: means unwelcome, sex-based verbal or physical conduct that (a) in the employment context, unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment; or (b) in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from the University's educational programs or activities.

will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee. The University will limit the disclosure as much as practicable even if the Title IX Coordinator or designee determines that the request for confidentiality cannot be honored.

Exceptions. The mandatory reporting requirement does not apply to:

1. Individuals who are themselves the victims of the Sexual Harassment, Sexual Assault, Dating Violence, or Stalking incident that is being reported;

2. Instances when an employee receives information about Sexual Harassment, Sexual Assault, Dating Violence, or Stalking at a public awareness event sponsored by the University; or

3. Employees designated as Confidential Employees.

4. A campus peace officer employed by the university who receives information regarding an incident involving sexual assault, domestic violence, dating violence, or stalking from an alleged victim who chooses to complete a pseudonym form described in Texas Code of Criminal Procedure. University Police Officers must report limited information to the Title IX Coordinator, including the type of incident, general location and date of alleged incident. The report may not include the victim 's name, phone number, address, or other information that may directly or indirectly reveal the victim 's identity.

Consequences of Non-Compliance. An employee who fails to make a required report will be terminated following an investigation and any required process under the applicable personnel policy.[8]

Immunity. An employee who, in good faith reports or assists in the investigation of a report under this Policy, or who testifies or otherwise participates in a disciplinary process or judicial proceeding arising from a report of such an incident, will not be subject to disciplinary action for violations of the administrative policies of Stephen F. Austin State University that are reasonably related to the incident. This immunity does not apply to a person who perpetrates or assists in the perpetration of the incident reported under this policy or who commits a criminal offense pursuant to Texas Education Code § 51.255(a).

C. *Confidential Employees*

The University believes it is critical to provide community members who may be experiencing Sexual Harassment information about available institutional resources to empower those individuals to make informed decisions about their rights and options. Members of the University community may speak to officially designated Confidential Employees[9] about Sexual Harassment, Sexual

[8] Employees who fail to make a mandatory report under this provision may also be subject to criminal prosecution pursuant to Texas Education Code section 51.255(a).
[9] Under Texas law, a "Confidential Employee" is an employee (1) designated by the University as a person with whom students may speak confidentially concerning Sexual Harassment, Sexual Assault, Dating Violence, or Stalking or (2)

Assault, Dating Violence, or Stalking without the conversation triggering a mandatory report of incident details.

The University has designated the following Confidential Resources:

SFA Counseling Services
(936) 468-2401 | counseling@sfasu.edu

SFA Human Services Counseling Clinic
(936) 468-1041 | SFACounselingClinic@sfasu.edu

SFA Student Health Clinic
(936) 468-4008 | healthservices@sfasu.edu

Family Crisis Center of East Texas
(936) 468-7233 Campus Office
(800) 828-7233 (24-hour crisis line)

A Confidential Employee is not required to report any information that would violate an individual's expectation of privacy, such as the name or other identifying information of an individual who has experienced or allegedly engaged in Sexual Harassment.

This provision does not affect any employee's duty to report incidents of sexual misconduct as required by other law.

D. *Reports to Law Enforcement*

Victims of a crime have the right to choose whether to report the crime to law enforcement, to be assisted by the University in reporting the crime to law enforcement, or to decline to report the crime to law enforcement. The University encourages anyone who believes they experienced or witnessed a crime to make a report to the Stephen F. Austin State University Police Department ("UPD"), if the assault occurred on campus, or to local law enforcement, for crimes occurring off campus.

Reports of criminal offenses occurring on campus, including but not limited to sexual assault, dating violence, domestic violence, and stalking may also be made to UPD at 936-468-2608 (non-emergency) or 911 (emergency) or to the City of Nacogdoches Police Department 936-559-2607 (non-emergency) or 911 (emergency) or to other local law enforcement authorities. Regardless of where the incident occurred, UPD can assist in making a report to the appropriate law enforcement agency. Individuals are not required to report all criminal violations to law enforcement, but the University strongly encourages reporting criminal violations to the police. The Title IX Coordinator and deputy Title IX coordinators can assist individuals in contacting these law enforcement agencies as well as the confidential resources outlined in Section 6.1 C of this policy. Employees and students

receives information regarding such an incident under circumstances that render the employee's communications confidential or privileged under other law.

with protective or restraining orders relevant to a report are encouraged to provide a copy to the University Police Department.

If a report of a policy violation is made to UPD, officers will advise the complainant or reporting party of their right to file a report under this policy. To the extent allowed by law and university policy, UPD shall also notify the Title IX Coordinator of the report, and provide the Title IX Coordinator, or the individual investigating the reported policy violation, access to any related university law enforcement records, so long as doing so does not compromise any criminal investigation.

E. *Medical Treatment and Preservation of Evidence*

In cases of sexual assault, and for one's safety and well-being, immediate medical attention is encouraged to evaluate for physical injury, sexually transmitted diseases, and pregnancy. Being examined as soon as possible, ideally within 120 hours, is important for evidence collection, which may be used to support prosecution should the Complainant decide to pursue criminal charges.

F. *Anonymous Reports*

Anyone, not designated as a Mandatory Reporter, can make an anonymous report by submitting information through the Online Reporting Form found at http://www.sfasu.edu/lumberjacks-care.

VI. Preliminary Assessment

Upon receipt of a report, the Title IX Coordinator will conduct a preliminary assessment to determine whether the conduct, as reported, constitutes or could constitute Sexual Harassment.

If the Title IX Coordinator determines that the conduct reported could not fall within the scope of this Policy, and/or could not constitute Sexual Harassment, even if investigated, the Title IX Coordinator will close the matter and may notify the reporting party if doing so is consistent with the Family Educational Rights and Privacy Act ("FERPA"). The Title IX Coordinator may refer the report to other University offices, as appropriate.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of this Policy, and/or could constitute Sexual Harassment, if investigated, the Title IX Coordinator will proceed to contact the Complainant.

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the Complainant, if such identity is not apparent from the report.

VII. Contacting the Complainant

If a report is not closed as a result of the preliminary assessment and the Complainant's identity is known, the Title IX Coordinator or their designee will promptly contact the Complainant to discuss the following:

- the availability of Supportive Measures with or without filing a Formal Complaint;

- the Complainant's wishes with respect to such Supportive Measures;
- the process for filing and pursuing a Formal Complaint;
- the importance of going to a hospital for treatment and preservation of evidence as soon as practicable after the incident, if applicable;
- the right to report the incident to the institution and to receive a prompt and equitable resolution of the report;
- the right of a victim of a crime to choose whether to report the crime to law enforcement, to be assisted by the institution in reporting the crime to law enforcement, or to decline to report the crime to law enforcement; and
- information about resources that are available on campus and in the community.

VIII. Supportive Measures

Generally. Any individual affected by or accused of Sexual Harassment will have equal access to support and counseling services offered through the University. The University encourages any individual who has questions or concerns to seek support of University-identified resources. The Title IX Coordinator or their designee is available to provide information about the University's policy and procedure and to provide assistance. A list of University identified resources is located at the following link: http://www.sfasu.edu/lumberjacks-care

With regard to an allegation of sexual harassment of an employee, the university and the supervisor of the respondent-employee will take immediate and appropriate corrective action appropriate to the circumstances of the allegation, while affording the necessary due process rights to the respondent-employee.

Complainant. The Title IX Coordinator or their designee will offer and make available Supportive Measures to the Complainant upon receipt of a report of Sexual Harassment regardless of whether the Complainant elects to file a Formal Complaint.

Respondent. The Title IX Coordinator or their designee will notify the Respondent of the availability of Supportive Measures contemporaneously with the Respondent being notified of a Formal Complaint. Once a Formal Complaint has been initiated, the University will offer and make available Supportive Measures to the Respondent in the same manner in which it offers and makes them available to the Complainant. The University will also offer and make available Supportive Measures to the Respondent prior to the Respondent being notified of a Formal Complaint, if the Respondent requests such measures.

All Parties. The University will, to the greatest extent practicable, ensure that each Party or other person who reports an incident of Sexual Harassment is offered counseling provided by a counselor who does not provide counseling to any other person involved in the incident. In addition, all Parties are allowed to drop a course in which both Parties are enrolled without any academic penalty.

Confidentiality. The University will maintain the confidentiality of Supportive Measures provided to either a Complainant or Respondent, to the extent that maintaining such confidentiality does not impair the University's ability to provide the Supportive Measures in question.

IX. Emergency Removal

At any time after receiving a report of Sexual Harassment, the Title IX Coordinator may remove a student Respondent from the University's education programs and activities on a temporary basis if an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal. In the event the Title IX Coordinator imposes an emergency removal, the Title IX Coordinator must offer to meet with the Respondent within 24 hours and provide the Respondent an opportunity to challenge the interim removal.

In the case of a Respondent who is a non-student employee (administrator, faculty, or staff), and in its discretion, the University may place the Respondent on administrative leave at any time after receiving a report of Sexual Harassment, including during the pendency of the investigation and adjudication process.

For all other Respondents, including independent contractors and guests, the University retains broad discretion to prohibit such persons from entering onto its campus and other properties at any time, and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

X. Formal Complaint

A. *Filing a Formal Complaint*

A Complainant may file a Formal Complaint with the Title IX Coordinator requesting that the University investigate and adjudicate a report of Sexual Harassment in accordance with this Policy. Provided, however, that at the time the Complainant submits a Formal Complaint, the Complainant must be participating in, or attempting to participate in, one or more of the University's Education Programs or Activities.

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by regular mail, or by email using the contact information specified above. No person may submit a Formal Complaint on the Complainant's behalf.

In any case, including a case where a Complainant elects not to file a Formal Complaint, the Title IX Coordinator may file a Formal Complaint on behalf of the University if doing so is not clearly unreasonable. Such action will normally be taken in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the University Community. Factors the Title IX Coordinator may consider include (but are not limited to):

1. the seriousness of the alleged incident, including (a) whether a weapon was involved in the incident, (b) whether multiple assailants were involved in the incident, and (c) whether the incident is poses a risk of recurrence;

2. whether the institution has received other reports of Sexual Harassment committed by the Respondent;

3. whether the alleged incident poses a risk of harm to others; and

4. any other factors the University determines relevant.

If the Complainant or the Title IX Coordinator files a Formal Complaint, then the University will commence an investigation and proceed to adjudicate the matter. If the University elects to proceed as a Complainant, the University will inform the alleged victim of the incident of that decision. In all cases where a Formal Complaint is filed, the Complainant will be treated as a Party, irrespective of the Party's level of participation.

B. *Consolidation of Formal Complaints*

The University may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where the investigation and adjudication process involve more than one Complainant or more than one Respondent, references in this policy to the singular "Party," "Complainant," or "Respondent" include the plural, as applicable.

C. *Dismissal Prior to Commencement of Investigation*

In a case where the Complainant files a Formal Complaint, the Title IX Coordinator will evaluate the Formal Complaint and must dismiss it if the Title IX Coordinator determines:

- The conduct alleged in the Formal Complaint would not constitute Sexual Harassment, even if proved; or
- The conduct alleged in the Formal Complaint falls outside the scope of this Policy (*i.e.*, because the alleged conduct did not occur in the University's Education Programs and Activities).

- The conduct alleged in the Formal Complaint took place outside the United States.

In the event the Title IX Coordinator determines the Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination for purposes of this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

D. *Notice of Formal Complaint*

Upon receiving a Formal Complaint, the Title IX Coordinator or designee will promptly transmit a written notice to the Complainant and Respondent that includes:

- A physical copy of or hyperlink to this Policy;
- Sufficient details known at the time so that the Parties may prepare for an initial interview with the investigator, to include the identities of the parties involved in the incident (if known), the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident (if known);
- A statement that the Respondent is presumed not responsible for the alleged Sexual Harassment and that a determination of responsibility will not be made until the

conclusion of the adjudication and any appeal;

- Notifying the Complainant and Respondent of their right to be accompanied by an advisor of their choice;
- Notifying the Complainant and Respondent of their right to inspect and review evidence;
- Notifying the Complainant and Respondent of the University's prohibitions on retaliation and false statements; and
- Information about resources that are available on campus and in the community.

Should the University elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the University will provide a supplemental written notice describing the additional allegations to be investigated.

E. *Presumption of Non-Responsibility*

From the time a report or Formal Complaint is made, a Respondent is presumed not responsible for the alleged misconduct until a determination regarding responsibility is made final.

XI. Investigation

A. *Commencement and Timing*

After the written notice of Formal Complaint is transmitted to the Parties, an investigator selected by the Title IX Coordinator will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination in the adjudication lies with the University and not with the Parties. The investigation will culminate in a written investigation report that will be submitted to the adjudicator during the selected adjudication process. Although the length of each investigation may vary depending on the totality of the circumstances, the University strives to complete each investigation within 100 university business days of the transmittal of the written notice of Formal Complaint.

B. *Equal Opportunity*

During the investigation, the investigator will provide an equal opportunity for the Parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence. Notwithstanding the foregoing, the investigator retains discretion to limit the number of witness interviews the investigator conducts if the investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is not Relevant. The investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.

The investigation is a Party's opportunity to present testimonial and other evidence that the Party believes is relevant to resolution of the allegations in the Formal Complaint. A Party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence

during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

C. *Documentation of Investigation*

The investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the investigator's notes, audio recorded, video recorded, or transcribed. The particular method utilized to record the interviews of parties and witnesses will determined by the investigator in the investigator's sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation.

D. *Access to the Evidence*

At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the investigator will transmit to each Party and their advisor, in either electronic or hard copy form, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence the University may choose not to rely on at any hearing and inculpatory or exculpatory evidence whether obtained from a Party or some other source. The parties will have ten calendar days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

The parties and their advisors are permitted to review the evidence solely for the purposes of this grievance process and may not duplicate or disseminate the evidence to the public.

E. *Investigation Report*

After the period for the parties to provide any written response has expired, the investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the investigator will transmit a copy to the Title IX Coordinator. The investigator will also transmit the investigation report to each Party and their advisor, in either electronic or hard copy form.

XII. Adjudication Process Selection

After the investigator has sent the investigation report to the parties, the Title IX Coordinator will transmit to each Party a notice advising the Party of the two different adjudication processes specified below. The notice will explain that the hearing process is the default process for adjudicating all Formal Complaints and will be utilized unless both parties voluntarily consent to administrative adjudication as a form of informal resolution. The notice will be accompanied by a written consent to administrative adjudication and will advise each Party that, if both parties execute the written consent to administrative adjudication, then the administrative adjudication process will be used in in lieu of the hearing process. Parties are urged to carefully review this Policy, consult with their advisor, and consult with other persons as they deem appropriate (including an attorney) prior to consenting to administrative adjudication.

Each Party will have three calendar days from transmittal of the notice specified below to return the signed written consent form to the Title IX Coordinator. If either Party does not timely return the signed written consent, that Party will be deemed not to have consented to administrative adjudication

and the Formal Complaint will be adjudicated pursuant to the hearing process.

XIII. Adjudication

A. *Hearing Process*

The process for adjudicating Formal Complaints is the hearing process specified in this Section. The hearing process will be used to adjudicate all Formal Complaints unless both parties' timely consent to Informal Resolution.

Non-participation by any party or their advisor at any point in the hearing process shall not delay the adjudication.

1. Hearing Panel

After selection of the hearing process as the form of adjudication, the Title IX Coordinator will promptly appoint a hearing panel which will oversee the hearing process and render a determination of responsibility for the allegations in the Formal Complaint, at the conclusion of the hearing process. The Title IX Coordinator will see that the hearing panel is provided a copy of the investigation report and a copy of all evidence transmitted to the parties by the investigator. The hearing panel is composed of three people selected from a pool of trained panelists, one of whom will serve as the hearing panel chair. Neither the investigator nor the Title IX Coordinator may serve on the hearing panel. Panelists whose relationship with a party in an investigation causes a conflict of interest shall be excluded from the panel. The hearing panel is responsible for conducting a live hearing for alleged violations of this policy and for making a determination of responsibility and, when appropriate, apply sanctions. Hearing panelists shall complete ongoing training regarding the issues contained in this policy.

2. Hearing Notice and Response to the Investigation Report

After the hearing panel is appointed by the Title IX Coordinator, the hearing panel chair will promptly transmit written notice to the parties notifying the parties of the hearing panel's appointment; setting a deadline for the parties to submit any written response to the investigation report; setting a date for the pre-hearing conference; and setting a date and time for the hearing. Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than ten calendar days from the date of transmittal of the written notice.

A Party's written response to the investigation report must include:

- To the extent the Party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that evidence should be excluded from consideration at the hearing based on relevancy.
- A list of any witnesses that the Party contends should be requested to attend the hearing pursuant to an attendance notice issued by the hearing panel chair;
- A list of any witnesses that the Party intends to bring to the hearing without an attendance notice issued by the hearing officer;
- Any request that the parties be separated physically during the pre-hearing conference and/or hearing;

- Any other accommodations that the Party seeks with respect to the pre-hearing conference and/or hearing;
- The name and contact information of the advisor who will accompany the Party at the pre-hearing conference and hearing;
- If the Party does not have an advisor who will accompany the Party at the hearing, a request that the University provide an advisor for purposes of conducting questioning.

A Party's written response to the investigation report may also include:

- Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence;
- Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment;
- Relevant evidence which was not included in the investigation report due to mistake, inadvertence, surprise or excusable neglect;
- Questions which the parties' advisors intend to ask during cross-examination at the hearing to be ruled on for relevancy by the hearing chair prior to the hearing; and
- Concerns of bias or conflict of interest which may exist between a party and a member or members of the hearing panel.

3. Pre-Hearing Conference

Prior to the hearing, the hearing chair will conduct a pre-hearing conference with the parties and their advisors. The pre-hearing conference will be conducted live, with participation by the parties and their advisors. By default, the pre-hearing conference will be conducted with the hearing officer, the parties, the advisors, and other necessary University personnel, if any, together in the same physical location. However, upon request of either Party, the parties will be separated into different rooms with technology enabling the parties to participate by video and audio.

In the hearing chair's discretion, the pre-hearing conference may be conducted virtually, by use of video and audio technology, where all participants participate by use of such technology.

During the pre-hearing conference, the hearing chair will discuss the hearing procedures with the parties; address matters raised in the parties' written responses to the investigation report, as the hearing officer deems appropriate; discuss whether any stipulations may be made to expedite the hearing; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the hearing officer determines, in the hearing chair's discretion, should be resolved before the hearing. Effort shall be made by the hearing chair to conduct pre-hearing conferences that are equitable and present information that is materially the same to all parties and advisors.

4. Issuance of Notices of Attendance

After the pre-hearing conference, the hearing chair will transmit notices of attendance to any University employee (including administrator, faculty, or staff) or student whose attendance is

requested at the hearing as a witness, including those requested by the hearing panel. The notice will advise the subject of the specified date and time of the hearing and advise the subject to contact the hearing chair immediately if there is a material and unavoidable conflict.

The subject of an attendance notice should notify any manager, faculty member, coach, or other supervisor, as necessary, if attendance at the hearing will conflict with job duties, classes, or other obligations. All such managers, faculty members, coaches, and other supervisors are required to excuse the subject of the obligation, or provide some other accommodation, so that the subject may attend the hearing as specified in the notice.

The University is not obligated to issue a notice of attendance to any witness who is not an employee or a student.

5. Hearing

After the pre-hearing conference, the hearing panel will convene and conduct a hearing. The hearing will be audio recorded. The audio recording will be made available to the parties for inspection and review on reasonable notice, including for use in preparing any subsequent appeal.

The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the hearing will be conducted with the hearing panel, the parties, the advisors, witnesses, and other necessary University personnel together in the same physical location. However, upon request of either Party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio. The hearing may, in the hearing chair's discretion, be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

While the rulings from the hearing chair will govern the particulars of the hearing, each hearing will include, at a minimum:

- Opportunity for each Party to address the hearing panel directly and to respond to questions posed by the hearing chair;
- Opportunity for each Party's advisor to ask directly, orally, and in real time, relevant questions, and follow up questions, of the other Party and any witnesses, including questions that support or challenge credibility;
- Opportunity for each Party to raise contemporaneous objections to testimonial or non-testimonial evidence and to have such objections ruled on by the hearing chair and a reason for the ruling provided;
- Opportunity for each Party to submit evidence that the Party did not present during the investigation or pre-hearing conference due to mistake, inadvertence, surprise, or excusable neglect;
- Opportunity for each Party to make a brief closing argument.

Except as otherwise permitted by the hearing chair, the hearing will be closed to all persons except the parties, their advisors, the investigator, the hearing panel, the Title IX Coordinator, and other necessary University personnel. With the exception of the investigator and the parties, witnesses will

be sequestered until such time as their testimony is complete. During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them.

While a Party has the right to attend and participate in the hearing with an advisor, a Party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited at the discretion of the hearing officer.

Subject to the minimum requirements specified in this Section, the hearing chair will have sole discretion to determine the manner and particulars of any given hearing, including with respect to the length of the hearing, the order of the hearing, and questions of admissibility. The hearing chair will independently and contemporaneously screen questions for relevance in addition to resolving any contemporaneous objections raised by the parties and will explain the rational for any evidentiary rulings.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply.

All participants shall be subject to the university's rules of decorum during hearing processes.

6. Subjection to Questioning

In the event that any Party or witness refuses to attend the hearing, or attends but refuses to submit to questioning by the Parties' advisors, the statements of that Party or witness whether given during the investigation or during the hearing, may be considered by the hearing panel in reaching a determination of responsibility. The hearing panel will rely on appropriate training to judge the credibility and weight given to any statement or evidence presented in the hearing or the investigative report in making a determination of responsibility.

In applying this Section, the hearing panel will not draw an inference about the determination of responsibility based solely on a Party or a witness's absence from the live hearing and/or refusal to submit to questioning by the parties' advisors.

7. Deliberation and Determination

After the hearing is complete, the hearing panel will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-testimony evidence received at the hearing, and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The hearing panel will take care to exclude from consideration any evidence that was ruled not Relevant at the pre-hearing conference, during the hearing, or otherwise. The hearing panel will resolve disputed facts using a preponderance of the evidence (i.e., "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

8. Discipline and Remedies

In the event the hearing panel determines that the Respondent is responsible for violating this policy, the hearing chair will, prior to issuing a written decision, consult with an appropriate University

official with disciplinary authority over the Respondent and such official will determine any discipline to be imposed and the process to follow through with such discipline in coordination with other University departments as necessary. The hearing chair will also, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the Complainant.

If a student is found responsible for Sexual Harassment and the sanction imposed makes the student ineligible to reenroll in the University (i.e., suspension or expulsion), the University will include a notation on the student's transcript. The student may request the removal of a transcript notation imposed under this Policy if:

- the student becomes eligible to reenroll at the University; or
- the University determines that good cause exists to remove the notation.

If the University receives an appropriate request by another postsecondary educational institution, the University will provide to the requesting institution information relating to the University's determination that the student violated this Policy.

9. Written Decision

After reaching a determination and consulting with the appropriate University official and Title IX Coordinator as required above, the hearing chair will prepare a written decision that will include:

- Identification of the allegations potentially constituting covered Sexual Harassment made in the Formal Complaint;
- A description of the procedural steps taken by the University upon receipt of the Formal Complaint, through issuance of the written determination, including notification to the parties, interviews with the parties and witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing.
- Findings of fact, made under a preponderance of the evidence standard, that support the determination;
- A statement of, and rationale for, each allegation that constitutes a separate potential incident of Sexual Harassment, including a determination regarding responsibility for each separate potential incident;
- The discipline determined by the appropriate University official;
- Whether the Complainant will receive any ongoing support measures or other remedies as determined by the Title IX Coordinator; and
- A description of the University's process and grounds for appeal.

The hearing chair's written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal.

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the University strives to issue the hearing chair's written determination within 15 business days of the conclusion of the hearing.

B. *Administrative Adjudication*

In lieu of the hearing process and to the extent not prohibited by federal law, the Parties may consent to have a Formal Complaint resolved by administrative adjudication as a form of informal resolution. Administrative adjudication is voluntary and must be consented to in writing by both parties and approved by the Title IX Coordinator. At any time prior to the issuance of the administrative officer's determination, a Party has the right to withdraw from administrative adjudication and request a live hearing.

If administrative adjudication is selected, the Title IX Coordinator will appoint an administrative officer who does not need to be an employee of the University. The Title IX Coordinator will see that the administrative adjudicator is provided a copy of the investigation report and a copy of all the evidence transmitted to the parties by the investigator.

The administrative officer will promptly send written notice to the Parties notifying the parties of the administrative officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; and setting a date and time for each party to meet with the administrative officer separately. The administrative officer's meetings with the parties will not be held any earlier than ten calendar days from the date of transmittal of the written notice specified in this paragraph.

A Party's written response to the investigation report must include:

- To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that a particular piece or class of evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history, or for any other reason;
- Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence;
- Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

After reviewing the Parties' written responses, the administrative officer will meet separately with each party to provide the Party with an opportunity make any oral argument or commentary the Party wishes to make and for the administrative officer to ask questions concerning the Party's written response, the investigative report, and/or the evidence collected during the investigation.

After meeting with each Party, the administrative officer will objectively re-evaluate all relevant evidence, including both inculpatory and exculpatory evidence and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The administrative officer will take care to exclude from consideration any evidence that the administrative officer determines should be ruled inadmissible based on the objections and arguments raised by the Parties in their respective written responses to the investigation report. The administrative officer will resolve disputed facts using a preponderance of the evidence (*i.e.*, "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

Thereafter, the administrative officer will consult with any University official and the Title IX

Coordinator and will prepare and transmit a written decision which shall serve as a resolution for purposes of informal resolution.

Transmittal of the administrative officer's written determination concludes the administrative adjudication, subject to any right of appeal.

Although the length of each administrative adjudication will vary depending on the totality of the circumstances, the University strives to issue the administrative officer's written determination within twenty-one calendar days of the transmittal of the initiating written notice.

XIV. Dismissal During Investigation or Adjudication

The University may dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that any one or more of the following is true:

- The Complainant provides the Title IX Coordinator written notice that the Complainant wishes to withdraw the Formal Complaint or any discrete allegations therein (in which case those discrete allegations may be dismissed);
- The Respondent is no longer enrolled or employed by the University; or
- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint, or any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Title IX Coordinator determines that a Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination as it pertains to this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

XV. Appeal

A. *Grounds for Appeal*

Either Party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

1. A procedural irregularity affected the outcome;

2. There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;

3. The Title IX Coordinator, investigator, hearing panel, or administrative officer had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

No other grounds for appeal are permitted.

B. *Deadline to File Appeal*

A Party must file an appeal within seven calendar days of the date they receive notice of dismissal or determination appealed from or, if the other Party appeals, within three calendar days of the other Party appealing, whichever is later. All parties will be provided a link to the appeal form upon notification of the findings in their case. The appeal must be submitted in writing and must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing Party believes the appeal should be granted, and articulate what specific relief the appealing Party seeks. Appeals should be submitted using the online appeal form which can be found on the Lumberjacks Care webpage at http://www.sfasu.edu/lumberjacks-care.

C. *Resolution of Appeal*

Promptly upon receipt of an appeal, the Title IX Coordinator or designee will appoint an appeal officer who will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other Party that an appeal has been filed and that the other Party may submit a written opposition to the appeal within seven calendar days. The appeal officer shall also promptly obtain from the Title IX Coordinator or designee any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale. The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no Party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision. No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, the University strives to issue the appeal officer's written decision within 21 calendar days of an appeal being filed.

XVI. Informal Resolution

The University may, in the Title IX Coordinator's discretion, facilitate an Informal Resolution in accordance with the protocol outlined below.

A. *Guiding Principles*

Generally, informal resolution involves a structured, supervised interaction between the Parties and/or other affected community members that seeks to identify and meet the needs of the Complainant while providing an opportunity for the Respondent and/or other affected community

members to repair harm (to the extent possible). Informal resolution may not include an investigation, hearing, or disciplinary action against a Respondent (including transcript notations), but may include imposing appropriate and reasonable remedies as agreed to by the Parties. All informal resolutions are facilitated by a trained administrator or outside expert.

B. *Availability of Informal Resolution*

Informal resolution is available in matters in which the Title IX Coordinator, in the Title IX Coordinator's discretion, determines it is appropriate. Factors the University will consider when determining whether a report of Prohibited Conduct is suitable for Informal Resolution include, but are not limited to:

- the nature and severity of the conduct, including whether the use of force or a weapon was involved;
- the Respondent's prior known disciplinary or criminal conduct, including whether the University has received other reports of Prohibited Conduct committed by the Respondent;
- whether the alleged incident poses a risk of harm to other individuals or the community;
- the dynamics of power or control commonly associated with the alleged conduct or the nature of the parties' relationship;
- whether multiple parties are affected or involved;
- any admissions of responsibility by the Respondent; and
- any other factor deemed relevant by the Title IX Coordinator or their designee in the interest of overall campus safety or safety of the parties involved.

Informal resolution will not be permitted if:

- The Respondent is a non-student employee accused of committing Sexual Harassment against a student,
- The allegations include Sexual Assault,
- The allegations include ongoing Dating and/or Domestic Violence, or
- An imminent threat of harm exists.

The Title IX Coordinator's determination on whether the allegations may be resolved with an Informal Resolution is not subject to appeal.

C. *Informal Resolution Process*

At any time after the parties are provided written notice of the Formal Complaint, and before the completion of any appeal, the parties may voluntarily consent, with the Title IX Coordinator's approval, to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties. Administrative Adjudication is a form of informal resolution.

The specific manner of any informal resolution process will be determined by the Parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the Parties that:

- Describes the parameters and requirements of the informal resolution process to be utilized;
- Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University official, or a suitable third-Party);
- Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a Party's ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and
- Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each Party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence. The University will not pressure or compel any individual to engage in mediation, to directly confront the other, or to participate in any particular form of informal resolution. Individuals may be accompanied by an adviser or support person at any meetings related to the informal resolution process.

If the Parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the University, except as otherwise provided in the resolution itself, absent a showing that a Party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either Party or to the University. Notwithstanding the forgoing if the form of informal resolution is Administrative Adjudication, there shall not be an agreed resolution requiring the parties' signatures; instead, the determination issued by the administrative officer shall serve as the resolution and conclude the informal resolution process, subject only to any right of appeal. With the exception of a resolution resulting from the Administrative Adjudication process, all other forms of informal resolution pursuant to this Section are not subject to appeal.

D. Informal Resolution Options

The office of Title IX at Stephen F. Austin State University offers the following informal resolution procedures for addressing Formal Complaints of Sexual Harassment covered in this policy:

Mutual No-Contact Directive: A mutual no-contact directive is a contract provided by the Office of Title IX, the terms of which are that the parties will not initiate contact with each other in person, over text or social media, or through third parties.

Mediation: The purpose of mediation is for the involved parties to identify appropriate remedies to resolve the allegations and maintain equitable access to educational activities. During mediation, a facilitator will guide a conversation between parties in separate meetings; the parties will be asked not to contact each other directly during the process. Mediation may not result in disciplinary action against a Respondent but may include imposing appropriate and reasonable remedies as agreed to by the parties.

Administrative Adjudication: Administrative Adjudication is a form of informal resolution. Notwithstanding the foregoing if the form of informal resolution is administrative adjudication, there shall not be an agreed resolution requiring the parties' signatures; instead, the determination issued by the administrative officer shall serve as the resolution and conclude the informal resolution process, subject only to any right of appeal.

With the exception of a resolution resulting from the Administrative Adjudication process, all other forms of informal resolution are not subject to appeal.

E. *Termination of Informal Resolution*

A Party may withdraw their consent to participate in informal resolution at any time before a resolution has been finalized. If the parties withdraw from the informal resolution process, information disclosed or obtained during the informal resolution may be included as evidence during the formal investigation and live hearing.

F. *Deadlines for Informal Resolution*

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within 15 university business days, unless otherwise deemed by the Title IX Coordinator. If an informal resolution process does not result in a resolution within 21 calendar days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the Formal Complaint will be resolved pursuant to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended.

XVII. Other Investigation and Adjudication Considerations

A. Advisor of Choice

From the point a Formal Complaint is made, and until an investigation, adjudication, and appeal are complete, the Complainant and Respondent will have the right to be accompanied by an advisor of their choice to all meetings, interviews, and hearings that are part of the investigation, adjudication, and appeal process. The advisor may be, but is not required to be, an attorney.

Except for the questioning of witnesses during the hearing, the advisor will play a passive role and is not permitted to communicate on behalf of a Party, insist that communication flow through the

advisor, or communicate with the University about the matter without the Party being included in the communication. In the event a Party's advisor of choice engages in material violation of the parameters specified in this policy, the University may preclude the advisor from further participation, in which case the Party may select a new advisor of their choice.

In the event a Party is not able to secure an advisor to attend the and requests the University to provide an advisor, the University will provide the Party an advisor, without fee or charge, who will conduct questioning on behalf of the Party at the hearing. The University will have sole discretion to select the advisor it provides. The advisor the University provides may be, but is not required to be, an attorney.

The University will provide an advisor to any Party upon receipt of a request to the Title IX Coordinator or their designee. The University will provide an advisor for any Party at a hearing for the purpose of cross-examining a Party or witness.

The role of advisors in cross-examination in Title IX hearings shall not constitute the practice of law as reserved for a licensed attorney. Licensed attorneys retained as advisors for Title IX proceedings shall fill the role of an advisor, not the role of an attorney.

B. *Conflicts of Interest, Bias, and Procedural Complaints*

The Title IX Coordinator, investigator, hearing officer, administrative officer, appeals officer, and informal resolution facilitator will be free of any material conflicts of interest or material bias. Any Party who believes one or more of these University officials has a material conflict of interest or material bias must raise the concern promptly so that the University may evaluate the concern and find a substitute, if appropriate. The failure of a Party to timely raise a concern of a conflict of interest or bias may result in a waiver of the issue for purposes of any appeal.

C. *Objections Generally*

Parties are expected to raise any objections, concerns, or complaints about the investigation, adjudication, and appeals process in a prompt and timely manner so that the University may evaluate the matter and address it, if appropriate.

D. *Treatment Records and Other Privileged Information*

During the investigation and adjudication processes, the investigator and adjudicator are not permitted to access, consider, disclose, permit questioning concerning, or otherwise use:

- a Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party; or
- information or records protected from disclosure by any other legally-recognized privilege, such as the attorney-client privilege

unless the University has obtained the Party's voluntary, written consent to do so for the purposes of the investigation and adjudication process.

Notwithstanding the foregoing, the investigator and/or adjudicator, may consider any such records or information otherwise covered by this Policy if the Party holding the privilege affirmatively discloses the records or information to support their allegation or defense.

E. *Sexual History*

During the investigation and adjudication processes, questioning regarding a Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Notwithstanding the foregoing, a Complainant who affirmatively uses information otherwise considered irrelevant by this Section for the purpose of supporting the Complainant's allegations, may be deemed to have waived the protections of this Section.

F. *Student Withdrawal or Graduation Pending Disciplinary Charges*

If a student withdraws or graduates from the University pending an investigation of a complaint of Sexual Misconduct under this Policy, the University will expedite the disciplinary process as necessary to accommodate both the Complainant and the Respondent's interest in a speedy resolution and continue the investigation with or without the participation of the Respondent.

G. *Academic Freedom*

The University will construe and apply this Policy consistent with the principles of academic freedom specified in policy 7.3, Academic Freedom and Responsibility. In no case will a Respondent be found to have committed Sexual Harassment based on expressive conduct that is protected by the principles of academic freedom specified in university policy.

XVIII. Other Policy Violations

A. *Bad Faith Complaints and False Information*

It is a violation of this policy for any person to submit a report or Formal Complaint that the person knows, at the time the report or Formal Complaint is submitted, to be false or frivolous. It is also a violation of this policy for any person to knowingly make a materially false statement during the course of an investigation, adjudication, or appeal under this policy. Violations of this Section are not subject to the investigation and adjudication processes in this policy; instead, they will be addressed under the Student Code of Conduct in the case of students and other University policies and standards, as applicable, for other persons.

B. *Other Sex-Based Misconduct*

This policy applies only to Sexual Harassment as defined in this Policy. Complaints of other forms of sex discrimination are governed by policy 2.11, Nondiscrimination Policy.

XIX. Sanctions

A. Disciplinary sanctions or other actions that are not supportive measures shall not be imposed on Respondents prior to a determination of responsibility except in cases meeting the requirements for emergency removals.

B. The designated administrator may decide sanctions, if any, or may delegate the sanctioning decision to another authority. Sanctioning decisions involving employees must be determined in consultation with Human Resources.

C. Sanctions may have rehabilitative, educational, and restorative elements for students. In addition, sanctions may have punitive components. Examples of sanctions may include, but are not limited to, written reprimand or warning, required training, no-contact directives, probation, suspension, and employment dismissal and/or expulsion.

D. Students found responsible for committing Dating or Domestic Violence and/or Sexual Assault will be subject to permanent expulsion with a minimum sanction of a one-year suspension, in the absence of signficant mitigating factors.

E. Students found responsible for committing acts of Sexual Harassment, Sexual Assault, Stalking, Dating Violence, Domestic Violence, and/or any other sex-based misconduct who are allowed to return after a suspension of one year or more will be ineligible to represent the university in any way or to hold an office in any recognized student organization. This includes intercollegiate athletics or other competitions, both on and off campus, and ineligible to receive an institutional scholarship, in the absence of significant mitigating factors.

F. When an employee is found to have sexually harassed or engaged in sex-based misconduct as defined in this policy, the sanction will be termination of employment.

G. For sex discrimination complaints, both the Complainant(s) and the Respondent(s) will be informed in writing of any and all sanctions, except when to do so would violate state or federal law (e.g., Family Educational Rights and Privacy Act).

XX. Records Retention

The University shall meet minimum requirements for Title IX processes records retention (whether digital or analog) set forth by federal regulation, state law, and university policy.

XXI. Discretion in Application

A. *Interpretation*

The University retains discretion to interpret and apply this Policy in a manner that is not clearly unreasonable, even if the University's interpretation or application differs from the interpretation of the Parties.

The provisions of this Policy and the Hearing Procedures are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the University retains discretion to revise this Policy and the Hearing Procedures at any time, and for any reason. The University may apply Policy revisions to an active case provided that doing so is not clearly unreasonable.

B. *Outside Appointments, Dual Appointments, and Delegations*

The University retains discretion to retain and appoint suitably qualified persons who are not University employees to fulfill any function of the University under this policy, including, but not limited to, the investigator, hearing officer, administrative officer, informal resolution officer, and/or appeals officer. The University also retains discretion to appoint two or more persons to jointly fulfill the role of investigator, hearing officer, administrative officer, informal resolution officer, and/or appeals officer.

The functions assigned to a given University official under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, hearing officer, administrative officer, informal resolution officer, and appeals officer, may, in the University's discretion, be delegated by such University official to any suitably qualified individual and such delegation may be recalled by the University at any time.

C. *Vendors, Contractors and Third Parties*

The University does business with various vendors, contractors, and other third-parties who are not students or employees of the University. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, the University retains its right to limit any vendor, contractor, or third-party's access to campus for any reason. And the University retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

D. *Recordings*

Wherever this policy specifies that an audio or video recording will be made, the recording will be made only by the University and is considered property of the University, subject to any right of access that a Party may have under this policy, FERPA, and other applicable federal, state, or local laws. Only the University is permitted to make audio or video recordings under this policy. The surreptitious recording of any meeting, interview, hearing, or other interaction contemplated under this policy is strictly prohibited. Should any Party desire a transcription of the recording, a request should be made to the Title IX Office and the requesting Party is responsible for all associated costs.

E. *Relationship With Criminal Process*

This policy sets forth the University's processes for responding to reports and Formal Complaints of Sexual Harassment. The University's processes are separate, distinct, and independent of any criminal processes. While the University may temporarily delay its processes under this policy to avoid interfering with law enforcement efforts if requested by law enforcement, the University will

otherwise apply this policy and its processes without regard to the status or outcome of any criminal process.

XXII. Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, or the invalidated elements of this policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should Policy 2.13, Title IX be revoked in this manner, any conduct covered under Policy 2.13 Title IX shall be investigated and adjudicated under the existing Nondiscrimination Policy 2.11.

Cross Reference: Nondiscrimination (2.11); Academic Freedom and Responsibility (7.3); Faculty Code of Conduct (7.11); Tenure and Continued Employment (7.29); Student Code of Conduct (10.4); Discipline and Discharge (11.4); Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681; 42 U.S.C. § 1981; 34 C.F.R. Part 106; Tex. Educ. Code §§ 51.251-.260, .281-.293; Tex. Fam. Code §§ 71.0021, 004

Responsible for Implementation: President

Contact for Revision: Title IX Coordinator

Forms: Sexual Misconduct Reporting Form, Sexual Misconduct Appeal of Investigation Findings Form, Mandatory Reporter- Title IX Reporting Form

Board Committee Assignment: Academic and Student Affairs

Revision History: July 26, 2022
July 27, 2021
July 21, 2020
July 23, 2019
July 24, 2018
July 25, 2017
July 26, 2016

Finance and Audit Committee

ACKNOWLEDGE RECEIPT OF AUDIT SERVICES REPORT

Explanation:

The *Board Rules and Regulations* state that the chief audit executive shall assist the board in carrying out its oversight responsibilities as they relate to the university's a) financial and other reporting practices, b) internal control, and c) compliance with laws, regulations and ethics. The chief audit executive reports to the Board of Regents on the status of the annual audit plan, internal and external reports, risk assessment and audit/compliance issues.

The audit services report as presented includes the following:

Charter School Annual Financial Report Audit
Agreed Upon Procedures Report for the NCAA Financial Statement
Construction Close Out of Basketball Performance Center Audit
Office of Provost Departmental Audit
University Marketing Communications Departmental Audit
Athletic Ticket Office
Internal Projects / Investigations
Update on Audit Plan

Recommendation:

Acknowledge receipt of the audit services report pending consideration by the Finance and Audit Committee.

APPROVAL OF RESOLUTION TO ACKNOWLEDGE REVIEW OF INVESTMENT POLICY AND STRATEGY

Explanation:

In accordance with Chapter 2256 of the Texas Government Code, the university's investment policy and strategy must be annually reviewed by the governing board of the institution. In addition, the law requires the governing body to adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and strategy. The resolution acknowledges the board's annual review of Policy 3.21, Investments. Policy 3.21 is included in the policy revisions.

Recommendation:

The administration recommends approval of the Resolution to Acknowledge Review of Investment Policy and Strategy.

BOARD OF REGENTS
OF
STEPHEN F. AUSTIN STATE UNIVERSITY
Nacogdoches. Texas
RESOLUTION TO ACKNOWLEDGE
REVIEW OF INVESTMENT POLICY AND STRATEGY

WHEREAS, The Texas Public Funds Investment Act requires that each university's investment policy and strategy must be annually reviewed by the governing board of the institution; and

WHEREAS, the law also requires the governing body to adopt a written instrument stating that is has reviewed the investment policy and strategy;

NOW THEREFORE BE IT RESOLVED that the Stephen F. Austin State University Board of Regents, by the issuance of this resolution, does hereby approve the investment policy and strategy as reviewed on January 30, 2023, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the January 30, 2023 meeting of the board.

Attest:

_____ _____

Board of Regents, Chair Board of Regents, Secretary

_____

Date

RESOLUTION TO APPROVE QUALIFIED FINANCIAL INSTITUTIONS AND INVESTMENT BROKERS

Explanation:

Chapter 2256 of the Texas Government Code requires the university to adopt a resolution by the governing body of the institution that approves qualified investment brokers. The financial institutions and brokers/investment managers are listed in the following resolution.

Recommendation:

The administration recommends approval of the financial institutions, investment managers and brokers presented.

BOARD OF REGENTS
OF
STEPHEN F, AUSTIN STATE UNIVERSITY
Nacogdoches, Texas

RESOLUTION APPROVING
FINANCIAL INSTITUTIONS AND BROKERS FOR INVESTMENT TRANSACTIONS

WHEREAS, the Texas Public Funds Investment Act requires the university to submit a resolution approving a list of qualified investment brokers and financial institutions to the governing body of the institution for adoption and/or review; and

WHEREAS, the following firms are approved investment brokers:

Texas A&M University System
Bank of America
Hilltop Securities
The University of Texas/Texas A&M Investment Management Company (UTIMCO)

WHEREAS, the following firms are approved financial institutions:

Citizens 1st Bank
Austin Bank
Cadence Bank (formerly BancorpSouth Bank)
Bank of America
Commercial Bank of Texas, NA
Southside Bank
Regions Bank
UBank
Wells Fargo Bank
US Bank
Texas Bank

TexPool
TexSTAR
Texas CLASS
Texas Range
JPMorgan Chase & Co
Wilmington Trust, N.A.
UBS Financial Services Inc.
FTN Financial Capital Markets
Stephens Inc.
Citigroup Global Markets, Inc.
LOGIC
Water Walker Investment
Prosperity Bank

NOW THEREFORE BE IT RESOLVED that the Stephen F. Austin State University Board of Regents, by the issuance of this resolution, does hereby approve the above listed firms for investment transactions by Stephen F. Austin State University; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the January 30, 2023 meeting of the board.

_____	_____	_____	_____
Chair, Board of Regents	Date	Secretary, Board of Regents	Date

TUITION, FEES, EXEMPTIONS, AND WAIVERS FOR FY 2023-2024

Explanation:

Board of Regents policy 1.4, Items Requiring Board of Regents Approval states the following must be approved: Establishment (or change) of tuition, student fees, room and board fees, and all optional statutory tuition exemptions or waivers. Approval must be provided on no less than an annual basis, or when there is any change to the items listed.

A schedule of current tuition and fee items are included. The tables listed represent the charges for specific student classifications or cohorts:

a) Texas Resident Undergraduate Annual Fixed Price Plan (AFPP)

b) Texas Resident Graduate Annual Fixed Price Plan (AFPP)

c) Border State Tuition and Fee Plan

d) Non-Resident Tuition and Fee Plan

e) Texas Resident Undergraduate Guaranteed Price Plan (GPP)

f) Texas Resident Undergraduate Fixed Rate Tuition Plan (FRTP) for the FY2019 continuing cohort

g) Texas Resident Undergraduate Fixed Rate Tuition Plan (FRTP) for the FY2020 continuing cohort

h) ROTC Military Science Course(s) Rate Table

i) Dual Credit Rate (after Dual Credit exemption)

j) Out-of-State Fully Online Tuition and Fee Plan

k) RELLIS Program Rates

j) RN to BSN Program Rates

No changes to the current SFA tuition and fee rates are proposed for FY2024.

Also included is the 2022 Texas Public Higher Education almanac data of average tuition and fees by University; lists other student fees; and a summary of exemption and waiver programs authorized by the Texas Legislature and SFASU. While many exemptions and waivers are mandated

for all public institutions, some programs are optional and implementation is left to the discretion of the governing board of the institution.

Recommendation:

The administration recommends approval of the tuition and fee rate schedules for the fiscal year 2023-2024.

The administration also recommends that the board affirm the university’s implementation of mandatory and optional exemptions and waivers for the fiscal year 2023-2024.

Texas Residents UG AFPP
FY 2024 (202410, 202420, 202430)

Num. of Hrs.	Tx Res	Designated Tuition	Univ Svc Fee	Stud. Svc.	Stud. Cntr.	Int'l Ed. Fee	Reg Records	Rec Sports Fee	Env Svc Fee	Diff Tui	Num. of Hrs.	Total Tx Res
										UG		Undergrad
1	$ 50.00	$ 204.00	$ 83.00	$ 13.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	1	$ **561.50**
2	$ 100.00	$ 408.00	$ 166.00	$ 27.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	2	$ **912.00**
3	$ 150.00	$ 762.00	$ 249.00	$ 40.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	3	$ **1,412.50**
4	$ 200.00	$ 614.50	$ 332.00	$ 54.00	$ 36.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	4	$ **1,412.50**
5	$ 250.00	$ 459.00	$ 415.00	$ 67.50	$ 45.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	5	$ **1,412.50**
6	$ 300.00	$ 1,524.00	$ 498.00	$ 81.00	$ 54.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	6	$ **2,633.00**
7	$ 350.00	$ 1,308.50	$ 581.00	$ 94.50	$ 63.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	7	$ **2,633.00**
8	$ 400.00	$ 1,153.00	$ 664.00	$ 108.00	$ 72.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	8	$ **2,633.00**
9	$ 450.00	$ 1,836.00	$ 747.00	$ 121.50	$ 81.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	9	$ **3,471.50**
10	$ 500.00	$ 2,040.00	$ 830.00	$ 135.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	10	$ **3,826.00**
11	$ 550.00	$ 2,244.00	$ 913.00	$ 148.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	11	$ **4,176.50**
12	$ 600.00	$ 3,221.00	$ 996.00	$ 162.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	12	$ **5,300.00**
13	$ 650.00	$ 3,074.50	$ 1,079.00	$ 175.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	13	$ **5,300.00**
14	$ 700.00	$ 3,074.00	$ 1,016.00	$ 189.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	14	$ **5,300.00**
15	$ 750.00	$ 3,074.00	$ 952.50	$ 202.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	15	$ **5,300.00**
16	$ 800.00	$ 3,074.00	$ 889.00	$ 216.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	16	$ **5,300.00**
17	$ 850.00	$ 3,074.00	$ 825.50	$ 229.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	17	$ **5,300.00**
18	$ 900.00	$ 3,074.00	$ 762.00	$ 243.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	18	$ **5,300.00**
19	$ 950.00	$ 3,074.00	$ 705.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	19	$ **5,300.00**
20	$ 1,000.00	$ 3,074.00	$ 655.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	20	$ **5,300.00**
21	$ 1,050.00	$ 3,074.00	$ 605.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	21	$ **5,300.00**

IMPORTANT: Texas Residents taking some or all on-line courses will be charged a $33 per credit hour Distance Learning fee up to $396 BUT Designated Tuition will be reduced by that same amount - STUDENTS TOTAL CHARGES WILL NOT CHANGE

Texas Residents GR AFPP
FY 2024 (202410, 202420, 202430)

Num. of Hrs.	Tx Res	Designated Tuition	Discretionary Graduate Rate	Univ Svc Fee	Stud. Svc.	Stud. Cntr.	Int'l Ed. Fee	Reg Records	Rec Sports Fee	Env Svc Fee	Diff Tui	Num. of Hrs.	Total Tx Res
	Please Note: Graduate Students are charged an additional $33 per credit hour for each on-line course up to $396										GR		GRAD
1	$ 50.00	$ 204.00	$ 30.00	$ 83.00	$ 13.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	75.00	1	$ **566.50**
2	$ 100.00	$ 408.00	$ 60.00	$ 166.00	$ 27.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	75.00	2	$ **947.00**
3	$ 150.00	$ 762.00	$ 90.00	$ 249.00	$ 40.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	75.00	3	$ **1,477.50**
4	$ 200.00	$ 614.50	$ 120.00	$ 332.00	$ 54.00	$ 36.00	$ 3.00	$ 8.00	$ 60.00	5.00	75.00	4	$ **1,507.50**
5	$ 250.00	$ 459.00	$ 150.00	$ 415.00	$ 67.50	$ 45.00	$ 3.00	$ 8.00	$ 60.00	5.00	75.00	5	$ **1,537.50**
6	$ 300.00	$ 1,524.00	$ 180.00	$ 498.00	$ 81.00	$ 54.00	$ 3.00	$ 8.00	$ 60.00	5.00	75.00	6	$ **2,788.00**
7	$ 350.00	$ 1,308.50	$ 210.00	$ 581.00	$ 94.50	$ 63.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	7	$ **2,818.00**
8	$ 400.00	$ 1,153.00	$ 240.00	$ 664.00	$ 108.00	$ 72.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	8	$ **2,848.00**
9	$ 450.00	$ 1,836.00	$ 270.00	$ 747.00	$ 121.50	$ 81.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	9	$ **3,716.50**
10	$ 500.00	$ 2,040.00	$ 300.00	$ 830.00	$ 135.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	10	$ **4,101.00**
11	$ 550.00	$ 2,244.00	$ 330.00	$ 913.00	$ 148.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	11	$ **4,481.50**
12	$ 600.00	$ 3,221.00	$ 360.00	$ 996.00	$ 162.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	12	$ **5,635.00**
13	$ 650.00	$ 3,074.50	$ 390.00	$ 1,079.00	$ 175.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	13	$ **5,665.00**
14	$ 700.00	$ 3,074.00	$ 420.00	$ 1,016.00	$ 189.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	14	$ **5,695.00**
15	$ 750.00	$ 3,074.00	$ 450.00	$ 952.50	$ 202.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	15	$ **5,725.00**
16	$ 800.00	$ 3,074.00	$ 480.00	$ 889.00	$ 216.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	16	$ **5,755.00**
17	$ 850.00	$ 3,074.00	$ 510.00	$ 825.50	$ 229.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	17	$ **5,785.00**
18	$ 900.00	$ 3,074.00	$ 540.00	$ 762.00	$ 243.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	18	$ **5,815.00**
19	$ 950.00	$ 3,074.00	$ 570.00	$ 705.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	19	$ **5,845.00**
20	$ 1,000.00	$ 3,074.00	$ 600.00	$ 655.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	20	$ **5,875.00**
21	$ 1,050.00	$ 3,074.00	$ 630.00	$ 605.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	21	$ **5,905.00**

BORDER STATE
FY 2024 (202410, 202420, 202430)

Num. of Hrs.	Tx Res	Border Res	Designated Tuition	Discretionary Graduate Rate	Univ Svs Fee	Stud. Svc.	Env Svc Advising	Fee Cntr.	Int'l Ed. Fee	Reg Records	Rec Sports Fee	Diff Tui UG	Diff Tui GR	Num. of Hrs.	Total - Non-Res	
Please Note: Border State Students are charged an additional $33 per credit hour for each on-line course up to $396												*UG*	*GR*		**UG**	**GR**
1	$ 50.00	$ 80.00	$ 204.00	$ 30.00	$ 83.00	$ 13.50	$ 5.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	$ 100.00	$ 75.00	1	$ **591.50**	$ **596.50**
2	$ 100.00	$ 160.00	$ 408.00	$ 60.00	$ 166.00	$ 27.00	$ 5.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	$ 100.00	$ 75.00	2	$ **972.00**	$ **1,007.00**
3	$ 150.00	$ 240.00	$ 762.00	$ 90.00	$ 249.00	$ 40.50	$ 5.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	$ 100.00	$ 75.00	3	$ **1,502.50**	$ **1,567.50**
4	$ 200.00	$ 320.00	$ 614.50	$ 120.00	$ 332.00	$ 54.00	$ 5.00	$ 36.00	$ 3.00	$ 8.00	$ 60.00	$ 100.00	$ 75.00	4	$ **1,532.50**	$ **1,627.50**
5	$ 250.00	$ 400.00	$ 459.00	$ 150.00	$ 415.00	$ 67.50	$ 5.00	$ 45.00	$ 3.00	$ 8.00	$ 60.00	$ 100.00	$ 75.00	5	$ **1,562.50**	$ **1,687.50**
6	$ 300.00	$ 480.00	$ 1,524.00	$ 180.00	$ 498.00	$ 81.00	$ 5.00	$ 54.00	$ 3.00	$ 8.00	$ 60.00	$ 100.00	$ 75.00	6	$ **2,813.00**	$ **2,968.00**
7	$ 350.00	$ 560.00	$ 1,308.50	$ 210.00	$ 581.00	$ 94.50	$ 5.00	$ 63.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	7	$ **2,843.00**	$ **3,028.00**
8	$ 400.00	$ 640.00	$ 1,153.00	$ 240.00	$ 664.00	$ 108.00	$ 5.00	$ 72.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	8	$ **2,873.00**	$ **3,088.00**
9	$ 450.00	$ 720.00	$ 1,836.00	$ 270.00	$ 747.00	$ 121.50	$ 5.00	$ 81.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	9	$ **3,741.50**	$ **3,986.50**
10	$ 500.00	$ 800.00	$ 2,040.00	$ 300.00	$ 830.00	$ 135.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	10	$ **4,126.00**	$ **4,401.00**
11	$ 550.00	$ 880.00	$ 2,244.00	$ 330.00	$ 913.00	$ 148.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	11	$ **4,506.50**	$ **4,811.50**
12	$ 600.00	$ 960.00	$ 3,221.00	$ 360.00	$ 996.00	$ 162.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	12	$ **5,660.00**	$ **5,995.00**
13	$ 650.00	$ 1,040.00	$ 3,074.50	$ 390.00	$ 1,079.00	$ 175.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	13	$ **5,690.00**	$ **6,055.00**
14	$ 700.00	$ 1,120.00	$ 3,074.00	$ 420.00	$ 1,016.00	$ 189.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	14	$ **5,720.00**	$ **6,115.00**
15	$ 750.00	$ 1,200.00	$ 3,074.00	$ 450.00	$ 952.50	$ 202.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	15	$ **5,750.00**	$ **6,175.00**
16	$ 800.00	$ 1,280.00	$ 3,074.00	$ 480.00	$ 889.00	$ 216.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	16	$ **5,780.00**	$ **6,235.00**
17	$ 850.00	$ 1,360.00	$ 3,074.00	$ 510.00	$ 825.50	$ 229.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	17	$ **5,810.00**	$ **6,295.00**
18	$ 900.00	$ 1,440.00	$ 3,074.00	$ 540.00	$ 762.00	$ 243.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	18	$ **5,840.00**	$ **6,355.00**
19	$ 950.00	$ 1,520.00	$ 3,074.00	$ 570.00	$ 705.00	$ 250.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	19	$ **5,870.00**	$ **6,415.00**
20	$ 1,000.00	$ 1,600.00	$ 3,074.00	$ 600.00	$ 655.00	$ 250.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	20	$ **5,900.00**	$ **6,475.00**
21	$ 1,050.00	$ 1,680.00	$ 3,074.00	$ 630.00	$ 605.00	$ 250.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	21	$ **5,930.00**	$ **6,535.00**

Non-Residents
FY 2024 (202410, 202420, 202430)

Num. of Hrs.	Non-Res Statutory	Designated Tuition	Discretionary Graduate Rate	Univ Svs Fee	Stud. Svc.	Env Svc Advising	Fee Cntr.	Int'l Ed. Fee	Reg Records	Rec Sports Fee	Diff Tui UG	Diff Tui GR	Num. of Hrs.	Total - Non-Res	
Note: Non-Resident Students will be charged an additional $33 per credit hour for each on-line course up to $396											*UG*	*GR*		**UG**	**GR**
1	$ 470.00	$ 204.00	$ 30.00	$ 83.00	$ 13.50	$ 5.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	100.00	75.00	1	$ 981.50	$ 986.50
2	$ 940.00	$ 408.00	$ 60.00	$ 166.00	$ 27.00	$ 5.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	100.00	75.00	2	$ 1,752.00	$ 1,787.00
3	$ 1,410.00	$ 762.00	$ 90.00	$ 249.00	$ 40.50	$ 5.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	100.00	75.00	3	$ 2,672.50	$ 2,737.50
4	$ 1,880.00	$ 614.50	$ 120.00	$ 332.00	$ 54.00	$ 5.00	$ 36.00	$ 3.00	$ 8.00	$ 60.00	100.00	75.00	4	$ 3,092.50	$ 3,187.50
5	$ 2,350.00	$ 459.00	$ 150.00	$ 415.00	$ 67.50	$ 5.00	$ 45.00	$ 3.00	$ 8.00	$ 60.00	100.00	75.00	5	$ 3,512.50	$ 3,637.50
6	$ 2,820.00	$ 1,524.00	$ 180.00	$ 498.00	$ 81.00	$ 5.00	$ 54.00	$ 3.00	$ 8.00	$ 60.00	100.00	75.00	6	$ 5,153.00	$ 5,308.00
7	$ 3,290.00	$ 1,308.50	$ 210.00	$ 581.00	$ 94.50	$ 5.00	$ 63.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	7	$ 5,573.00	$ 5,758.00
8	$ 3,760.00	$ 1,153.00	$ 240.00	$ 664.00	$ 108.00	$ 5.00	$ 72.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	8	$ 5,993.00	$ 6,208.00
9	$ 4,230.00	$ 1,836.00	$ 270.00	$ 747.00	$ 121.50	$ 5.00	$ 81.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	9	$ 7,251.50	$ 7,496.50
10	$ 4,700.00	$ 2,040.00	$ 300.00	$ 830.00	$ 135.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	10	$ 8,026.00	$ 8,301.00
11	$ 5,170.00	$ 2,244.00	$ 330.00	$ 913.00	$ 148.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	11	$ 8,796.50	$ 9,101.50
12	$ 5,640.00	$ 3,221.00	$ 360.00	$ 996.00	$ 162.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	12	$ 10,340.00	$ 10,675.00
13	$ 6,110.00	$ 3,074.50	$ 390.00	$ 1,079.00	$ 175.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	13	$ 10,760.00	$ 11,125.00
14	$ 6,580.00	$ 3,074.00	$ 420.00	$ 1,016.00	$ 189.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	14	$ 11,180.00	$ 11,575.00
15	$ 7,050.00	$ 3,074.00	$ 450.00	$ 952.50	$ 202.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	15	$ 11,600.00	$ 12,025.00
16	$ 7,520.00	$ 3,074.00	$ 480.00	$ 889.00	$ 216.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	16	$ 12,020.00	$ 12,475.00
17	$ 7,990.00	$ 3,074.00	$ 510.00	$ 825.50	$ 229.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	17	$ 12,440.00	$ 12,925.00
18	$ 8,460.00	$ 3,074.00	$ 540.00	$ 762.00	$ 243.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	18	$ 12,860.00	$ 13,375.00
19	$ 8,930.00	$ 3,074.00	$ 570.00	$ 705.00	$ 250.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	19	$ 13,280.00	$ 13,825.00
20	$ 9,400.00	$ 3,074.00	$ 600.00	$ 655.00	$ 250.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	20	$ 13,700.00	$ 14,275.00
21	$ 9,870.00	$ 3,074.00	$ 630.00	$ 605.00	$ 250.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	21	$ 14,120.00	$ 14,725.00

Texas Residents UG GUARANTEED PRICE PLAN (GPP)
FY 2024 (202410, 202420, 202430)

Num. of Hrs.	Tx Res	Designated Tuition	Univ Svc Fee	Stud. Svc.	Stud. Cntr.	Int'l Ed. Fee	Reg Records	Rec Sports Fee	Env Svc Fee	Diff Tui	Num. of Hrs.	Total Tx Res
												Undergrad
1	$ 50.00	$ 255.00	$ 83.00	$ 13.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	1	$ 612.50
2	$ 100.00	$ 510.00	$ 166.00	$ 27.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	2	$ 1,014.00
3	$ 150.00	$ 765.00	$ 249.00	$ 40.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	3	$ 1,415.50
4	$ 200.00	$ 1,020.00	$ 332.00	$ 54.00	$ 36.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	4	$ 1,818.00
5	$ 250.00	$ 1,275.00	$ 415.00	$ 67.50	$ 45.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	5	$ 2,228.50
6	$ 300.00	$ 1,530.00	$ 498.00	$ 81.00	$ 54.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	6	$ 2,639.00
7	$ 350.00	$ 1,785.00	$ 581.00	$ 94.50	$ 63.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	7	$ 3,109.50
8	$ 400.00	$ 2,040.00	$ 664.00	$ 108.00	$ 72.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	8	$ 3,520.00
9	$ 450.00	$ 2,295.00	$ 747.00	$ 121.50	$ 81.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	9	$ 3,930.50
10	$ 500.00	$ 2,550.00	$ 830.00	$ 135.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	10	$ 4,336.00
11	$ 550.00	$ 2,805.00	$ 913.00	$ 148.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	11	$ 4,737.50
12	$ 600.00	$ 3,596.00	$ 996.00	$ 162.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	12	$ 5,675.00
13	$ 650.00	$ 3,449.50	$ 1,079.00	$ 175.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	13	$ 5,675.00
14	$ 700.00	$ 3,449.00	$ 1,016.00	$ 189.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	14	$ 5,675.00
15	$ 750.00	$ 3,449.00	$ 952.50	$ 202.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	15	$ 5,675.00
16	$ 800.00	$ 3,449.00	$ 889.00	$ 216.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	16	$ 5,675.00
17	$ 850.00	$ 3,449.00	$ 825.50	$ 229.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	17	$ 5,675.00
18	$ 900.00	$ 3,449.00	$ 762.00	$ 243.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	18	$ 5,675.00
19	$ 950.00	$ 3,449.00	$ 705.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	19	$ 5,675.00
20	$ 1,000.00	$ 3,449.00	$ 655.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	20	$ 5,675.00
21	$ 1,050.00	$ 3,449.00	$ 605.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	21	$ 5,675.00

IMPORTANT: GPP Students taking some or all on-line courses will be charged $33 per credit hour for Distance Learning Fee but Designated Tuition will be reduced by that same amount - STUDENTS TOTAL CHARGE WILL NOT CHANGE

Texas Residents UG FRTP
202020, 202030 FRTP (202410, 202420)

Num. of Hrs.	Tx Res	Designated Tuition	Univ Svc Fee	Stud. Svc.	Stud. Cntr.	Int'l Ed. Fee	Reg Records	Rec Sports Fee	Env Svc Fee	Diff Tui	Num. of Hrs.	Total Tx Res
Note: FRTP Students will be charged an additional $33 per credit hour for each on-line course										UG		Undergrad
1	$ 50.00	$ 233.00	$ 83.00	$ 13.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	1	$ **590.50**
2	$ 100.00	$ 466.00	$ 166.00	$ 27.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	2	$ **970.00**
3	$ 150.00	$ 699.00	$ 249.00	$ 40.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	3	$ **1,349.50**
4	$ 200.00	$ 932.00	$ 332.00	$ 54.00	$ 36.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	4	$ **1,730.00**
5	$ 250.00	$ 1,165.00	$ 415.00	$ 67.50	$ 45.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	5	$ **2,118.50**
6	$ 300.00	$ 1,398.00	$ 498.00	$ 81.00	$ 54.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	6	$ **2,507.00**
7	$ 350.00	$ 1,631.00	$ 581.00	$ 94.50	$ 63.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	7	$ **2,955.50**
8	$ 400.00	$ 1,864.00	$ 664.00	$ 108.00	$ 72.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	8	$ **3,344.00**
9	$ 450.00	$ 2,097.00	$ 747.00	$ 121.50	$ 81.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	9	$ **3,732.50**
10	$ 500.00	$ 2,330.00	$ 830.00	$ 135.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	10	$ **4,116.00**
11	$ 550.00	$ 2,563.00	$ 913.00	$ 148.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	11	$ **4,495.50**
12	$ 600.00	$ 2,796.00	$ 996.00	$ 162.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	12	$ **4,875.00**
13	$ 650.00	$ 3,029.00	$ 1,079.00	$ 175.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	13	$ **5,254.50**
14	$ 700.00	$ 3,262.00	$ 1,016.00	$ 189.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	14	$ **5,488.00**
15	$ 750.00	$ 3,495.00	$ 952.50	$ 202.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	15	$ **5,721.00**
16	$ 800.00	$ 3,728.00	$ 889.00	$ 216.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	16	$ **5,954.00**
17	$ 850.00	$ 3,728.00	$ 825.50	$ 229.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	17	$ **5,954.00**
18	$ 900.00	$ 3,728.00	$ 762.00	$ 243.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	18	$ **5,954.00**
19	$ 950.00	$ 3,728.00	$ 705.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	19	$ **5,954.00**
20	$ 1,000.00	$ 3,728.00	$ 655.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	20	$ **5,954.00**
21	$ 1,050.00	$ 3,728.00	$ 605.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	21	$ **5,954.00**

ROTC (MILS) Military Sciense Course(s) Rate for FY 2024**						
Hour		**Statutory**		**Designated**		**Total**
1		50.00		194.00		**244.00**
2		100.00		388.00		**488.00**
3		150.00		582.00		**732.00**
4		200.00		776.00		**976.00**
5		250.00		970.00		**1,220.00**
6		300.00		1,164.00		**1,464.00**
7		350.00		1,358.00		**1,708.00**
8		400.00		1,552.00		**1,952.00**
9		450.00		1,746.00		**2,196.00**
10		500.00		1,940.00		**2,440.00**

** Rates shown are the current rates in effect for FY22-23. The rate for FY 23-24 will be calculated by the Texas Higher Education Coordinating Board and communicated in late February 2023.

Dual Credit FY 2024 (202410, 202420, 202430)						
Hour		**Statutory**		**Univ Svc Fee**		**Total**
1		50.00		36.00		**86.00**
2		100.00		72.00		**172.00**
3		150.00		108.00		**258.00**
4		200.00		144.00		**344.00**
5		250.00		180.00		**430.00**
6		300.00		216.00		**516.00**
7		350.00		252.00		**602.00**
8		400.00		288.00		**688.00**
9		450.00		324.00		**774.00**
10		500.00		360.00		**860.00**

Out of State Fully On-Line
FY 2024 (202410, 202420, 202430)

Grad student (Non-Resident Electronic Fee)

HOURS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Diff Tuition - GR	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00
NR - OUT of State Electronic	120.00	240.00	360.00	480.00	600.00	720.00	840.00	960.00	1,080.00	1,200.00	1,320.00	1,440.00	1,560.00	1,680.00	1,800.00	1,920.00	2,040.00	2,160.00	2,280.00	2,400.00
Statutory Tuition - R	50.00	100.00	150.00	200.00	250.00	300.00	350.00	400.00	450.00	500.00	550.00	600.00	650.00	700.00	750.00	800.00	850.00	900.00	950.00	1,000.00
Designated Tuition	204.00	408.00	762.00	614.50	459.00	1,524.00	1,308.50	1,153.00	1,836.00	2,040.00	2,244.00	3,221.00	3,074.50	3,074.00	3,074.00	3,074.00	3,074.00	3,074.00	3,074.00	3,074.00
Univ Services Fee	83.00	166.00	249.00	332.00	415.00	498.00	581.00	664.00	747.00	830.00	913.00	996.00	1,079.00	1,016.00	952.50	889.00	825.50	762.00	705.00	655.00
Registration Fee	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00
Rec Sports Fee	60.00	60.00	60.00	60.00	60.00	60.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00
International Edu Fee	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Student Center Fee	35.00	35.00	35.00	36.00	45.00	54.00	63.00	72.00	81.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00
Student Service Fee	13.50	27.00	40.50	54.00	67.50	81.00	94.50	108.00	121.50	135.00	148.50	162.00	175.50	189.00	202.50	216.00	229.50	243.00	250.00	250.00
Env Services Fee	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
Distance Education Fee	33.00	66.00	99.00	132.00	165.00	198.00	231.00	264.00	297.00	330.00	363.00	396.00	396.00	396.00	396.00	396.00	396.00	396.00	396.00	396.00
Graduate Tuition	30.00	60.00	90.00	120.00	150.00	180.00	210.00	240.00	270.00	300.00	330.00	360.00	390.00	420.00	450.00	480.00	510.00	540.00	570.00	600.00
TOTAL	**719.50**	**1,253.00**	**1,936.50**	**2,119.50**	**2,302.50**	**3,706.00**	**3,889.00**	**4,072.00**	**5,093.50**	**5,631.00**	**6,164.50**	**7,471.00**	**7,621.00**	**7,771.00**	**7,921.00**	**8,071.00**	**8,221.00**	**8,371.00**	**8,521.00**	**8,671.00**

UG student (Non-Resident Electronic Fee)

HOURS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Diff Tuition - UG	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
NR - OUT of State Electronic	120.00	240.00	360.00	480.00	600.00	720.00	840.00	960.00	1,080.00	1,200.00	1,320.00	1,440.00	1,560.00	1,680.00	1,800.00	1,920.00	2,040.00	2,160.00	2,280.00	2,400.00
Statutory Tuition - R-UG	50.00	100.00	150.00	200.00	250.00	300.00	350.00	400.00	450.00	500.00	550.00	600.00	650.00	700.00	750.00	800.00	850.00	900.00	950.00	1,000.00
Designated Tuition -R-UG	204.00	408.00	762.00	614.50	459.00	1,524.00	1,308.50	1,153.00	1,836.00	2,040.00	2,244.00	3,221.00	3,074.50	3,074.00	3,074.00	3,074.00	3,074.00	3,074.00	3,074.00	3,074.00
Univ Services Fee	83.00	166.00	249.00	332.00	415.00	498.00	581.00	664.00	747.00	830.00	913.00	996.00	1,079.00	1,016.00	952.50	889.00	825.50	762.00	705.00	655.00
Registration Fee	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00
Rec Sports Fee	60.00	60.00	60.00	60.00	60.00	60.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00
International Edu Fee	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Student Center Fee	35.00	35.00	35.00	36.00	45.00	54.00	63.00	72.00	81.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00
Student Service Fee	13.50	27.00	40.50	54.00	67.50	81.00	94.50	108.00	121.50	135.00	148.50	162.00	175.50	189.00	202.50	216.00	229.50	243.00	250.00	250.00
Env Services Fee	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
Distance Education Fee	33.00	66.00	99.00	132.00	165.00	198.00	231.00	264.00	297.00	330.00	363.00	396.00	396.00	396.00	396.00	396.00	396.00	396.00	396.00	396.00
TOTAL	**714.50**	**1,218.00**	**1,871.50**	**2,024.50**	**2,177.50**	**3,551.00**	**3,704.00**	**3,857.00**	**4,848.50**	**5,356.00**	**5,859.50**	**7,136.00**	**7,256.00**	**7,376.00**	**7,496.00**	**7,616.00**	**7,736.00**	**7,856.00**	**7,976.00**	**8,096.00**

RELLIS Rates for FY 2024

		Resident						Non-Resident					
		Statutory	Designated	Univ Ser Fee	Total Rellis	Diff SFA	Total All	Statutory	Designated	Univ Ser Fee	Total Rellis	Diff SFA	Total All
Base		50.00	168.50	96.50	315.00	100.00	415.00	458.00	183.00	96.50	737.50	100.00	837.50
Hours	**3**	150.00	505.50	289.50	945.00	100.00	1,045.00	1,374.00	549.00	289.50	2,212.50	100.00	2,312.50
Hours	**4**	200.00	674.00	386.00	1,260.00	100.00	1,360.00	1,832.00	732.00	386.00	2,950.00	100.00	3,050.00
Hours	**5**	250.00	842.50	482.50	1,575.00	100.00	1,675.00	2,290.00	915.00	482.50	3,687.50	100.00	3,787.50
Hours	**6**	300.00	1,011.00	579.00	1,890.00	100.00	1,990.00	2,748.00	1,098.00	579.00	4,425.00	100.00	4,525.00
Hours	**7**	350.00	1,179.50	675.50	2,205.00	100.00	2,305.00	3,206.00	1,281.00	675.50	5,162.50	100.00	5,262.50
Hours	**8**	400.00	1,348.00	772.00	2,520.00	100.00	2,620.00	3,664.00	1,464.00	772.00	5,900.00	100.00	6,000.00
Hours	**9**	450.00	1,516.50	868.50	2,835.00	100.00	2,935.00	4,122.00	1,647.00	868.50	6,637.50	100.00	6,737.50
Hours	**10**	500.00	1,685.00	965.00	3,150.00	100.00	3,250.00	4,580.00	1,830.00	965.00	7,375.00	100.00	7,475.00
Hours	**11**	550.00	1,853.50	1,061.50	3,465.00	100.00	3,565.00	5,038.00	2,013.00	1,061.50	8,112.50	100.00	8,212.50
Hours	**12**	600.00	2,022.00	1,158.00	3,780.00	100.00	3,880.00	5,496.00	2,196.00	1,158.00	8,850.00	100.00	8,950.00
Hours	**13**	650.00	2,190.50	1,254.50	4,095.00	100.00	4,195.00	5,954.00	2,379.00	1,254.50	9,587.50	100.00	9,687.50
Hours	**14**	700.00	2,359.00	1,351.00	4,410.00	100.00	4,510.00	6,412.00	2,562.00	1,351.00	10,325.00	100.00	10,425.00
Hours	**15**	750.00	2,527.50	1,447.50	4,725.00	100.00	4,825.00	6,870.00	2,745.00	1,447.50	11,062.50	100.00	11,162.50
Hours	**16**	800.00	2,696.00	1,544.00	5,040.00	100.00	5,140.00	7,328.00	2,928.00	1,544.00	11,800.00	100.00	11,900.00
Hours	**17**	850.00	2,864.50	1,640.50	5,355.00	100.00	5,455.00	7,786.00	3,111.00	1,640.50	12,537.50	100.00	12,637.50
Hours	**18**	900.00	3,033.00	1,737.00	5,670.00	100.00	5,770.00	8,244.00	3,294.00	1,737.00	13,275.00	100.00	13,375.00
Hours	**19**	950.00	3,201.50	1,833.50	5,985.00	100.00	6,085.00	8,702.00	3,477.00	1,833.50	14,012.50	100.00	14,112.50

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

M	Impacted	TEC 54.351	Exemption	Children of Disabled Firefighters/Law Enforcement Officers (Previously called Orphans of Public Employment)	Active	Tuition and fees (120 attempted hours or until student's 26th birthday)	Letter/certificate from the Coordinatinginating board as evidence to grant the exemption. Children only not spouse TEC 54.351 - maintain GPA, excessive hour limit. Children of eligible persons who have been killed in the line of duty prior to September 1, 2000, or who have been disabled in the line of duty. Apply
M	Impacted	TEC 54.355	Exemption	Children of Nurse Faculty	Active	Tuition and designated tuition - 10 semesters only	Must be 25 years or younger, Texas resident, does not already has degree, enroll at same college the parent is currently employed, letter form HR stating parent is full time employee, register for selective service or be exempt from requirement, parent must have mater's or doctoral and be employed fulltime. student shall maintain GPA, meet excessive hour rule.
M	Impacted	TEC 54.343	Exemption	Children of POWs & MIAs	Not Active	Tuition and fees	Children of POW's
M	Excluded	TEC 54.011	Exemption	Concurrent Enrollment	Not Active	Tuition and fees; less course fees, distance learning and dual credit tuition. This difference between school A and school B	enrolled in classes for which the college receives tax support, meets college's regular requirements, Apply at SFA Admissions office 468-2504. Enrolled at more than one Higher Ed school at the same time
M	Impacted	TEC.54.354	Exemption	Dependents of Deceased Public Servants	Active	Tuition, mandatory fees and textbooks. (200 hours or until bachelors degree) If the student is eligible to live in university housing, the university will also provide the student room and	Full time student, Student must be under 18 year of age at time of parent' s death. Certification from employer stating death in the line of duty and copy of death certificate. The public employee must have died in the performance of his/her duty on or after September 1, 2000 and student is a surviving spouse or
M	Impacted	TEC.54.352	Exemption	Disabled Peace Officers and Firefighters	Not Active	Tuition and required fees	If spaces is available, must be residents of Texas, permanently disabled as a result of injury suffered during performance of duty, no more than 12 semesters in unger grad work - Masters and Doctoral are not eligible.
M	Exempt	TEC.54.342	Exemption	Ex-Prisoners of War	Not Active	"tuition and required fees" includes tuition, service fees, lab fees, building use fees, and all other required fees except room, board, or clothing fees or deposits in the nature of security for the	"tuition and required fees" includes tuition, service fees, lab fees, building use fees, and all other required fees except room, board, or clothing fees or deposits in the nature of security for the return or proper care of property.(b) For each semester or summer session and for a total number of semester credit hours
M	Exempt	TEC 54.366	Exemption	Foster Care Aged Out Exemption	Active	Tuition and fees	Tuition Waiver from Texas Dept. of Family and Protective Services. Were NOT adopted before their 18th birthday
M	Exempt	TEC 54.367	Exemption	Foster Care (Adopted)	Active	Tuition and fees	Tuition Waiver Letter from Texas Dept. of family and protective services. Must maintain GPA and meet excessive hour requirements Adopted before they turned 18
M	Exempt	TEC 54.341 (a-2),(b)(1)	Exemption	Hazlewood - 100% Disabled Veteran-Spouse/Child	Active	Tuition and fees; less student service fee	Veteran must have a Home of Record or Place of Entry in TX, be honorably discharged and 100% disabled due to military conditions. Must be a biological child, adopted child, claimed as a dependent on taxes or be the veterans spouse, a TX resident and not be in excessive hours.

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

M	Exempt	TEC 54.341 (a-2),(b)(1)	Exemption	Hazlewood - Deceased Veteran-Spouse/Child	Active	Tuition and fees; less student service fee	Veteran must have a Home of Record or Place of Entry in TX, be honorably discharged and deceased due to military conditions. Must be a biological child, adopted child, claimed as a dependent on taxes or be the veterans spouse, a TX resident and not be in excessive hours.
M	Impacted	TEC 54.341,(k)	Exemption	Hazlewood Dependents Legacy	Active	Tuition and fees; less student service fee	Veteran must have a Home of Record or Place of Entry in TX, served at least 181 active duty days, be honorably discharged, and be a TX resident. Must be a biological child, adopted child, or claimed as a dependent on taxes, a TX resident and not be in excessive hours and must have passing GPA.
M	Exempt	TEC 54.341, (a)	Exemption	Hazlewood Veteran	Active	Tuition and fess, less student service fee	Veteran must have a Home of Record or Place of Entry in TX, served at least 181 active duty days, be honorably discharged, and a TX resident, not be in excessive hours and must have passing GPA.
M	Impacted	TEC 54.364	Exemption	Hearing Impaired	Active	Tuition and fees	Must turn in a copy of Certified Disability. Must maintain GPA and meet excessive hour requirements
M	Impacted	TEC.54.345	Exemption	National Guard Waiver (Members of state Military Forces)	Not Active	Tuition up to 12 hours	Military shall certify (never been used)
M	Impacted	TEC 54.3531	Exemption	Peace Officers	Active	Tuition and Lab Fees	Courses for BA Degree only. Employed as a Peace Officer by the state of Texas. Undergraduate student. Enroll Fall 2011 or later. Meet GA requirements. Must apply for exemption at least 1 week before the last day to register. Must meet the excessive hour rule.
M	Impacted	TEC.54.344	Exemption	Performers of "Taps"	Not Active	$25 Exemption	Voucher from Student
M	Impacted	TEC 54.356	Exemption	Preceptor and their Children	Active	$500.00 tuition exemption per semester for 8 hours	Preceptor or Children of Preceptor 25 and under: Resident of Texas, Not have a degree. Meet GPA and excessive hour rule. Copy of parents preceptor agreement. See Business Office for more information on eligibility requirements.
M	Excluded	TEC 54.624	Exemption	Texas Tomorrow Fund Exemption	Active	Tuition and required fees in excess of the weighted average amount of tuition and required fees for all public senior colleges and universities	Student must contact provider to authorize SFA to bill/use their funds and turn in a copy of the card
M	Impacted	TEC 54.364	Exemption	Vision Impaired	Active	Tuition and fees	Must turn in a copy of Certified Disability. Must maintain GPA and meet excessive hour requirements
M	Exempt	TEC 54.233	Waiver	Academic Common Market	Not Active	In State Rate	The governing board of an institutin of higher education shall charge nonresident students participating in the Academic Common Market and enrolled in programs designated under Section 160.07 the same amount charged resident students in such programs.
M	Exempt	TEC 231(g)	Waiver	Border County/Parish	Not Active	In State Rate with governing board approval	With governing board approval, the nonresident tuition fee does not apply to a nonresident student who is a resident of a county or parish of Arkansas, Lousiana, New Mexico, or Oklahoma.

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

M	Exempt	TEC 54.211	Waiver	College Teachers, Professors (and the spouse and children of such a teacher or professor)	Active	In State Rate	Employed at least hone-half time on a regular monthly salary basis by an institution of higher education.
M	Exempt	TEC.54.222	Waiver	Economic Developments	Not Active	Economic Rules for residency	Meet Economic Rules for residency
M	Exempt	TEC.54.206	Waiver	Foreign Service Officers	Not Active	In State Rate	A foreign service officer employed by the United States Department of State and enrolled in an institution of higher education is entitled to pay the tuition and fees at the rates provided for Texas residents if the person is assigned to an office of the department of state that is located in a foreign
M	Exempt	TEC.54.241,(b,c,f,g) (d,I,k)	Waiver	Military in Texas	Active	In State Rate	A person who is an officer, enlisted person, selectee, or draftee of the Army, Army Reserve, Army National Guard, Air National Guard, Air Force, Air Force Reserve, Navy, Navy Reserve, Marine Corps, Marine Corps Reserve, Coast Guard, or Coast Guard Reserve of the United States, who is assigned to duty in Texas.
M	Exempt	TEC.54.232	Waiver	NATO Members and Families	Not Active	In state Rate	A nonimmigrant alien who resides in this state in accordance with the Agreement between the Parties to the North Atlantic Treaty Regarding the Status of Their Forces (4 U.S.T. 1792) and the spouse or children of that alien are considered to be residents for tuition and fee purposes under this title.
M	Exempt	TEC.54.212	Waiver	Teaching and Research Assistants	Active	In state Rate	Teaching assistant or research assistant
M	Excluded	TEC 54.621	Waiver	Texas Tomorrow Fund Contract	Active	In state Rate for nonresident child of a parent who is a Texas resident when contract was purchased	Student must contact provider to authorize SFA to bill/use their funds and turn in a copy of the card
M	Impacted	TEC 54.353	Exemption	FireFighters taking Fire Science Courses	Active	Tuition and Lab Fees	Must be employed as a paid Firefighter and provide letter from supervisor, courses must be Fire Science Curriculum, college must receive tax support on the class, maintain GPA, excessive hour limit.
O	Impacted	TEC.54.2031	Exemption	Combat Exemption	Not Active	Tuition is exempted	Dependent children of residents who are members of the Armed Forces and on combat duty - limit of 150 hours, must not be in default on loan and proof of combat duty
O	Impacted	TEC.54.261	Exemption	Designated Tuition Exemption	Not Active	All or part Tuition	A governing board may waive all or part of the tuition charged to a student under Section 54.0513 if it finds that the payment of such tuition would cause an undue economic hardship on the student.
O	Impacted	TEC.54.218	Exemption	Distance Learning Exemption from Fees	Active	Exempts Rec Sports Fee and Student Center	Student is enrolled in only Distance Ed Courses, and meets SB1210 requirements. Study Abroad students enrolled in Summer that last longer than four weeks
O	Exempt	TEC.54.216 B.O 21-35	Exemption	Dual Credit	Active	Per BO 21-35, Dual Credit Tuition and Fees are exempted except for $50 per semester credit hour for statutory tuition and $36 per semester credit hour for university services fee.	May waive all or part of the tuition and fees charged by the institution for a student enrolled in a course for which the student simultaneously receives credit toward high school requirements and a degree offered by the institution

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

O	Impacted	TEC 54.363	Exemption	Educational Aide	Not Active	Tuition and fees other than class or laboratory fees.	Must be a resident of this state; be a school employee serving in any capacity; have worded as an educational aide for at least one school year during the five preceding that term or semester
O	Impacted	TEC.54.217	Exemption	Fully Funded Courses	Not Active	Tuition and Fees	Students attending courses that are fully funded by federal or other sources
O	Impacted	TEC.54.331	Exemption	Good Neighbor Program	Active	Tuition and Fees	Up to 235 non-residents from an eligible country, born in and are current residents of a nation of Western hemisphere other than Cuba or the US. Intend to return to country upon completion of program of study, are qualified for admission. Must maintain GPA and meet excessive hour rule. Cannot have another Waiver on account.
O	Excluded	TEC.54.5035,	Exemption	Governing Board Waivers	Not Active	Waive mandatory and discretionary fees	The governing board of an institution of higher education may waive a mandatory or discretionary fee for a student if the board determines that the student is not reasonably able to participate in or use the activity, service, or facility for which the fee is charged. The governing board must ensure that a waiver under this section does not result in the institution's inability to service a debt to which revenue from the fee is obligated or to support an activity, service, or facility for which the fee is charged
O	Impacted	TEC.54.301	Exemption	Highest Ranking HS (Valedictorian)	Active	Tuition during both semesters of the first school year immediately following graduation	Certificate from High School
O	Excluded	TEC.54.0601	Exemption	Hundred (100) Mile	Active	Lower nonresident tuition rate.	Institution within 100 miles from the boundary of this state with another state may set a nonresident tuition rate that is lower than the nonresident tuition rate otherwise charged.
O	Impacted	TEC.54.368	Exemption	Inter-Institutional Academic Programs	Not Active	Tuition and Fees	(1) "Interinstitutional academic program" means a program under which a student may, in accordance with a written agreement between an institution of higher education and one or more other institutions of higher education or private or independent institutions of higher education, take courses at each institution that is a party to the agreement as necessary to fulfill the program's degree or certificate requirements.
O	Impacted	TEC.54.225	Exemption	Non-Semester-Length Developmental Education Courses	Not Active	Tuition	The governing board of an institution of higher education may exempt from the payment of tuition authorized by this chapter a student who is participating in an approved non-semester-length developmental education intervention (including course-based, non-course-based, alternative-entry/exit, and other intensive developmental education activities).
O	Excluded	TEC.54.5025	Exemption	Prorated Fees for Term Length	Not Active	Prorated amount is set by BOR	Based on the length of the semester or term for which a student is enrolled, the governing board of an institution of higher education may prorate the amount of any fee charged to the student under this chapter.
O	Impacted	TEC 54.365, (c)	Exemption	Senior Citizen 65+ for 6 hours free tution	Active	Tuition and designated tuition (6 hours)	Must maintain SAP and meet the excessive hour rule. Must be 65 or older. Student should contact the business office.
O	Impacted	TEC 54.365,(b)	Exemption	Senior Citizen 65+ for Audit Hours	Not Active	Tuition and fees	If space is available.

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

O	Impacted	TEC.54.263	Exemption	Senior Citizen Lowered Tuition 55+	Not Active	All or part Tuition and Fee's	(a) An institution of higher education may charge a student 55 years of age or older tuition and fees at rates that are lower than the rates otherwise provided by this chapter, under the condition that a student under 55 years of age will not be precluded from enrolling in a course for credit toward a degree or certificate. The institution may set additional qualifications that a student must meet to qualify for tuition and fees at rates set under this section and may set different rates for different programs, campuses, or courses. The institution may set rates under this section for resident students, nonresident students, or both, and may set different rates for resident students and nonresident students.
O	Impacted	TEC 54.262	Exemption	Student Services Fee	Not Active	Mandatory Fees	The governing board of an institution of higher education may waive all or part of any cumpulsory fee or fees authorized by Section 54.503 in the case of any student for whom the payment of the fee would cause an undue financial hardship, provided the number of the students to whom the waiver is granted for a semester or term does not exceed 10 percent of the institution's total enrollment for that semester or term. The board may limit accordingly the participation of a studet in the activities financed by the fee so waived.
O	Impacted	TEC.54.361	Exemption	TANF Exemption	Not Active	Tuition and Fees	A student is exempt from the payment of tuition and fees authorized by this chapter for the first academic year in which the student enrolls at an institution of higher education if the student:(1) graduated from a public high school in this state;(2) successfully completed the attendance requirements under Section 25.085;(3) during the student's last year of public high school in this state, was a dependent child receiving financial assistance under Chapter 31, Human Resources Code, for not less than six months;(4) is younger than 22 years of age on the date of enrollment;(5) enrolls at the institution as an undergraduate student not later than the second anniversary of the date of graduation from a public high school in this state;(6) has met the entrance examination requirements of the institution before the date of enrollment; and(7) is classified as a resident under Subchapter B.
O	Excluded	TEC.54.014,(f)	Exemption	Three-peat Penalty Hardship	Not Active	Waive 3-Peat Fee	(f) An institution of higher education may charge a resident undergraduate student tuition at a higher rate than the rate charged to other resident undergraduate students, not to exceed the rate charged to nonresident undergraduate students, for any course in which the student enrolls that is the same as or substantively identical to a course for which the student previously completed. The Texas Higher Education Coordinating Board shall adopt a rule that exempts a resident undergraduate student from this subsection if the student enrolls in a course that is the same as or substantially similar to a course that the student previously completed, solely as a result of a hardship or other good cause.

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

O	Excluded	TEC.54.010	Exemption	Tuition Reduction for 15+ Hours	Not Active	Reduction in Tuition (set by BOR)	(1) offers the tuition reduction to the student as part of an institutional policy adopted by the board to:(A) increase the average semester credit hour course load of students enrolled at the institution; or(B) improve the retention and graduation rate of students enrolled at the institution; and(2) determines that the student is:(A) enrolled in, and making satisfactory progress toward completion of, a degree program offered at the institution; and (B) enrolled in at least 15 semester credit hours at the institution during the semester or term for which the reduction is offered.(b) The governing board may offer a tuition reduction under this section in a fixed dollar amount, a percentage amount, or any other manner that the board considers appropriate.(c) The amount of tuition reduction offered to a student under this section for a semester or term may not exceed the amount of tuition that would have been charged to the student under this chapter for enrollment in three semester credit hours during that semester or term.(d) For a tuition reduction offered to a student under this section, the governing board may prorate the amount of the reduction based on:(1) the number of semester credit hours in which the student is enrolled; or (2) the length of the semester or term for which the student is enrolled. (e) The governing board is not required to offer a tuition reduction under this section to all institutions of higher education under its governance or to all degree programs offered at an institution of higher education under its governance.
O	Exempt	TEC.54.213	Waiver	Competitive Scholarship	Active	In state rate	Nonresident students receiving a $1,000.00 or more in competative scholarships
O	Exempt	TEC.54.251	Waiver	Nursing Graduate Students Planning to Teach	Not Active	In State Tuition	An institution of higher education may permit a registered nurse authorized to practice professional nursing in Texas to register by paying the tuition fees and other fees or charges required for Texas residents under Section 54.051, without regard to the length of time the registered nurse has resided in Texas, if the registered nurse:(1) is enrolled in a program designed to lead to a master's degree or other higher degree in nursing; and(2) intends to teach in a program in Texas designed to prepare students for licensure as registered nurses.
SFA		B.O. 16-28	Exemption	Educational Leadership	Active	Reduced Rate by waiving all fees and not charging the board designated graduate tuition.	Students enrolled in this program who met all entrance requirements would only be charged statutory tuition, designated tuition and course fees.
SFA		Policy 12.5	Exemption	LEAP - Employees	Active	Designated tuition and mandatory fees are exempted for eligible participants.	Lumberjack Educational Assistance Program
SFA		Policy 12.5	Exemption	LEAP - GRA and GTAs	Active	Designated tuition and mandatory fees are exempted for eligible participants.	Lumberjack Educational Assistance Program
SFA		Policy 12.5	Exemption	LEAP - Spouse/Dependents	Active	Designated tuition and mandatory fees are exempted for eligible participants.	Lumberjack Educational Assistance Program
SFA		-	Exemption	LEAP Retiree Employee	Active	Designated tuition and mandatory fees are exempted for eligible participants.	Lumberjack Educational Assistance Program
SFA		-	Exemption	LEAP Retiree Spouse/Dep	Active	Designated tuition and mandatory fees are exempted for eligible participants.	Lumberjack Educational Assistance Program

M Mandatory

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

O Optional

FY2024 ROOM AND BOARD RATES

Explanation:

Projected on-campus student housing and food service operating costs support the need for revised room and board rates for fiscal year (FY) 2024 (24).

Pursuant to the relevant provisions of our current food service contract, the administration and Chartwells, our food service provider, annually negotiate necessary rate increases for the upcoming fiscal year.

A fair market research assessment that focused on trends, the Consumer Price Index (CPI) [Food Away from Home South Region], the Employment Cost Index (ECI), and benchmark comparisons to similar institutions was completed to determine if board rate increases were warranted.

During the past year CPI has increased 8.4% and the ECI (wages and salary accommodation and food service) has increased 7.7%. Thus, a decision was made to increase board rates.

The proposed board rates for FY24, reflect an 8.0% increase, excluding dining dollars.

The administration reviewed the FY24 housing budget proforma, current debt coverage needs, the CPI, and benchmark comparisons to similar institutions. In order to cover debt coverage demands, CPI increases, and best meet budget obligations, a room rate increase is being recommended.

The proposed on-campus room rates for FY2024, reflect an 8.0% increase.

If approved, these revised rates will become effective for the fall semester of 2023.

Recommendation:

The administration recommends approval of an 8.0% increase for board rates and an 8.0% increase for room rates for FY2024 as presented.

Stephen F. Austin State University
Room and Board Rates for 2023-2024

Residence Hall Rates	Fall or Spring Rate
Wisely (Hall 5)	$2,737
Steen (Hall 17)	$3,106
Hall 20	$3,504
Griffith (15) and Kerr (18)	$2,433
Hall 14	$2,525
Lumberjack Landing	$4,107
Lumberjack Lodge 4 br	$4,699
Lumberjack Lodge 2 br	$4,991
Lumberjack Village (Building 2) quads	$3,657
Lumberjack Village (Building 1) 2br	$4,991
Lumberjack Village (Buildings 1 & 2) 1 br	$6,146
Lumberjack Village (Building 3) 2br	$5,595
Lumberjack Village (Building 3) 1 br	$6,670

Meal plans (rates include sales tax)

	All Access Premium w/$275	7/14 Premium w/$350	Basic 7/14 w/$125	All Access w/$50	7/12 w/$200
Campus Resident	$2,298	$2,230	$2,032	$2,100	$1,857
Summer Resident	7/14 w/$75 $741	7/20 w/$50 $935			

Combined Room and Board

	Fall and Spring Semester				
Residence Hall	All Access Premium	7/14 Premium	7/14 Basic	All Access	7/12
Wisely Hall (Hall 5)	$5,035	$4,967	$4,769	$4,837	$4,594
Hall 14	$4,823	$4,755	$4,557	$4,625	$4,382
Griffith Hall (Hall 15)	$4,731	$4,663	$4,465	$4,533	$4,290
Steen Hall (Hall 17)	$5,404	$5,336	$5,138	$5,206	$4,963
Kerr Hall (Hall 18)	$4,731	$4,663	$4,465	$4,533	$4,290
Hall 20	$5,802	$5,734	$5,536	$5,604	$5,361
Lumberjack Landing	$6,405	$6,337	$6,139	$6,207	$5,964
Lodge 4br	$6,997	$6,929	$6,731	$6,799	$6,556
Lodge 2br	$7,289	$7,221	$7,023	$7,091	$6,848
Village (2) quads	$5,955	$5,887	$5,689	$5,757	$5,514
Village (1) 2br	$7,289	$7,221	$7,023	$7,091	$6,848
Village (3) 2 br	$7,893	$7,825	$7,627	$7,695	$7,452
Village (1 & 2) 1br	$8,444	$8,376	$8,178	$8,246	$8,003
Village (3) 1 br	$8,968	$8,900	$8,702	$8,770	$8,527

Students living in the halls listed above are required to have a board plan
Rates above include sales tax for Board

ACKNOWLEDGE RECEIPT OF CONTRACT MONITORING REPORT

Explanation:

In accordance with Texas Government Code 2261.253-255, the following contract monitoring report includes information on identified contracts that require enhanced contract or performance monitoring for reporting to the Board of Regents.

The contract monitoring report as presented includes the following contracts:

D2L, Ltd (Desire2Learn)
Kirksey Architects, Inc.
Kingham Dalton Wilson, Ltd

Recommendation:

Approve and acknowledge receipt of the contract monitoring report.

Stephen F. Austin State University
Board of Regents – Finance Committee
Texas Government Code Contract Reporting
January 30, 2023

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Texas Government Code Contract Reporting

In accordance with Texas Government Code 2261.253-255, the following contract monitoring report includes information on identified contracts that require enhanced or performance monitoring for reporting to the Board of Regents.

Vendor contract: *D2L, Ltd (Desire2Learn)*

Description of Contract: Brightspace Learning Management System hosted software services and support for five years.

Vendor Awarded Contract: D2L, Ltd

Procurement Method: Exempt Policy 17.1 - Direct Publications

Department Responsible for Contract: Center for Teaching and Learning

Serious issue or risk with contract: None

Total Current Fiscal Year Amount: $206,073.66

Total Estimated Aggregate Amount: $1,030,368.30

Contract Period: 12/17/2022 – 12/16/2027

Board Approved: July 2022

Director Certification: Not Applicable

President Attestation: Not Applicable

Statutory Reporting Requirement: Government Code 2261.253, 2261.254

Vendor contract: *Kirksey Architects, Inc.*

Description of Contract: Architectural services related to the design for the fine arts expansion, welcome center and student services one stop shop, and residence hall and dining hall in accordance with RFQ#AE-BLDG PROJECTS-2018 opened 9/06/2018 and Architect Agreement and Addenda. Addendum 1-Fine Arts in the amount of $2,518,500 for basic services, $65,800 for additional services and reimbursable expenses not to exceed $77,000. Addendum 1- Welcome Center and Student Support Services Once Stop Shop in the amount of $780,000 for basic services, $164,900 for additional services, and reimbursable expenses not to exceed $24,600. Addendum 1-Construct and Renovate Student Residential and Dining Facilities in the amount of $2,275,200 for basic services, $99,250 for additional services, and reimbursable expenses not to exceed $68,000. Subsequent Amendment No. 1 to Addendum 1-Residence Hall in the amount of $128,000 for redesign services. Subsequent Amendment No. 1-Welcome Center and Student Support Services One Stop Shop termination of project ($884,459). Subsequent Amendment No. 1 to Addendum 1-Fine Arts in the amount of $624,000 for redesign services. Subsequent Amendment No. 2-Fine Arts in the amount of $7,000 for additional services related to redesign. Subsequent Amendment No. 3-Fine Arts in the amount of $159,605 for additional services related to hydronic piping, increase in architect and engineering fee for increased construction cost, reallocation of reimbursable expenses to A-E fee, and required updates to contract documents for updated finishes and extended delivery date. Dining Hall project closed in the amount of ($1,012,000). Residence Hall project closed in the amount of ($372,050). Subsequent Amendment No. 4-Fine Arts in the amount of $143,355 for extended basic services and additional services for updates related to requested changes to contract documents. Subsequent Amendment No. 2-Dining hall in the amount of $1,166,300 for extended basic services.

Vendor Awarded Contract: Kirksey Architects, Inc.

Procurement Method: Request for Qualifications

Department Responsible for Contract: Physical Plant

Serious issue or risk with contract: None

Total Current Fiscal Year Amount: $1,309,655.00

Total Estimated Aggregate Amount: $6,033,001.00

Contract Period: 3/5/2019 - 10/31/2023

Board Approved: October 2018, October 2019, July 2021, November 2021, October 2022

Director Certification: Completed

President Attestation: Not Applicable

Statutory Reporting Requirement: Government Code 2261.253, 2261.254, 2261.255

Vendor contract: *Kingham Dalton Wilson, Ltd.*

Description of Contract: Construction of a fine arts expansion, welcome center and student support services one stop shop, basketball practice facility, and the construction of a new student residence hall, a new dining hall, and renovations to residence hall and dining facilities in accordance with RFP#CMR-BLDG PROJECTS-2019 opened 9/20/18 and construction manager agreement dated 2/07/19 with estimated substantial completion date for all projects of 2/23/21 which may change upon final schedules and final project GMP's. Subsequent amendment for preconstruction services in the amount of $209,744. **Subsequent amendments**: *Basketball Practice Facility* Amendment No.1 effective 7/22/19 for phase 1 of the GMP in the amount of $1,369,388, Amendment No.2 effective 10/29/2019 for phase 2 of the GMP in the amount of $23,818,986. *Welcome Center and Student Support Services One Stop Shop*-Amendment No. 1 to remove project in its entirety effective 2/27/2020. *Preconstruction services* Amendment No. 2 in the amount of $113,928. *Fine Arts Expansion Initiative* Amendment No. 3 for phase 1 of the GMP in the amount of $725,912. *Basketball Practice Facility* Amendment No. 4 for additional services added to Phase 2 GMP in the amount of $274,320. *Fine Arts Expansion Initiative* Amendment No. 5 for additional services added to Phase 1 GMP in the amount of $71,336.63. *Residence Hall* project closed as of 08/31/20 in the amount of ($12,464.12). *Fine Arts Expansion Initiative* Amendment No. 6 for Phase II GMP in the amount of $41,159,676.37. *Fine Arts Expansion Initiative* Amendment No. 7 for transferring an amount from Phase 1 GMP to Phase II GMP in the amount of $17,409.98. *Basketball Practice Facility* Amendment No. 8 to extend final completion date. *Basketball Practice Facility*-Amendment No. 9 to extend final completion date to 1/22/22. *Dining Hall* project closed in the amount of ($59,956.90). *Basketball Practice Facility* encumbrance closed in the amount of ($655,603.42). *Preconstruction services* Amendment No. 3 for Dining Services in the amount of $140,777.00. *Residence Hall* Amendment No. 10 for the demolition of Hall 16 in the amount of $1,123,291. *Fine Arts Expansion Initiative* Amendment No. 11 to increase Phase II GMP in the amount of $842,729.

Vendor Awarded Contract: Kingham Dalton Wilson, Ltd.

Procurement Method: Request for Proposal

Department Responsible for Contract: Physical Plant

Serious issue or risk with contract: None

Total Current Fiscal Year Amount: $2,106,797.00

Total Estimated Aggregate Amount: $69,121,973.56

Contract Period: 2/07/2019-8/31/2023

Board Approved: October 2018, May 2019, October 2019, January 2020, February 2021, July 2021, November 2021, July 2022, October 2022

Director Certification: Completed

President Attestation: Completed

Statutory Reporting Requirement: Government Code 2261.253, 2261.254, 2261.255, GAA Article IX, Section 7.11

Summary of Contracts

Stephen F. Austin State University

Summary of Contracts

Summary of Goods and Services Contracts Greater than $1Million(including Construction)

Finance Committee -January 30, 2023

Description of contract	Vendor Awarded Contract	Procurement method	Department responsible for Contract	Serious issue or risk with contract	Total Current Fiscal Year Amount	Total Estimated Aggregate Amount	Contract period	Board Approved
Brightspace Learning Management System hosted software services and support for five years.	D2L (Desire2Learn)	Exempt Policy 17.1 -Direct Publications	Center for Teaching and Learning	None	$ 206,073.66	$ 1,030,368.30	12/17/2022 - 12/16/2027	July 2022
Architectural services related to the design for the fine arts expansion, welcome center and student services one stop shop, and residence hall and dining hall in accordance with RFQ#AE-BLDG PROJECTS-2018 opened 9/06/2018 and Architect Agreement and Addenda. Addendum 1-Fine Arts in the amount of $2,518,500 for basic services, $65,800 for additional services and reimbursable expenses not to exceed $77,000. Addendum 1- Welcome Center and Student Support Services One Stop Shop in the amount of $780,000 for basic services, $164,900 for additional services, and reimbursable expenses not to exceed $24,600. Addendum 1-Construct and Renovate Student Residential and Dining Facilities in the amount of $2,275,200 for basic services, $99,250 for additional services, and reimbursable expenses not to exceed $68,000. Subsequent Amendment No. 1 to Addendum 1-Residence Hall in the amount of $128,000 for redesign services. Subsequent Amendment No. 1-Welcome Center and Student Support Services One Stop Shop termination of project ($884,459). Subsequent Amendment No. 1 to Addendum 1-Fine Arts in the amount of $624,000 for redesign services. Subsequent Amendment No. 2-Fine Arts in the amount of $7,000 for additional services related to redesign. Subsequent Amendment No. 3-Fine Arts in the amount of $159,605 for additional services related to hydronic piping, increase in architect and engineering fee for increased construction cost, reallocation of reimbursable expenses to A-E fee, and required updates to contract documents for updated finishes and extended delivery date. Dining Hall project closed in the amount of ($1,012,000). Residence Hall project closed in the amount of ($372,050). Subsequent Amendment No. 4-Fine Arts in the amount of $143,355 for extended basic services and additional services for updates related to requested changes to contract documents. Subsequent Amendment No. 2-Dining hall in the amount of $1,166,300 for extended basic services.	Kirksey Architects, Inc.	Request for Qualifications	Physical Plant	None	$ 1,309,655.00	$ 6,033,001.00	3/05/2019 - 10/31/2023	October 2018, October 2019, July 2021, November 2021, October 2022
Construction of a fine arts expansion, welcome center and student support services one stop shop, basketball practice facility, and the construction of a new student residence hall, a new dining hall, and renovations to residence hall and dining facilities in accordance with RFP#CMR-BLDG PROJECTS-2019 opened 9/20/18 and construction manager agreement dated 2/07/19 with estimated substantial completion date for all projects of 2/17/23 which may change upon final schedules and final project GMP's. Subsequent amendment for preconstruction services in the amount of $209,744. Subsequent amendments for **Basketball Practice Facility**: Amendment No. 1 effective 7/22/19 for phase 1 of the GMP in the amount of $1,369,388, Amendment No. 2 effective 10/29/2019 for phase 2 of the GMP in the amount of $23,818,986. Subsequent amendment for **Welcome Center and Student Support Services One Stop Shop**-Amendment No. 1 to remove project in its entirety effective 2/27/2020. Subsequent Amendment No. 2 for preconstruction services in the amount of $113,928. Subsequent amendment for **Fine Arts Expansion Initiative**-Amendment No. 3 for phase 1 of the GMP in the amount of $725,912. Subsequent Amendment for **Basketball Practice Facility**-Amendment No. 4 for additional services added to Phase 2 GMP in the amount of $274,320. Subsequent amendment for **Fine Arts Expansion Initiative**-Amendment No. 5 for additional services added to Phase 1 GMP in the amount of $71,336.63. **Residence Hall** project closed as of 08/31/20 in the amount of ($12,464.12). Subsequent amendment for **FIne Arts Expansion Initiative**-Amendment No. 6 for Phase II of the GMP in the amount of $41,159,676.37. **Dining Hall original** project closed as of 8/31/22 in the amount of ($59,956.90). **Basketball Practice Facility** encumbrance closed in the amount of ($655,603.42). Subsequent amendment for **Preconstruction services-** Amendment No. 3 for new Dining Services in the amount of $140,777.00. Subsequent amendment for **Residence Hall-** Amendment No. 10 for the demolition of Hall 16 in the amount of $1,123,291. Subsequent amendment for **Fine Arts Expansion Initiative-** Amendment No. 11 to increase Phase II GMP in the amount of $842,729.	Kingham Dalton Wilson, Ltd	Request for Proposal	Physical Plant	None	$ 2,106,797.00	$ 69,121,973.56	2/07/19 -8/31/2023	October 2018, May 2019, October 2019, January 2020, February 2021, July 2021, November 2021, July 2022, October 2022

ACKNOWLEDGE RECEIPT OF 2021-2022 ANNUAL FINANCIAL REPORT

Explanation:

As required by Texas Government Code, Section 2101.011, Stephen F. Austin State University submitted the Fiscal Year 2021-22 Annual Financial Report to the Office of the Governor, Comptroller of Public Accounts, Legislative Budget Board, Legislative Reference Library, and the Texas State Auditor's Office. The report reflected the university's financial activities for the period September 1, 2021 through August 31, 2022.

Additionally, as required by university policy 3.19 Institutional Reserves Fund, the administration reports the primary reserve ratio information to the Board of Regents with the Annual Financial Report.

Recommendation:

The administration requests that the Board of Regents acknowledge receipt of the Stephen F. Austin State University Fiscal Year 2021-22 Annual Financial Report and primary reserve ratio information.

STEPHEN F. AUSTIN STATE UNIVERSITY
NACOGDOCHES, TEXAS















ANNUAL FINANCIAL REPORT

For the year ended August 31, 2022

STEPHEN F. AUSTIN STATE UNIVERSITY

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STEPHEN F. AUSTIN STATE UNIVERSITY

Stephen F. Austin State University
Office of the President
P. O. Box 6078, SFA Station • Nacogdoches, TX 75962
Phone: (936) 468-2201 • Fax: (936) 468-2202

November 20, 2022

The Honorable Greg Abbott, Governor of Texas
The Honorable Glenn Hegar, Texas Comptroller of Public Accounts
Jerry McGinty, Director, Legislative Budget Board
Lisa Collier, CPA, State Auditor

Dear Governor Abbott, Mr. Hegar, Mr. McGinty, and Ms. Collier:

We are pleased to submit the Annual Financial Report of Stephen F. Austin State University for the year ended August 31, 2022, in compliance with Texas Government Code Annotated, Section 2101.011, and the requirements established by the Texas Comptroller of Public Accounts.

Due to the statewide requirements embedded in Governmental Accounting Standards Board (GASB) Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments*, the Comptroller of Public Accounts does not require the accompanying Annual Financial Report to comply with all the requirements in this statement. The Annual Financial Report will be considered for audit by the State Auditor as part of the State of Texas Annual Comprehensive Financial Report (ACFR); therefore, an opinion has not been expressed on the financial statements and related information contained in the report.

Sincerely,

Steve Westbrook
Interim President

STEPHEN F. AUSTIN STATE UNIVERSITY

Vice President for Finance and Administration
P.O. Box 6108, SFA Station • Nacogdoches, Texas 75962-6108
Phone (936) 468-2203 • Fax (936) 468-7027

November 20, 2022

Dr. Steve Westbrook
Interim President
Stephen F. Austin State University
P. O. Box 6078, SFA Station
Nacogdoches, Texas 75962

Dear Dr. Westbrook:

Submitted herein is the Annual Financial Report of Stephen F. Austin State University for the fiscal year ended August 31, 2022.

The financial statements in this report have been prepared in conformity with the General Provisions of the Appropriations Act, Article IX, and the requirements established by the Texas Comptroller of Public Accounts.

The Annual Financial Report will be considered for audit by the State Auditor as part of the State of Texas Annual Comprehensive Financial Report (ACFR); therefore, an opinion has not been expressed on the financial statements and related information contained in the report.

Sincerely,

Judi Kruwell, CPA
Associate Vice President for Finance and Administration

Gina Oglesbee, CPA, CFE, CIA
Vice President for Finance and Administration

STEPHEN F. AUSTIN STATE UNIVERSITY
NACOGDOCHES, TEXAS

Organizational Data
August 31, 2022

Board of Regents

Officers

Karen G. Gantt, Chair
M. Thomas Mason, Vice Chair
Jennifer W. Winston, Secretary

Members

Name	Town	Term Expires
David R. Alders	Nacogdoches, Texas	January 31, 2025
Robert A. Flores	Nacogdoches, Texas	January 31, 2027
Karen G. Gantt	McKinney, Texas	January 31, 2023
Brigettee C. Henderson	Lufkin, Texas	January 31, 2023
M. Thomas Mason	Dallas, Texas	January 31, 2023
Judy L. Olson	The Woodlands, Texas	January 31, 2025
Laura Rectenwald	Longview, Texas	January 31, 2027
Nancy C. Windham	Nacogdoches, Texas	Januray 31, 2027
Jennifer W. Winston	Lufkin, Texas	January 31, 2025
Paige Vadnais (student)	Forney, Texas	May 31, 2023

Interim President

Steve Westbrook, Ed.D.

Finance and Administration

Vice President – Gina Oglesbee, CPA, CFE, CIA
Associate Vice President – Judith Kruwell, CPA

STEPHEN F. AUSTIN STATE UNIVERSITY

Management's Discussion and Analysis

For the Year Ended August 31, 2022

INTRODUCTION

Stephen F. Austin State University (the University) is a comprehensive regional public institution of higher education and an agency of the State of Texas (State). Founded in 1923, the University is named for the "Father of Texas," Stephen Fuller Austin. It is located in the city of Nacogdoches, a part of the East Texas forested region. The main campus has more than 400 acres, including part of the original homestead of Thomas J. Rusk, early Texas patriot and United States Senator. In fall 2021, the University enrolled 11,946 students in 31 academic units and 6 colleges. The University offers baccalaureate, masters, and doctoral degrees.

The University is accredited by the Southern Association of Colleges and Schools Commission on Colleges. Specific academic programs hold numerous other accreditations.

The University does not include any blended components in the Financial Statements.

OVERVIEW OF THE FINANCIAL STATEMENTS AND FINANCIAL ANALYSIS

The objective of Management's Discussion and Analysis is to help readers of the University's Financial Statements better understand the financial position and operating activities for the fiscal year ended August 31, 2022, with selected comparative information for the fiscal year ended August 31, 2021. This discussion should be read in conjunction with the Letter of Transmittal, Financial Statements, and Notes to the Financial Statements. Management has prepared the Financial Statements and Notes to the Financial Statements along with the discussion and analysis. Responsibility for the completeness and fairness of this information rests with the University administration.

Three primary statements are presented: Statement of Net Position; Statement of Revenues, Expenses, and Changes in Net Position; and Statement of Cash Flows. The Financial Statements are prepared in accordance with requirements established by the Texas Comptroller of Public Accounts.

FISCAL YEAR 2022 HIGHLIGHTS

- Enrollment for the fall 2021 semester was 11,946. This figure represents a decrease of 5.3 percent from the enrollment of 12,620 recorded in fall 2020. Retention rates and persistence to graduation are two metrics by which the Texas Legislature evaluates State universities. The University reported an undergraduate retention rate of 76.2 percent for the fall 2021.

- In spring 2019, the University began construction of a basketball training facility and improvements to the fine arts building as part of the initiatives funded by the 2019 revenue bonds. The basketball training facility was completed in October 2021, and the capital improvements to the fine arts building are expected to be complete in March 2023. The SFA Board of Regents has reaffirmed and approved the use of remaining bond proceeds to construct a new dining facility, various deferred maintenance projects for residence hall facilities, and academic and university projects.

- In April 2022, President Scott Gordon and the University mutually agreed to end the employment relationship. Dr Steve Westbrook, long-time SFA senior administrator and former Interim President, was appointed until a permanent president assumes office. Additionally, the SFA Board of Regents appointed Gina Oglesbee as Vice President for Finance and Administration. Ms. Oglesbee previously served as the University's Chief Audit Executive.

- Based on instructions from the Texas Comptroller of Public Accounts, change in the reporting requirement for residual appropriations from Higher Education Funds (HEF) was implemented in Fiscal Year (FY) 2022. Net position for residual HEF was previously reported as Unrestricted Net Position. Beginning FY 2022, unexpended HEF is reported as Restricted Net Position-Capital Projects. FY 2021 net position information has been restated to reflect this change as well.

- The University's financial position at August 31, 2022 reflected total assets and deferred outflows of $599.7 million and total liabilities and deferred inflows of $558.7 million. Overall, the net position of the University decreased $37.6 million. This decrease in overall net position is primarily attributable to the recording of non-cash accounting adjustments related to Governmental Accounting Standards Board (GASB) Statement Nos. 68 and 75 totaling $15.7 million, and a decrease in fair market value of university operating and endowment investments of $14.9 million. The remaining decrease in net position was due to variances in operating revenues and expenditures.

CONDENSED FINANCIAL INFORMATION AND FINANCIAL HIGHLIGHTS

Statement of Net Position

The Statement of Net Position provides a snapshot view of assets available for use in the University's continuing operations and enables readers to determine the amounts owed to others. Over time, increases or decreases in net position are indicators of the improvement or decline of the financial health of the University. The Statement of Net Position presents the assets, liabilities, deferred outflows and inflows of resources, and net position of the University at a specific point in time, in this case August 31, 2022. Net position represents the residual interest in the University's assets and deferred outflows of resources after deducting liabilities and deferred inflows of resources.

"Net Position" displays three major categories: Invested in Capital Assets, Net of Related Debt; Restricted Net Position; and Unrestricted Net Position. The Invested in Capital Assets, Net of Related Debt category identifies the equity in property, plant, and equipment owned by the University net of debt owed on those capital assets. Restricted Net Position is either expendable or non-expendable. Restricted Net Position-Expendable may be expended only for the purposes designated by the external donor or provider of the assets. Restricted Net Position-Non-expendable is comprised entirely of funds held as permanent endowments. Unrestricted Net Position is available for any lawful purpose of the University. Although Unrestricted Net Position assets are not subject to externally imposed stipulations, these assets may have other commitments for various future uses in support of the University's mission. These include commitments for encumbrances outstanding at year-end. Previously classified in Unrestricted Net Position, unspent HEF have been reclassified in FY 2022 as Restricted for Capital Projects. Assets and liabilities are generally measured using current values, except capital assets, which are stated at historical cost less an allowance for depreciation.

Stephen F. Austin State University-755
Management's Discussion and Analysis
UNAUDITED
For the Year Ended August 31, 2022

A summarized comparison of the University's Statement of Net Position at August 31, 2022 and 2021 follows:

Statement of Net Position

	August 31, 2022	August 31, 2021 Restated
Assets		
Current Assets	$ 177,197,342.31	$ 224,674,951.43
Noncurrent Assets		
Other Noncurrent Assets	117,957,578.93	121,691,817.23
Capital Assets, Net of Depreciation	235,365,221.59	223,697,209.76
Total Assets	530,520,142.83	570,063,978.42
Deferred Outflows of Resources	69,213,394.00	98,671,719.00
Liabilities		
Current Liabilities	120,143,324.89	122,848,921.51
Noncurrent Liabilities	378,508,073.74	411,403,433.99
Total Liabilities	498,651,398.63	534,252,355.50
Deferred Inflows of Resources	60,045,841.00	55,831,468.00
Net Position		
Invested in Capital Assets, Net of Related Debt	$ 81,292,960.67	$ 81,340,280.21
Restricted Net Position		
Capital Projects*	6,453,067.78	11,006,727.25
Expendable and Other	30,533,565.41	31,478,693.17
Non-expendable	6,348,033.52	6,107,043.66
Unrestricted Net Position*	(83,591,330.18)	(51,280,870.37)
	$ 41,036,297.20	$ 78,651,873.92

*Unrestricted Net Position restated to reclassify residual HEF and other restricted capital projects as Restricted for Capital Projects.

Statement of Revenues, Expenses, and Changes in Net Position

The change in total net position was calculated from the activity shown on the Statement of Revenues, Expenses, and Changes in Net Position. This statement presents operating revenues and expenses; non-operating revenues and expenses; and other revenues, expenses, gains (losses), and transfers.

Operating revenues are receipts for providing goods and services to the various constituencies of the University. Operating expenses include salaries, wages, and goods and services needed to carry out the mission of the University. Non-operating revenues and expenses include non-exchange transactions for which no goods or services were provided. This category includes State appropriations, Pell grants, gifts, investment income, and interest payments on long-term debt.

Stephen F. Austin State University-755
Management's Discussion and Analysis
UNAUDITED
For the Year Ended August 31, 2022

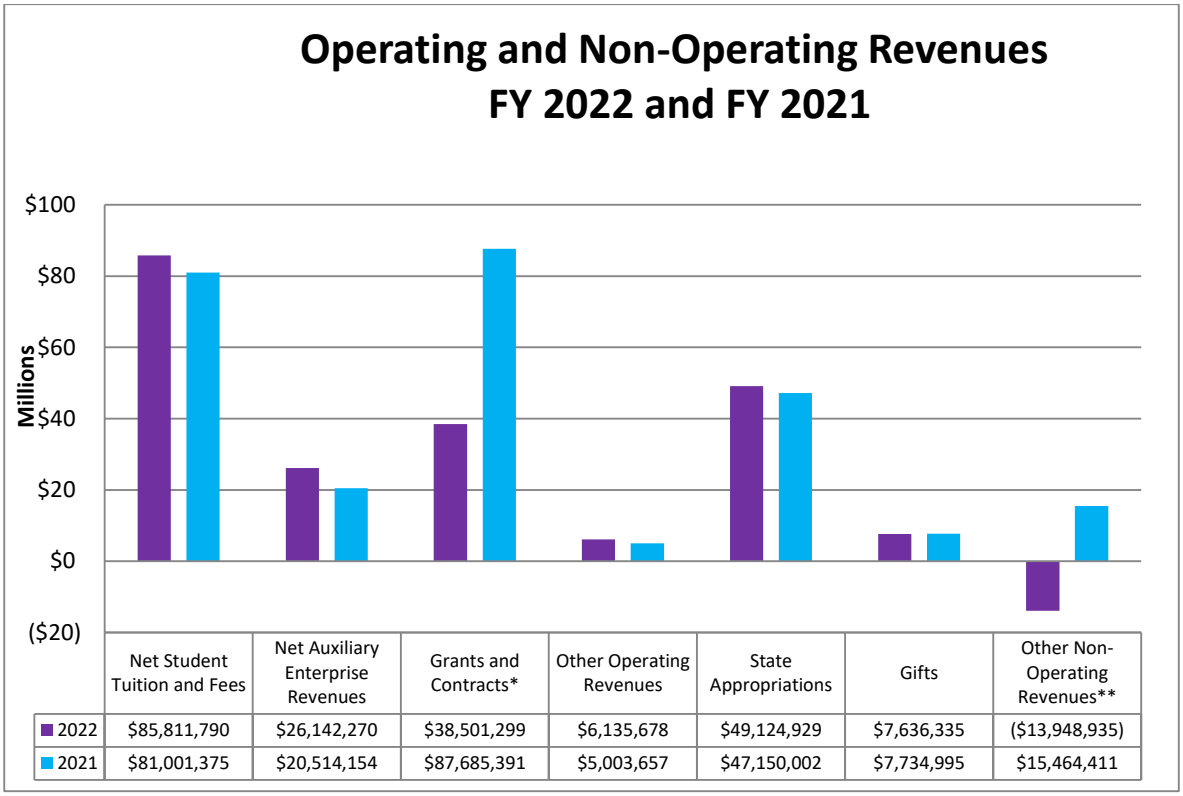
A summarized comparison of the University's Statement of Revenues, Expenses, and Changes in Net Position for the years ended August 31, 2022 and 2021 follows:

Statement of Revenues, Expenses, and Changes in Net Position

	2022	2021
Operating Revenues:		
Net Student Tuition and Fees	$ 85,811,789.79	$ 81,001,375.27
Net Auxiliary Enterprise Revenues	26,142,269.61	20,514,154.12
Grants and Contracts	15,393,225.93	17,393,019.07
Other Operating Revenues	6,135,678.46	5,003,657.22
Total Operating Revenues	133,482,963.79	123,912,205.68
Total Operating Expenses	242,962,200.97	255,853,495.43
Operating Income (Loss)	(109,479,237.18)	(131,941,289.75)
Legislative Revenue (State)	39,152,020.00	36,406,556.72
Additional Appropriations	9,972,909.04	10,743,445.23
Federal Revenues - Non-Operating	23,108,073.51	70,292,372.06
Gifts	7,636,335.27	7,734,994.56
Net Investment Income (Loss)	225,944.56	4,685,714.28
Net Increase (Decrease) in Fair Value of Investments	(14,865,333.18)	9,833,946.93
Interest Expenses and Fiscal Charges	(6,244,379.50)	(7,243,290.68)
Net Other Non-Operating Revenues (Expenses)	690,453.29	944,749.58
Total Non-Operating Revenues (Expenses)	59,676,022.99	133,398,488.68
Income (Loss) Before Other Revenues, Expenses, Gains or Losses	(49,803,214.19)	1,457,198.93
Other Revenues, Expenses, Gains (Losses) and Transfers	12,287,693.08	16,154,684.53
Change in Net Position	(37,515,521.11)	17,611,883.46
Net Position, Beginning of Year	78,651,873.92	61,007,067.24
Restatements	(100,055.61)	32,923.22
Restated Net Position, Beginning of Year	78,551,818.31	61,039,990.46
Net Position, End of Year	$ 41,036,297.20	$ 78,651,873.92

Stephen F. Austin State University-755
Management's Discussion and Analysis
UNAUDITED
For the Year Ended August 31, 2022

The following graph exhibits operating and non-operating revenues by major source:



	Net Student Tuition and Fees	Net Auxiliary Enterprise Revenues	Grants and Contracts*	Other Operating Revenues	State Appropriations	Gifts	Other Non-Operating Revenues**
2022	$85,811,790	$26,142,270	$38,501,299	$6,135,678	$49,124,929	$7,636,335	($13,948,935)
2021	$81,001,375	$20,514,154	$87,685,391	$5,003,657	$47,150,002	$7,734,995	$15,464,411

** Grants and Contracts includes both Operating and Non-Operating Grants and Contracts.*
***Other Non-Operating Revenues includes Net Investment Income, Net Increase (Decrease) in Fair Value of Investments, and Net Other Non-Operating Revenues.*

Fiscal year 2022 highlights presented in the Statement of Revenues, Expenses, and Changes in Net Position are as follows:

- Fall 2021 headcount decreased approximately five percent. However, net tuition and fees increased $4.8 million due to the effect of COVID-19 related federal economic relief funding on tuition discounting in FY 2021.
- The University reinstated the housing residency requirements for applicable students which were suspended in FY 2021 due to COVID-19. As a result, occupancy rates increased and auxiliary revenues increased approximately 27 percent.
- Grants and contracts decreased $49.2 million due to the effect of receiving COVID-19 federal aid in FY 2021.
- Increase in state appropriations was attributed to increased funding for special items, as well as additions to the formula funding provided by The Higher Education Coordinating Board (THECB).
- Net investment income (loss) and net increase (decrease) in Fair Value of Investments resulted in a decrease in non-operating revenues of $29.2 million as a result of the investment market.

Stephen F. Austin State University-755
Management's Discussion and Analysis
UNAUDITED
For the Year Ended August 31, 2022

Discounts and allowances reported as offsets for both tuition and fees and auxiliary enterprise revenues include exemptions, tuition discounts, and the allowance for doubtful accounts, which is a calculated estimate of the uncollectible student and other receivables. The chart below reflects these amounts and the related variances from FY 2021.

Gross Student Revenues, Exemptions, Discounts and Allowances

	2022	2021	Net Change
Tuition and Fees - Pledged	$115,572,126.15	$124,442,914.99	$(8,870,788.84)
Tuition and Fees - Non-Pledged	4,036,093.74	4,331,692.36	(295,598.62)
Exemptions	(13,071,283.11)	(16,240,363.52)	3,169,080.41
Tuition Discounts	(20,621,716.18)	(31,059,972.75)	10,438,256.57
Allowances for Doubtful Accounts	(103,430.81)	(472,895.81)	369,465.00
Net Student Tuition and Fees	$85,811,789.79	$ 81,001,375.27	$4,810,414.52
Auxiliary Enterprises - Pledged	$ 32,631,194.03	$ 29,480,475.10	$3,150,718.93
Auxiliary Enterprises - Non-Pledged	3,027,433.92	2,122,908.61	904,525.31
Discounts	(9,420,663.45)	(10,732,932.93)	1,312,269.48
Allowances for Doubtful Accounts	(95,694.89)	(356,296.66)	260,601.77
Net Auxiliary Enterprise Revenues	$26,142,269.61	$ 20,514,154.12	$5,628,115.49

State and federal loans to students have continued to decrease for the fourth year in a row. Gross scholarships awarded to students from grants and outside organizations decreased significantly by approximately $20.9 million, primarily reflecting the loss of the FY 2021 COVID-19 student aid. Net scholarships decreased by approximately $9.1 million. Pell grants decreased by four percent to $20.1 million. A portion of scholarships has been reclassified as either tuition discounts or auxiliary discounts using the National Association of College and University Business Officers (NACUBO) discount formula.

The discount calculation involves various types of aid to the student as shown below:

Gross Scholarships and Related Discounts Applied to Revenues

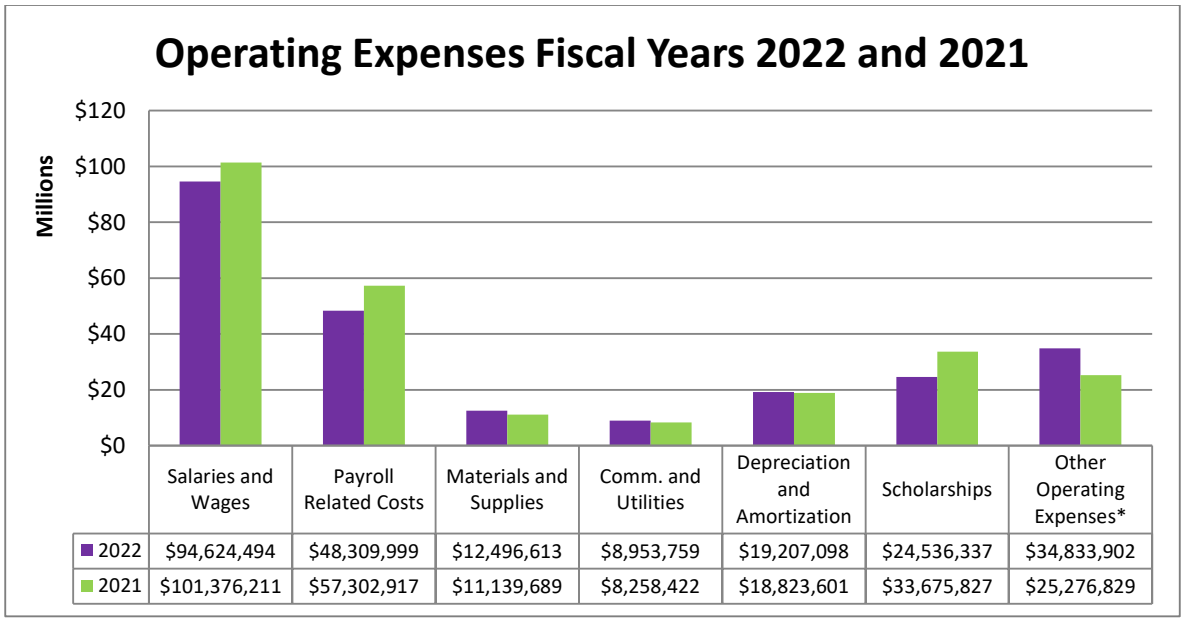
	2022	2021	Net Change
State and federal student loans	$ 57,386,007.08	$ 62,991,803.80	$ (5,605,796.72)
Gross Scholarships	54,578,716.14	75,468,732.95	(20,890,016.81)
Scholarships - Reclassified to Tuition/Fee Discounts	(20,621,716.18)	(31,059,972.75)	10,438,256.57
Scholarships - Reclassified to Auxiliary Enterprises	(9,420,663.45)	(10,732,932.93)	1,312,269.48
Scholarships (as reported)	$ 24,536,336.51	$ 33,675,827.27	$ (9,139,490.76)

Stephen F. Austin State University-755
Management's Discussion and Analysis
UNAUDITED
For the Year Ended August 31, 2022

The following data summarizes the operating expenses in the natural classification expense categories for the fiscal years ended August 31, 2022 and 2021:

	2022	2021
Cost of Goods Sold	$ 11,655,157.79	$ 7,845,744.90
Salaries and Wages	94,624,493.68	101,376,210.74
Payroll-Related Costs	48,309,998.57	57,302,916.97
Professional Fees and Services	2,787,981.70	2,348,434.84
Travel	3,173,510.71	1,109,966.07
Materials and Supplies	12,496,612.69	11,139,689.02
Communication and Utilities	8,953,759.42	8,258,422.27
Repairs and Maintenance	5,624,618.04	5,028,834.93
Rentals and Leases	3,183,696.34	2,576,824.25
Printing and Reproduction	504,939.29	285,270.69
Federal Pass-Through Expenditures	16,837.84	0.00
Depreciation	19,207,098.24	18,823,600.63
Scholarships	24,536,336.51	33,675,827.27
Other Operating Expenses	7,887,160.15	6,081,752.85
	$ 242,962,200.97	$ 255,853,495.43

The following is a graphic presentation of the major operating expense categories for the fiscal years ended August 31, 2022 and 2021:

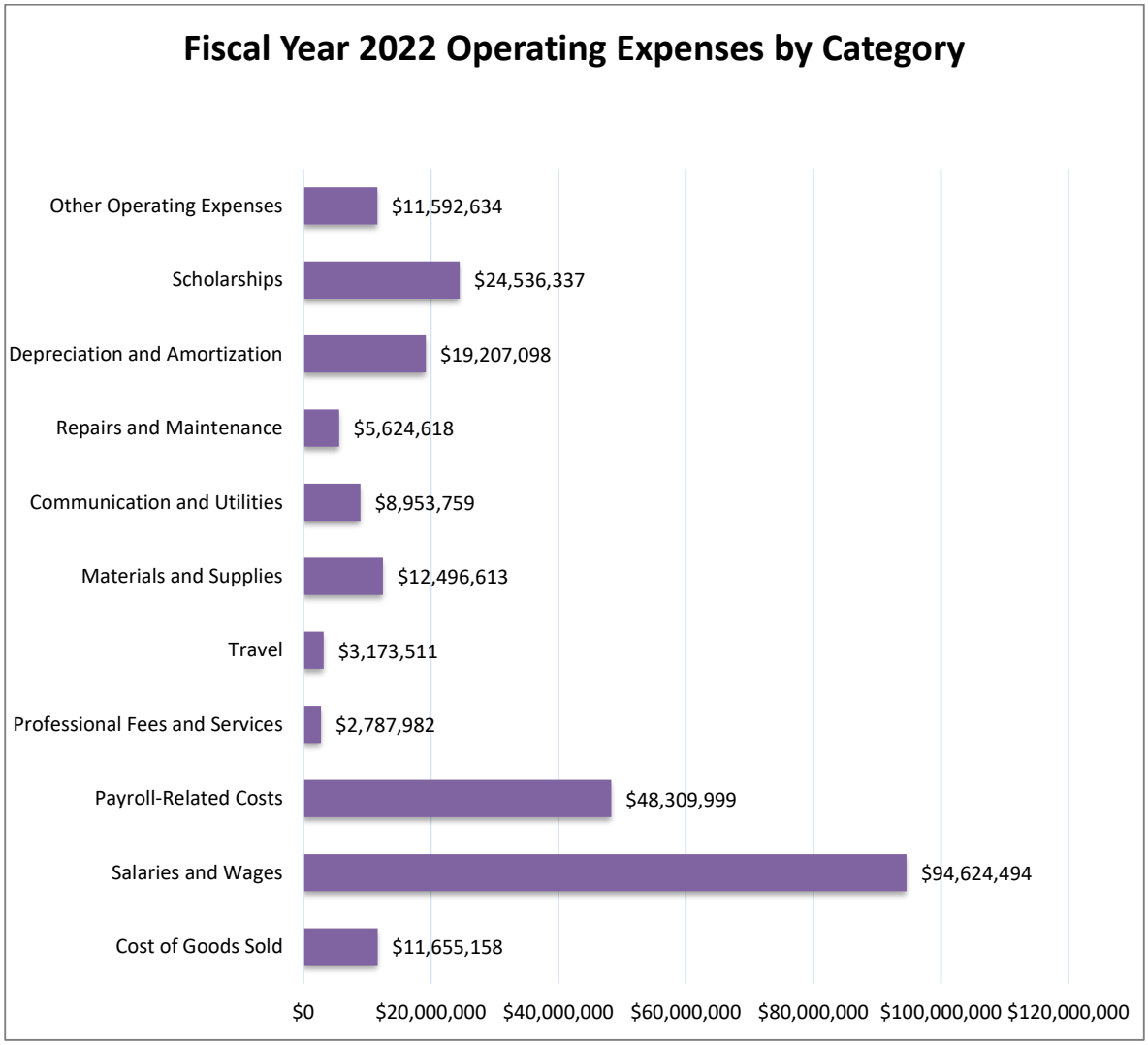


**Other Operating Expenses includes Cost of Goods Sold, Professional Fees and Services, Travel, Repairs and Maintenance, Rentals and Leases, Printing and Reproduction, Federal Pass-Through Expenditures, and Other Operating Expenses.*

Stephen F. Austin State University-755
Management's Discussion and Analysis
UNAUDITED
For the Year Ended August 31, 2022

Fiscal year 2022 significant changes from the prior year for all other operating expenses include:

- Travel costs increased $2.1 million due to lifting of travel restrictions after the pandemic.
- Cost of Goods Sold increased $3.8 million related to increased meal plan participation and higher on-campus occupancy of residence halls.
- Scholarship expense decreased $9.1 million as explained previously in this report.
- Salaries and wages decreased $6.8 million due primarily to the FY 2021 $3.5 million one-time payout for the Voluntary Separation Incentive Program (VSIP). Additionally, a lag in filling authorized key positions vacated by VSIP resulted in reduced FY 2022 salaries and wages.
- Payroll-related costs decreased $9.0 million primarily due to calculations for VSIP and vacant positions, and a decrease in TRS pension liability.



Other Operating Expenses includes Rentals and Leases, Federal Pass-Thru Expenditures, Printing and Reproduction costs, Bad Debt expense, and Other Operating Expenses.

Statement of Cash Flows

The purpose of a Statement of Cash Flows is to provide relevant information about the University's cash receipts and payments during the fiscal year. The Statement of Cash Flows, when used with related disclosures and information in the other financial statements, provides relevant information about the University, such as:

- Its ability to generate future net cash flows.
- Its ability to meet obligations when due.
- Its needs for external financing.
- The reason for differences between operating income and associated cash receipts and payments.
- The effects on the University's financial position of its cash and its non-cash investing, capital, and financing transactions.

The Statement of Cash Flows provides details about the University's major sources and uses of cash during the year. It presents detailed information about the cash activity and an indication of the University's liquidity and ability to meet cash obligations. There are four categories of cash flow activity:

1. Cash Flows from Operating Activities – cash flows from operating activities result from providing services and producing and delivering goods. They include all other transactions not defined as non-capital financing, capital and related financing, or investing activities.
2. Cash Flows from Non-Capital Financing Activities – cash flows from non-capital financing activities include borrowing money and repaying the principal and interest on amounts borrowed for purposes other than to acquire, construct, or improve capital assets.
3. Cash Flows from Capital and Related Financing Activities – cash flows from capital and related financing activities include acquiring and disposing of capital assets; borrowing money to acquire, construct, or improve capital assets; and repaying the principal and interest amounts.
4. Cash Flows from Investing Activities – cash flows from investing activities include making and collecting loans (except program loans) and the acquisition and disposition of debt or equity instruments.

The Statement of Cash Flows reports net cash provided or used in each of the four categories of classifying cash transactions. It also reports the net effect of these flows on cash and cash equivalents during the fiscal year in a manner that reconciles beginning and ending cash and cash equivalents for the year.

The final section of the Statement of Cash Flows reconciles the Net Cash Provided (Used) by Operating Activities to the Operating Income (Loss) reflected on the Statement of Revenues, Expenses, and Changes in Net Position. When transactions are part cash and part non-cash, only the cash portion is reported within the Statement of Cash Flows. Non-cash items include information about investing, capital, and financing activities that affect assets and liabilities but do not result in cash receipts or cash payments in the fiscal period. The non-cash portion is reported in the non-cash transaction section supplemental to the Statement of Cash Flows.

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Management's Discussion and Analysis
UNAUDITED
For the Year Ended August 31, 2022

A summarized comparison of the Statement of Cash Flows at August 31, 2022 and 2021 follows:

Statement of Cash Flows

	2022	2021
Net Cash Provided (Used) by:		
Operating Activities	$ (55,578,231.10)	$ (61,067,759.22)
Non-Capital Financing Activities	55,764,359.07	98,854,795.74
Capital and Related Financing Activities	(37,701,802.62)	(40,129,096.68)
Investing Activities	11,648,514.30	31,099,641.35
Increase (Decrease) in Cash and Cash Equivalents	$ (25,867,160.35)	$ 28,757,581.19
Cash and Cash Equivalents, Beginning of Year	85,736,446.05	56,978,864.86
Restatements	-	-
Cash and Cash Equivalents, as Restated, Sept. 1, 2021	85,736,446.05	56,978,864.86
Increase (Decrease) in Cash and Cash Equivalents	(25,867,160.35)	28,757,581.19
Cash and Cash Equivalents, End of Year	$ 59,869,285.70	$ 85,736,446.05

Net cash provided (used) by operating activities should be viewed together with net cash provided (used) by non-capital financing activities because State appropriations are significant sources of recurring revenue in support of operating expenses but, under GASB Statement No. 35, they must be classified as non-capital financing activities instead of operating activities. Additionally, federal financial aid revenues, including Pell grants and Higher Education Emergency Relief Fund (HEERF) grants, are classified as a non-operating activity since these are considered non-exchange activities, but the offsetting expenditures are recognized as operating expenses. Overall, the University experienced a decrease of $25.8 million in cash and cash equivalents due almost entirely to the use of federal HEERF funds for student aid and lost revenue caused by the pandemic.

Cash used by operating activities decreased by approximately $5.5 million due largely to the decrease in operating expenses and reduction in student aid provided from the HEERF funding in 2021.

Net cash flows provided by non-capital financing activities in FY 2022 decreased $43.1 million from the prior year. As mentioned before, the economic HEERF recovery funds provided in 2021 to the institution and to the students made up the decrease.

Net cash used for capital and related financing activities decreased $2.4 million due mainly to the use of bond proceeds to complete the basketball training facility and the construction of the fine arts addition.

Net cash provided from investing activities decreased $19.5 million due to changes in the investment of bond proceeds and the decrease in fair market value of operating long-term investments.

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Management's Discussion and Analysis
UNAUDITED
For the Year Ended August 31, 2022

ECONOMIC OUTLOOK

The SFA Board of Regents approved an operating budget of $273,720,925 for the 2022-23 fiscal year.

In FY 2022, the legislature approved a Capital Construction Assistance Project of $44,922,833. In FY 2023, the University is in the planning stage of developing the interdisciplinary projects for these funds.

In September 2022, Fitch downgraded to A+ from AA- the bond rating on various Revenue Financing System (RFS) bonds issued by the SFA Board of Regents. The downgrade to A+ from AA- reflects the current trend of declining headcount; however, the rating outlook of stable reflects the expectation that the University will continue to benefit from solid state support and have sufficient financial flexibility at the 'A+' rating level to absorb current year enrollment pressures.

Enrolled headcount for Fall 2022 decreased by 5.2 percent when compared to Fall 2021, and semester credit hours decreased 5.7 percent.

At the July 2022 meeting of the SFA Board of Regents, the Board Chair appointed a subcommittee to evaluate potential affiliation with other Texas state university systems. A process was rolled out to address questions posed by campus constituents including students, faculty, staff, and alumni. The SFA Board of Regents is expected to make their decision regarding system affiliation at a special called meeting scheduled for November 29, 2022.

In 2016, the University began a capital fundraising campaign to coincide with the University's 100-year anniversary on September 18, 2023. At of the end of calendar year 2022, it is expected that 100% of the campaign target will be achieved. To kick off the centennial celebration in 2023, the results of the capital fundraising campaign will be announced at the SFA Gala event which will be held in January.

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Statement of Net Position
For the Fiscal Year Ended August 31, 2022

	2022	2021 Restated
ASSETS		
Current Assets		
Cash and Cash Equivalents:		
Cash on Hand	$ 15,315.00	$ 29,476.00
Cash in Bank	31,490,923.51	65,972,117.69
Cash in Transit/Reimburse from Treasury	350,875.64	1,071,841.18
Cash in State Treasury	813,773.46	882,360.90
Cash Equivalents	0.00	0.00
Short-Term Investments	0.00	0.00
Restricted:		
Cash and Cash Equivalents		
Cash in Bank	27,198,398.09	17,780,650.28
Short-Term Investments		
Endowment	1,428,147.23	987,610.19
Proceeds from Bond Sales	60,187,258.46	86,177,928.36
Legislative Appropriations	17,889,345.01	13,553,366.89
Receivables:		
Intergovernmental Receivables		
Federal	1,570,369.26	2,057,482.06
State	12,311.60	18.00
Other Intergovernmental	253,134.31	634,799.95
Student Accounts Receivable	11,017,807.99	12,233,136.79
Allowance for Student Receivables	0.00	0.00
Accounts Receivable	4,496,897.48	2,571,653.53
Gifts/Pledges Receivables	330,000.00	2,500,000.00
Due From Other Agencies:		
Federal	232,116.73	307,402.04
State	72,995.67	59,767.92
Consumable Inventories	551,867.93	476,330.54
Merchandise Inventories	432,583.08	469,335.98
Prepaid Items	17,189,640.61	15,243,368.00
Student Loans Receivables	1,663,581.25	1,666,305.13
Allowance for Loans/Contracts	0.00	0.00
Total Current Assets	177,197,342.31	224,674,951.43

See accompanying Notes to the Financial Statements

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Statement of Net Position
For the Fiscal Year Ended August 31, 2022

	2022	2021 Restated
Noncurrent Assets		
Restricted:		
Cash Equivalents	$ 0.00	$ 992,733.81
Investments		
Endowments	14,883,361.32	17,128,181.87
Proceeds from Bonds	0.00	0.00
Student Loans Receivables	4,301,419.77	4,148,126.38
Allowance for Doubtful Accounts	(1,757,761.27)	(896,969.74)
Unrestricted:		
Investments		
Operating	92,021,688.35	89,771,722.27
Quasi-Endowments	7,198,720.10	8,687,846.60
Student Accounts Receivables	12,591,491.05	12,942,390.73
Allowance for Doubtful Accounts	(11,281,340.39)	(11,082,214.69)
Capital Assets		
Land and Land Improvements	8,419,438.29	8,419,438.29
Construction in Progress	33,819,462.49	39,882,121.21
Other Capital Assets	831,858.23	831,858.23
Non-Depreciable or Non-Amortizable	43,070,759.01	49,133,417.73
Capital Assets, Depreciable:		
Buildings and Building Improvements	473,188,012.36	439,273,030.06
Less Accumulated Depreciation	(304,292,188.60)	(288,950,270.20)
Infrastructure	17,469,304.46	17,469,304.46
Less Accumulated Depreciation	(13,483,913.17)	(12,838,516.81)
Facilities and Other Improvements	37,381,456.30	36,034,506.30
Less Accumulated Depreciation	(24,506,806.15)	(23,208,111.14)
Furniture and Equipment	23,372,711.77	23,173,385.82
Less Accumulated Depreciation	(18,492,759.08)	(18,401,027.64)
Vehicles, Boats, and Aircraft	6,486,862.00	6,577,193.60
Less Accumulated Depreciation	(5,242,236.30)	(5,047,090.51)
Other Capital Assets	13,777,437.28	13,803,372.40
Less Accumulated Depreciation	(13,363,418.29)	(13,321,984.31)
Intangible Assets	4,475,809.57	4,502,623.77
Less Accumulated Amortization	(4,475,809.57)	(4,502,623.77)
Depreciable or Amortizable, Net	192,294,462.58	174,563,792.03
Total Noncurrent Assets	353,322,800.52	345,389,026.99
Total Assets	530,520,142.83	570,063,978.42
DEFERRED OUTFLOWS OF RESOURCES		
Deferred Outflows of Resources (Note 28)	69,213,394.00	98,671,719.00

See accompanying Notes to the Financial Statements

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Statement of Net Position
For the Fiscal Year Ended August 31, 2022

	2022	2021 Restated
LIABILITIES		
Current Liabilities:		
Payables:		
Accounts Payable	$ 9,336,343.50	$ 7,677,340.55
Payroll Payable	4,463,050.33	6,596,596.64
Deposits	2,692,566.62	3,304,014.88
Benefits Payable	5,470,282.99	4,468,397.33
Interagency Payable	90.00	0.00
Due to Other Agencies	597,648.54	467,934.09
Unearned Revenues:		
Tuition and Fees	45,665,284.95	50,683,027.78
Sales and Services	20,574,216.82	15,960,945.21
Grants and Contracts	1,613,920.33	519,948.13
Employees' Compensable Leave	860,902.71	593,977.34
Capital Lease Obligations	0.00	26,473.21
Notes and Loans Payable	805,017.97	762,756.42
Revenue Bonds Payable	10,463,615.32	9,873,876.46
Tuition Revenue Bonds Payable	4,207,090.50	4,145,124.07
Accrued Bond Interest Payable	3,135,686.66	3,304,937.16
Funds Held for Others	5,870,959.65	9,320,445.24
Other Current Liabilities	4,386,648.00	5,143,127.00
Total Current Liabilities	120,143,324.89	122,848,921.51
Noncurrent Liabilities:		
Employees' Compensable Leave	3,274,601.15	2,920,730.91
Notes and Loans Payable	6,433,519.97	7,238,537.94
Revenue Bonds Payable	143,673,215.34	154,741,871.36
Tuition Revenue Bonds Payable	45,854,096.28	50,061,186.78
ERS OPEB Liability	158,613,526.00	149,043,885.00
TRS Net Pension Liability	20,659,115.00	47,397,222.00
Total Noncurrent Liabilities	378,508,073.74	411,403,433.99
Total Liabilities	498,651,398.63	534,252,355.50
DEFERRED INFLOWS OF RESOURCES		
Deferred Inflows of Resources (Note 28)	60,045,841.00	55,831,468.00
NET POSITION		
Invested in Capital Assets, Net of Related Debt	81,292,960.67	81,340,280.21
Restricted for:		
Capital Projects	6,453,067.78	11,006,727.25
Endowment Funds		
Nonexpendable	6,348,033.52	6,107,043.66
Expendable	4,025,773.16	5,712,932.57
Other	26,507,792.25	25,765,760.60
Unrestricted	(83,591,330.18)	(51,280,870.37)
Total Net Position	$ 41,036,297.20	$ 78,651,873.92

See accompanying Notes to the Financial Statements

UNAUDITED

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Statement of Revenues, Expenses, and Changes in Net Position
For the Fiscal Year Ended August 31, 2022

	2022	2021
Operating Revenues:		
Sales of Goods and Services		
Tuition and Fees - Pledged	$ 115,572,126.15	$ 124,442,914.99
Tuition and Fees - Non-Pledged	4,036,093.74	4,331,692.36
Discounts and Allowances	(33,796,430.10)	(47,773,232.08)
Auxiliary Enterprise - Pledged	32,631,194.03	29,480,475.10
Auxiliary Enterprise - Non-Pledged	3,027,433.92	2,122,908.61
Discounts and Allowances	(9,516,358.34)	(11,089,229.59)
Other Sales of Goods and Svcs - Pledged	4,982,370.36	4,218,198.59
Other Sales of Goods and Svcs - Non-Pledged	815,888.37	571,352.25
Federal Revenue	1,510,072.10	1,320,021.93
Federal Pass-Through Rev from Non-State Entities	67,199.89	245,454.69
Federal Pass-Through Revenue	944,524.76	2,632,795.31
State Grant Revenue	0.00	0.00
State Pass-Through Revenue	11,910,766.38	11,746,070.64
Local Contracts and Grants	620,543.92	1,129,224.27
Other Contracts and Grants	340,118.88	319,452.23
Other Operating Revenues - Pledged	334,074.73	209,967.10
Other Operating Revenues - Non-Pledged	3,345.00	4,139.28
Total Operating Revenues	133,482,963.79	123,912,205.68
Operating Expenses:		
Cost of Goods Sold	11,655,157.79	7,845,744.90
Salaries and Wages	94,624,493.68	101,376,210.74
Payroll-Related Costs	48,309,998.57	57,302,916.97
Professional Fees and Services	2,787,981.70	2,348,434.84
Travel	3,173,510.71	1,109,966.07
Materials and Supplies	12,496,612.69	11,139,689.02
Communication and Utilities	8,953,759.42	8,258,422.27
Repairs and Maintenance	5,624,618.04	5,028,834.93
Rentals and Leases	3,183,696.34	2,576,824.25
Printing and Reproduction	504,939.29	285,270.69
Federal Pass-Through Expenditure	0.00	0.00
Federal Pass-Through Expenditure to Non-State Entities	16,837.84	0.00
State Pass-Through Expenditure	0.00	0.00
Amortization	-	0.00
Depreciation	19,207,098.24	18,823,600.63
Bad Debt Expense	859,605.08	-
Interest Expense	575.82	124.54
Scholarships	24,536,336.51	33,675,827.27
Claims and Judgments	35,000.00	0.00
Other Operating Expenses	6,991,979.25	6,081,628.31
Total Operating Expenses	242,962,200.97	255,853,495.43
Operating Income (Loss)	(109,479,237.18)	(131,941,289.75)

See accompanying Notes to the Financial Statements

UNAUDITED

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Statement of Revenues, Expenses, and Changes in Net Position
For the Fiscal Year Ended August 31, 2022

	2022	2021
Non-Operating Revenues (Expenses):		
Legislative Revenue	$ 39,152,020.00	$ 36,406,556.72
Additional Appropriations	9,972,909.04	10,743,445.23
Federal Revenue	23,108,073.51	70,292,372.06
State Pass Through Revenue	0.00	0.00
Gifts - Non-Pledged	7,398,660.78	6,734,994.56
Gifts - Pledged	237,674.49	1,000,000.00
Land Income	0.00	0.00
Other Rental Income	151,246.40	178,907.54
Investment Income - Pledged	207,536.91	3,498,009.77
Investment Income - Non-Pledged	75,573.66	1,572,555.14
Net Increase (Decrease) Fair Value - Pledged	(12,873,383.07)	7,862,028.18
Net Increase (Decrease) Fair Value - Non-Pledged	(1,991,950.11)	1,971,918.75
Investing Activities Expenses	(474,932.82)	(457,037.12)
Income on Loans Receivable	24,615.21	(168,136.33)
Interest Income on Capital Investments-Pledged	393,151.60	240,322.82
Net Increase (Decrease) Fair Value-Capital Investments-Pledged	0.00	0.00
Interest Expenses and Fiscal Charges	(6,244,379.50)	(7,243,290.68)
Gain (Loss) on Sale of Capital Assets	(28,235.11)	417,201.68
Settlement of Claims	310,669.20	293.52
Other Non-Operating Revenues (Expenses)	256,772.80	348,346.84
Total Non-Operating Revenues (Expenses)	59,676,022.99	133,398,488.68
Income (Loss) Before Other Revenues, Expenses, Gains/Losses, and Transfers	(49,803,214.19)	1,457,198.93
Other Revenues, Expenses, Gains/Losses, and Transfers		
Capital Contributions	149,608.00	4,183,278.05
Capital Appropriations (Higher Education Fund)	11,277,793.00	11,277,793.00
Additions to Permanent and Term Endowments	240,989.86	23,478.00
Lapsed Appropriations	(4,600.00)	(100.00)
Legislative Transfers In	381,499.00	403,398.00
Legislative Transfers Out	0.00	0.00
Transfers In	248,437.00	265,086.00
Transfers Out	(6,033.78)	1,751.48
Legislative Financing Uses	0.00	(0.00)
Total Other Revenue, Expenses, Gain/Losses, and Transfers	12,287,693.08	16,154,684.53
Change in Net Position	(37,515,521.11)	17,611,883.46
Net Position, Beginning of Year	78,651,873.92	61,007,067.24
Restatements	(100,055.61)	32,923.22
Net Position, Beginning of Year, as Restated	78,551,818.31	61,039,990.46
Net Position, August 31, 2022	$ 41,036,297.20	$ 78,651,873.92

See accompanying Notes to the Financial Statements

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Matrix of Operating Expenses by Function
For the Fiscal Year Ended August 31, 2022

Operating Expenses	Instruction	Research	Public Service	Academic Support	Student Services
Cost of Goods Sold	$ 12,537.15	$ 0.00	$ 15,421.04	$ 219,343.03	$ 20,959.94
Salaries and Wages	47,971,026.84	1,794,799.38	506,405.19	9,179,570.99	11,358,670.43
Payroll Related Costs	12,583,580.52	350,842.65	85,982.04	2,358,057.36	2,969,344.87
Payroll Related Costs-TRS Pension	(1,508,859.94)	(40,986.65)	(12,837.72)	(329,944.86)	(414,915.04)
Payroll Related Costs-OPEB	6,446,987.19	292,239.69	62,710.75	1,609,740.25	2,453,024.78
Professional Fees and Services	140,992.95	117,727.85	159,488.38	84,615.06	930,580.83
Travel	246,886.28	149,067.17	14,851.73	265,411.02	2,442,709.67
Materials and Supplies	1,634,218.63	260,411.33	295,447.13	1,372,951.15	3,347,047.38
Communication and Utilities	232,965.22	43,691.53	2,890.99	1,531,894.75	398,784.41
Repairs and Maintenance	395,245.01	8,644.21	61,867.23	208,650.60	569,463.10
Rentals and Leases	377,904.31	78,685.39	92,684.81	293,064.47	1,138,830.38
Printing and Reproduction	48,631.74	1,156.65	42,635.41	84,732.35	152,704.42
Federal Pass-Through Expenditures	0.00	16,837.84	0.00	0.00	0.00
State Pass-Through Expenditures	0.00	0.00	0.00	0.00	0.00
Depreciation and Amortization	0.00	0.00	0.00	0.00	0.00
Bad Debt Expense	0.00	0.00	0.00	0.00	859,605.08
Interest Expense	0.00	0.23	0.00	133.52	0.00
Scholarships	0.00	0.00	0.00	0.00	0.00
Claims and Judgments	0.00	0.00	0.00	0.00	0.00
Other Operating Expenses	333,979.23	85,135.45	(652,091.35)	510,273.10	1,100,601.94
Total Operating Expenses	$ 68,916,095.13	$ 3,158,252.72	$ 675,455.63	$ 17,388,492.79	$ 27,327,412.19

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Matrix of Operating Expenses by Function
For the Fiscal Year Ended August 31, 2022

Operating Expenses	Institutional Support	Operation and Maintenance of Plant	Scholarships and Fellowships	Auxiliary Enterprises	Depreciation and Amortization	Total Expenses
Cost of Goods Sold	$ 0.00	$ 0.00	$ 0.00	$ 11,386,896.63	$ 0.00	$ 11,655,157.79
Salaries and Wages	12,466,069.29	4,388,319.58	0.00	6,959,631.98	0.00	94,624,493.68
Payroll Related Costs	8,876,037.61	1,560,173.26	0.00	3,771,031.26	0.00	32,555,049.57
Payroll Related Costs-TRS Pension	104,750.74	(256,169.63)	0.00	(338,043.90)	0.00	(2,797,007.00)
Payroll Related Costs-OPEB	3,070,150.00	1,673,050.27	0.00	2,944,053.07	0.00	18,551,956.00
Professional Fees and Services	409,772.43	764,903.76	0.00	179,900.44	0.00	2,787,981.70
Travel	85,734.90	(203,703.01)	0.00	172,552.95	0.00	3,173,510.71
Materials and Supplies	1,795,538.34	2,532,098.08	0.00	1,258,900.65	0.00	12,496,612.69
Communication and Utilities	819,888.27	3,018,939.99	0.00	2,904,704.26	0.00	8,953,759.42
Repairs and Maintenance	1,310,415.06	1,740,009.75	0.00	1,330,323.08	0.00	5,624,618.04
Rentals and Leases	258,716.90	767,750.24	0.00	176,059.84	0.00	3,183,696.34
Printing and Reproduction	106,735.01	100.14	0.00	68,243.57	0.00	504,939.29
Federal Pass-Through Expenditures	0.00	0.00	0.00	0.00	0.00	16,837.84
State Pass-Through Expenditures	0.00	0.00	0.00	0.00	0.00	0.00
Depreciation and Amortization	0.00	0.00	0.00	0.00	19,207,098.24	19,207,098.24
Bad Debt Expense	0.00	0.00	0.00	0.00	0.00	859,605.08
Interest Expense	376.95	65.12	0.00	0.00	0.00	575.82
Scholarships	0.00	0.00	24,536,336.51	0.00	0.00	24,536,336.51
Claims and Judgments	35,000.00	0.00	0.00	0.00	0.00	35,000.00
Other Operating Expenses	2,966,088.47	2,064,969.20	0.00	583,023.21	0.00	6,991,979.25
Total Operating Expenses	$ 32,305,273.97	$ 18,050,506.75	$ 24,536,336.51	$ 31,397,277.04	$ 19,207,098.24	$ 242,962,200.97

STEPHEN F. AUSTIN STATE UNIVERSITY
Statement of Cash Flows
For the Fiscal Year Ended August 31, 2022

	2022	2021
Cash Flows from Operating Activities		
Proceeds from Tuition and Fees	$ 82,559,401.14	$ 80,713,138.37
Proceeds from Auxiliary Services	30,755,541.22	19,953,760.39
Proceeds from Other Sales and Services	5,759,474.24	4,883,631.58
Proceeds from Grants and Contracts	17,535,544.98	16,574,773.05
Proceeds from Other Revenues	337,419.73	214,106.38
Proceeds from Loan Programs	710,222.02	99,039.64
Payments to Suppliers for Goods and Services	(55,655,334.07)	(40,146,373.70)
Payments to Employees for Salaries and Benefits	(107,001,381.57)	(108,242,521.19)
Payments to Students for Scholarships	(30,543,542.97)	(35,117,189.20)
Payments for Other Expenses	(35,575.82)	(124.54)
Net Cash Provided (Used) by Operating Activities	(55,578,231.10)	(61,067,759.22)
Cash Flows from Noncapital Financing Activities		
Proceeds from State Appropriations	24,088,128.20	19,203,328.68
Proceeds from Non-Operating Grants and Contracts	23,108,073.51	70,292,372.06
Proceeds from Gifts	7,636,335.27	7,734,994.56
Proceeds(Payments) for Student Loan Funds	(834,989.87)	(168,136.33)
Proceeds of Transfers from Other Agencies	629,936.00	668,484.00
Proceeds from Claims and Settlements	310,669.20	293.52
Proceeds from Other Revenue (Expense)	256,772.80	348,346.84
Proceeds from Endowment Investments	569,433.96	775,112.41
Net Cash Provided (Used) by Noncapital Financing Activities	55,764,359.07	98,854,795.74
Cash Flows from Capital and Related Financing Activities		
Proceeds from Sale of Capital Assets	7,794.40	401,732.82
Proceeds from Debt Issuance	-	-
Proceeds from State Appropriations-Higher Education Funds (HEF)	11,277,793.00	11,975,309.05
Proceeds from Capital Contributions	2,469,216.00	1,683,278.05
Payments from Other Financing Activities	992,733.81	(992,733.81)
Proceeds from Other Rental Income	151,246.40	178,907.54
Proceeds from Interest on Capital Investments	393,151.60	240,322.82
Payments for Additions to Capital Assets	(31,160,803.19)	(28,367,443.41)
Payments for Interfund Payables	-	(1,692,373.31)
Payments of Principal on Capital Debt	(15,386,797.65)	(16,040,893.51)
Payments for Capital Leases	(32,506.99)	(60,333.69)
Payments of Interest on Capital Debt	(6,413,630.00)	(7,454,869.23)
Net Cash Provided (Used) by Capital and Related Financing Act	(37,701,802.62)	(40,129,096.68)
Cash Flows from Investing Activities		
Proceeds for Investments	11,915,910.21	28,058,668.70
Payments from Interest Income from Investments	(267,395.91)	3,040,972.65
Proceeds from Bond Investments	-	-
Net Cash Provided (Used) by Investing Activities	11,648,514.30	31,099,641.35
Increase (Decrease) in Cash and Cash Equivalents	$ (25,867,160.35)	$ 28,757,581.19
Cash and Cash Equivalents, August 31, 2021	$ 85,736,446.05	$ 56,978,864.86
Restatements		
Cash and Cash Equivalents, as Restated at Sept. 1, 2021	85,736,446.05	56,978,864.86
Increase (Decrease) in Cash and Cash Equivalents	(25,867,160.35)	28,757,581.19
Cash and Cash Equivalents, August 31, 2022	$ 59,869,285.70	$ 85,736,446.05

See accompanying Notes to the Financial Statements

STEPHEN F. AUSTIN STATE UNIVERSITY
Statement of Cash Flows
For the Fiscal Year Ended August 31, 2022

	2022	2021
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities		
Operating Income (Loss)	$ (109,479,237.18)	$ (131,941,289.75)
Adjustments to Reconcile Operating Income (Loss) to Net Cash used by Operating Activities		
Amortization and Depreciation	19,207,098.24	18,823,600.63
Bad Debt Expense	859,605.08	-
Benefits Paid on Behalf of the University	-	-
Pension Expense	20,696,222.72	28,412,413.00
Operating Income (Loss) and Cash Flow Categories		
Changes in Current Assets and Liabilities		
(Increase) Decrease in Receivables	2,316,551.69	(714,744.93)
(Increase) Decrease in Inventories	(38,784.49)	94,080.74
(Increase) Decrease in Loans to Students	2,723.88	302,076.01
(Increase) Decrease in Prepaid Expenses	(1,946,272.61)	(1,702,252.93)
(Increase) Decrease in Due from Other Agencies	62,075.56	(58,518.62)
Increase (Decrease) in Payables	(474,543.36)	2,732,597.89
Increase (Decrease) in Deposits Payable	(611,448.26)	423,598.09
Increase (Decrease) in Due to Other Agencies	129,804.45	125,445.30
Increase (Decrease) in Unearned Revenue	689,500.98	(3,482,872.46)
Increase (Decrease) in Compensable Leave	266,925.47	174,648.51
Increase (Decrease) in Benefits Payable	1,001,885.66	790,896.16
Increase (Decrease) in Funds Held for Others	(3,449,485.59)	260,891.00
Increase (Decrease) in Other Current Liabilities	(756,479.00)	-
Changes in Non-Current Assets and Liabilities		
Increase (Decrease) in Compensable Leave	353,870.14	(1,226,747.84)
Increase (Decrease) in Deferred Inflows	4,214,373.00	(2,574,436.00)
Increase (Decrease) in Deferred Outflows	29,458,325.00	24,913,342.00
Increase (Decrease) in Liabilities to NPL	(17,168,466.00)	1,091,097.00
(Increase) Decrease in Student Receivables	550,025.38	191,453.35
(Increase) Decrease in Loans to Students	707,498.14	(203,036.37)
Cash Reported in Other Categories		
Increase (Decrease) of Gifts Receivable	(2,170,000.00)	2,500,000.00
Total Adjustments	53,901,006.08	70,873,530.53
Net Cash Provided (Used) by Operating Activities	$ (55,578,231.10)	$ (61,067,759.22)
Displayed as:		
Cash on Hand	$ 15,315.00	$ 29,476.00
Cash in Bank	31,490,923.51	65,972,117.69
Cash in Transit/Reimb. Due from Treasury	350,875.64	1,071,841.18
Cash in State Treasury	813,773.46	882,360.90
Cash in Bank, Restricted	27,198,398.09	17,780,650.28
Cash Equivalents, Restricted	-	-
	$ 59,869,285.70	$ 85,736,446.05
Non-Cash Transactions		
Other	$ -	$ -
Net Change in Fair Value of Investments	(14,865,333.18)	9,833,946.93
	$ (14,865,333.18)	$ 9,833,946.93

See accompanying Notes to the Financial Statements

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Notes to the Financial Statements
August 31, 2022

NOTE 1: Summary of Significant Accounting Policies

Entity

Stephen F. Austin State University (the University) is an agency of the State of Texas (the State). The University's financial records comply with State statutes and regulations including compliance with the Texas Comptroller of Public Accounts' *Reporting Requirements for Annual Financial Reports of State Agencies and Universities*.

The University serves the State as a public institution of higher education.

The University has three related entities. The University has determined no related entity is a reportable component unit of Stephen F. Austin State University.

Due to the statewide requirements embedded in Governmental Accounting Standards Board (GASB) Statement No. 34, *Basic Financial Statements — and Management's Discussion and Analysis — for State and Local Governments* and GASB Statement No. 35, *Basic Financial Statements — and Management's Discussion and Analysis — for Public Colleges and Universities,* the Comptroller of Public Accounts does not require the accompanying annual financial report to comply with all the requirements in these Statements. The financial report will be considered for audit by the State Auditor as part of the audit of the State of Texas *Comprehensive Annual Financial Report*; therefore, an audit opinion has not been expressed on the financial statements and related information contained in this report.

The University follows the "business-type activities" reporting requirement of GASB Statement No. 34 that specifies all the financial statements required for enterprise funds.

Blended Component Units
No component unit has been identified which should be reported as a blended unit.

Discretely Presented Component Units
No component unit has been identified which should be discretely presented.

Fund Structure

Basis of Accounting – Proprietary Fund Accounting
Proprietary fund reporting focuses on the determination of operating income, changes in net position, financial position, and cash flows. The financial statements of the University have been prepared on the full accrual basis of accounting. Accrual accounting attempts to record a transaction's financial effects in the period in which the transaction occurred, rather than when the funds were received or paid by the University. Revenues are recorded when they are earned or when the University has a right to receive the revenues. Expenses are recognized when incurred. The date related cash was received or paid is of no consequence.

Four essential elements of accrual accounting are:

- Recognition of expenditures when incurred and the subsequent amortization of the deferred outflows
- Recognition of revenues when they are earned
- Capitalization of certain expenses and the subsequent depreciation of the capitalized costs
- Accruals of revenues earned and expenses incurred

Proprietary funds use the flow of economic resources measurement focus, which is similar to the focus used by commercial entities. Proprietary funds focus on whether the enterprise is economically better off as a result of the events and transactions that occurred during the fiscal period reported. Transactions and events that improved an enterprise's financial position are reported as revenues or gains. Transactions and events that diminished the economic position of the enterprise are reported as expenses or losses. Both current and long-term assets and liabilities are presented on the Statement of Net Position.

The Statement of Revenues, Expenses, and Changes in Net Position is segregated into non-operating and operating sections.

Generally, operating activities are those that directly result from the provision of goods and services to customers or are directly related to the principal and usual activity of a fund. GASB Statement No. 34 indicates that a consideration for defining a proprietary fund's operating revenues and expenditures is how individual transactions would be classified for purposes of preparing a Statement of Cash Flows according to GASB Statement No. 9, *Reporting Cash Flows of Proprietary and Nonexpendable Trust Funds and Governmental Entities That Use Proprietary Fund Accounting*. Transactions for which cash flows are reported as capital and related financing activities, or investing activities normally would not be reported as components of operating income. This includes most revenues considered to be non-exchange transactions.

Since certain grants are actually contracts for services, they are classified as operating activities. State appropriations and certain grants, such as the Pell grants, are reported as non-operating activities even though they are directly related to the principal and usual activity of the University. These are considered non-exchange transactions and are, therefore, considered non-operating revenues.

Budget and Budgetary Accounting

The University prepares an annual budget which represents anticipated sources of revenue and authorized uses. This budget is approved by the University's Board of Regents (the Board). Unencumbered appropriations are generally subject to lapse 60 days after the end of the fiscal year for which they were appropriated. Budget information is not included in the Annual Financial Report.

Assets, Liabilities, and Net Position

The statement of net position reports the following elements of financial statements:

- Assets
- Deferred Outflow of Resources
- Liabilities
- Deferred Inflow of Resources
- Net Position

Assets

Assets are reported separately as either current or noncurrent in the Statement of Net Position.

Cash and Cash Equivalents

Short-term highly liquid investments with an original maturity of three months or less are considered cash equivalents.

Restricted Assets

Restricted assets include monies or other resources restricted by legal or contractual requirements. These assets include proceeds of proprietary fund general obligation and revenue bonds and revenues set aside for statutory or contractual requirements.

Inventories

Inventories include both merchandise inventories on hand for sale and consumable inventories. Inventories are valued using the average cost method. The consumption method of accounting is used to account for inventories and prepaid items. The cost of these items is expensed when the items are sold or consumed.

Prepaid Items

Prepaid items include prepaid expenses attributable to a subsequent fiscal year, including scholarships for fiscal year 2023. The cost of these items is expensed when the items are used or consumed.

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Notes to the Financial Statements
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Capital Assets
Equipment with an initial, individual cost of $5,000.00 or more and an estimated useful life in excess of one year is capitalized. Other categories of capital assets have capitalization thresholds that are set by the State. These assets are capitalized and reported at cost or, if not purchased, at appraised fair value on the date of acquisition. Donated assets are reported at fair value on the acquisition date. Depreciation is reported on all "exhaustible" assets. “Inexhaustible" assets, such as works of art and historical treasures, are not depreciated. Assets are depreciated over the estimated useful life of the asset using the straight-line method of depreciation.

Other Receivables – Current and Noncurrent
Current receivables are specified in the Statement of Net Position. They include amounts that are reasonably expected to be received in fiscal year 2023. Noncurrent receivables are those receivables that are not expected to be collected within one year. Included in this category are student accounts receivable and loan receivables that are not expected to be received during fiscal year 2023. The disaggregation of other receivables as reported in the financial statements is shown in Note 24, “Disaggregation of Receivable and Payable Balances.”

Liabilities

Liabilities are reported separately as either current or noncurrent in the Statement of Net Position.

Accounts Payable
Accounts Payable represents the liability for the value of assets or services received at the balance sheet date for which payment is pending.

Other Payables – Current and Noncurrent
The disaggregation of other payables as reported in the financial statements is shown in Note 24, “Disaggregation of Receivable and Payable Balances.”

Employees' Compensable Leave
Employees' Compensable Leave represents the liability that becomes “due” upon the occurrence of relevant events such as resignations, retirements, and uses of leave balances by covered employees. These obligations are normally paid from the same funding source from which the covered employee’s salary or wage compensation was paid.

Capital Lease Obligations
Capital Lease Obligations represent the liability for future lease payments under capital lease contracts. Liabilities are reported separately in the Statement of Net Position as either current, for the amounts due within one year, or noncurrent, for the amounts due thereafter.

Bonds Payable – Revenue Bonds
The principal of revenue bonds is reported separately in the Statement of Net Position as either current, for the amounts due within one year, or noncurrent, for the amounts due thereafter. Bonds payable are recorded at par value, net of unamortized premiums, discounts, issuance costs, and gains/(losses) on bond refunding activities. Interest expense is reported on the accrual basis.

Bonds Payable – Tuition Revenue Bonds
The principal of tuition revenue bonds is reported separately in the Statement of Net Position as either current, for the amounts due within one year, or noncurrent, for the amounts due thereafter. Bonds payable are recorded at par value, net of unamortized premiums, discounts, issuance costs, and gains/(losses) on bond refunding activities. Interest expense is reported on the accrual basis.

Bonds Payable – General Obligation Bonds
The principal of general obligation bonds is reported separately in the Statement of Net Position as either current, for the amounts due within one year, or noncurrent, for the amounts due thereafter. Bonds payable are recorded at par value, net of unamortized premiums, discounts, issuance costs, and gains/(losses) on bond refunding activities. Interest expense is reported on the accrual basis.

Deferred Outflows of Resources
Deferred Outflows of Resources represent the University's net position consumption that is applicable to a future fiscal year.

Deferred Inflows of Resources
Deferred Inflows of Resources represent the University's net position acquisition that is applicable to a future fiscal year.

Net Pension and OPEB Liability
As required by GASB Statement No. 68, *Accounting and Financial Reporting for Pensions*, the University reports a reserve for the University's share of the State's overall pension liability as it relates to its own ex-employees. When the total pension liability is greater than the pension plan's assets there is a net pension liability. GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, provides the same guidance and requirements for Other Postemployment Benefits (OPEB). Both liabilities are determined by the actuarial consultants employed by the State.

Net Position

The difference between assets plus deferred outflows of resources and liabilities plus deferred inflows of resources is "Net Position" on the Statement of Net Position.

Invested in Capital Assets, Net of Related Debt
Net investment in capital assets consists of capital assets, net of accumulated depreciation and reduced by outstanding balances for bonds, notes, and other debt that are attributed to the acquisition, construction, or improvement of those assets.

Restricted Net Position
Restricted net position results when constraints placed on net resources are either externally imposed by creditors, grantors, contributors, and the like or imposed by law through constitutional provisions or enabling legislation.

Unrestricted Net Position
Unrestricted net position consists of net resources that do not meet the definition of the two preceding categories. Unrestricted net position often has constraints on resources that are imposed by management but can be removed or modified.

The amortized balance of accretion on capital appreciation bonds is included as part of unrestricted net position unless a sinking fund was established, in which case the balance is reported as part of the restricted net position balance.

Interagency Activities and Transactions

The University has the following types of transactions among State appropriated funds and other State agencies:

- **Transfers** – Legally required transfers that are reported when incurred as "Transfers In" by the recipient fund or State agency and as "Transfers Out" by the disbursing fund or State agency.
- **Reimbursements** – Reimbursements are repayments from funds responsible for expenditures or expenses to funds that made the actual payment. Reimbursements of expenditures made by one State agency for another are recorded as expenditures by the reimbursing State agency and as a reduction of expenditures by the reimbursed State agency. Reimbursements are not displayed in the financial statements.
- **Interagency Receivables and Payables** – Most receivables and payables from or to other State agencies are recorded as "Due from Other Agencies" or "Due to Other Agencies" on the Statement of Net Position.

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Notes to the Financial Statements
August 31, 2022

NOTE 2: Capital Assets

A summary of changes in Capital Assets for the year ended August 31, 2022, is presented below:

	Balance 9/1/2021	Adjustments	Reclassifications Completed CIP	Additions	Deletions	Balance 8/31/2022
BUSINESS-TYPE ACTIVITIES						
Non-depreciable or Non-amortizable Assets						
Land and Land Improvements	$ 8,419,438.29	$ -	$ -	$ -	$ -	$ 8,419,438.29
Construction in Progress	39,882,121.21	(100,055.61)	(34,994,575.03)	29,031,971.92	-	33,819,462.49
Other Tangible Capital Assets	831,858.23	-	-	-	-	831,858.23
Total Non-depreciable or Non-amortizable Assets	49,133,417.73	(100,055.61)	(34,994,575.03	29,031,971.92	-	43,070,759.01
Depreciable Assets						
Buildings and Building Improvements	439,273,030.06	-	33,647,625.03	267,357.27	-	473,188,012.36
Infrastructure	17,469,304.46	-	-	-	-	17,469,304.46
Facilities and Other Improvements	36,034,506.30	-	1,346,950.00	-	-	37,381,456.30
Furniture and Equipment	23,173,382.82	-	-	1,581,842.90	(1,382,516.95)	23,372,711.77
Vehicle, Boats, and Aircraft	6,557,193.60	-	-	94,878.65	(185,210.25)	6,486,862.00
Other Capital Assets	13,803,372.40	-	-	35,800.05	(61,735.17)	13,777,437.28
Total Depreciable Assets	536,330,792.64	-	34,994,575.03	1,979,878.87	(1,629,462.37)	571,675,784.17
Less Accumulated Depreciation for:						
Buildings and Building Improvements	(288,950,270.20)	-	-	(15,341,918.40)	-	(304,292,188.60)
Infrastructure	(12,838,516.81)	-	-	(645,396.66)	-	(13,483,913.17)
Facilities and Other Improvements	(23,208,111.14)	-	-	(1,298,695.01)	-	(24,506,806.15)
Furniture and Equipment	(18,401,027.64)	-	-	(1,439,825.36)	1,348,093.92	(18,492,759.08)
Vehicle, Boats, and Aircraft	(5,047,090.51)	-	-	(380,356.04)	185,210.25	(5,242,236.30)
Other Capital Assets	(13,321,984.31)	-	-	(100,907.07)	59,473.09	(13,363,418.29)
Total Accumulated Depreciation	(361,767,000.61)	-	-	(19,207,098.24)	1,592,777.26	(379,381,321.59)
Depreciable Assets, Net	174,563,792.03	-	34,994,575.03	(17,227,219.37)	(36,685.11)	192,294,462.58
Amortizable Assets - Intangible						
Computer Software	4,492,998.57	-	-	-	(17,189.00)	4,475,809.57
Total Amortizable Assets - Intangible	4,492,998.57	-	-	-	(17,189.00)	4,475,809.57
Less Accumulated Amortization for:						
Computer Software	(4,492,998.57)	-	-	-	17,189.00	(4,475,809.57)
Total Accumulated Amortization	(4,492,998.57)	-	-	-	17,189.00	(4,475,809.57)
Amortizable Assets - Intangible, Net	-	-	-	-	-	-
Capital Assets, Net	$ 223,697,209.76	$ (100,055.61)	$ -	$ 11,804,752.55	$ (36,685.11)	$ 235,365,221.59

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Notes to the Financial Statements
August 31, 2022

NOTE 3: Deposits, Investments and Repurchase Agreements

The University is authorized by statute to make investments following the "prudent person rule." There were no significant violations of legal provisions during the period.

Deposits of Cash in Bank

As of August 31, 2022, the carrying amount of deposits was $58,689,321.60 as presented below:

CASH IN BANK – CARRYING AMOUNT	$ 58,689,321.60
Less: Certificates of Deposit included in carrying amount and reported as Cash Equivalents	-
Less: Uninvested Securities Lending Cash Collateral included in carrying amount and reported as Securities Lending Collateral	-
Less: Securities Lending CD Collateral included in carrying amount and reported as Securities Lending Collateral	-
Total Cash in Bank per AFR	$ 58,689,321.60

Proprietary Funds Current Assets Cash in Bank	$ 31,490,923.51
Proprietary Funds Current Assets Restricted Cash in Bank	27,198,398.09
Proprietary Funds Noncurrent Restricted Cash in Bank	-
Cash in Bank per AFR	$ 58,689,321.60

These amounts consist of all cash in local banks. These amounts are included on the Statement of Net Position as part of the "Cash and Cash Equivalents" accounts, except for certificates of deposit, which are recorded as Cash Equivalents, Short-Term or Long-Term Investments, based on their maturity date and management's intent. Certificates of deposits with maturity dates of three months or less are recorded as cash equivalents.

As of August 31, 2022, the total bank balance was as follows:

Business-Type Activities	$ 60,853,220.53	Fiduciary Funds	-

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, the University will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. The Board Policy 3.21, *Investments*, states that all deposits shall be secured by a pledge of collateral with a market value equal to no less than 100% of the deposits plus accrued interest less any amount insured by the FDIC. Pledged collateral must conform to Chapter 2257 of the Texas Government Code, *Collateral for Public Funds*.

At August 31, 2022, amounts insured by the FDIC were $1,000,000.00. The bank balances at August 31, 2022, that were exposed to custodial credit risks were as follows:

Fund Type	Uninsured and uncollateralized	Uninsured and collateralized with securities held by the pledging financial institution	Uninsured and collateralized with securities held by the pledging financial institution's trust department or agent but not in the University's name
05	$ -	$ 59,853,220.53	$ -

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August 31, 2022

Investments

As of August 31, 2022, the fair value of investments was:

	Fair Value Hierarchy					
	Level 1 Inputs	Level 2 Inputs	Level 3 Inputs	Amortized Cost	Net Asset Value	Fair Value
U.S. Treasury Securities	5,265,982.61	-	-	-	-	$ 5,265,982.61
U.S. Treasury TIPS	-	-	-	-	-	-
U.S. Government Agency Obligations (Ginnie Mae, Fannie Mae, Freddie Mac, etc.)	-	4,478,421.81	-	-	-	4,478,421.81
Corporate Obligations	-	7,117,160.91	294,588.49	-	-	7,411,749.40
Corporate Asset and Mortgage Backed Securities	-	2,959,088.55	-	-	-	2,959,088.55
Equity (Domestic)	13,313,480.93	-	-	-	-	13,313,480.93
International Obligations (Govt and Corp)	-	3,443,558.56	302,805.48	-	-	3,746,364.04
International Equity	5,891,533.22	-	-	-	-	5,891,533.22
Fixed Income Money Market and Bond Mutual Funds	1,274,183.69	-	-	-	-	1,274,183.69
International Other Commingled Funds - Equity	4,757,157.87	-	3,464,819.37	-	3,352,185.27	11,574,162.51
Other Commingled Funds	772,282.78	-	329,869.72	-	51,654,165.26	52,756,317.76
Other Commingled Funds – TexPool	-	-	-	-	44,529,113.18	44,529,113.18
Derivatives - Currency Forwards	-	2,445.14	-	-	-	2,445.14
Alternative Investments	-	-	-	-	22,392,272.09	22,392,272.09
Miscellaneous	-	124,060.53	-	-	-	124,060.53
TOTAL INVESTMENTS						$ 175,719,175.46

Reconciliation of Investments per Exhibit – Business-Type Activities

Proprietary Funds Current Assets Restricted Short-Term	$ 61,615,405.69
Proprietary Funds Current Assets Unrestricted Short-Term	34,567,872.75
Proprietary Funds Current Assets Restricted	14,883,361.32
Proprietary Funds Current Assets Unrestricted	64,652,535.70
Investments per Exhibit	$ 175,719,175.46

Displayed on Statement of Net Position as:

Current Assets:	
Restricted:	
Short-Term Investments – Proceeds from Bond Sales	$ 60,187,258.46
Short-Term Investments – Endowments	1,428,147.23
Noncurrent Assets:	
Restricted:	
Investments: Endowments	$ 14,883,361.32
Unrestricted:	
Investments: Operating	92,021,688.35
Investments: Quasi-Endowments	7,198,720.10
Grand Total	$ 175,719,175.46

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Foreign currency risk for investments is the risk that changes in exchange rates will adversely affect the investment. In order to mitigate this risk, Board Policy 3.20, *Investments-Endowment Funds*, limits foreign equity investments to a maximum of 30% of the equity portfolio. The exposure to foreign currency risk as of August 31, 2022, was:

							Alternative Investments			
Fund Type	GAAP Fund	Foreign Currency	International Obligation (Govt and Corp and MF)	International Equity	Equity Mutual Funds - International	Equity Commingled Funds - International	International Hedge Funds	International Other Private Equity	International Energy, Natural Resources	International Other Real Estate Funds
05	9999	U.S. DOLLAR DENOMINATED FOREIGN SECURITIES	$3,497,764.61	$2,546,195.74	$ -	$11,574,162.51	$6,947,706.36	$1,199,599.05	$269,707.08	$174,802.57
05	9999	ARGENTINA PESO	-	-	-	-	-	-	-	-
05	9999	AUSTRALIAN DOLLAR	-	-	-	-	-	-	-	-
05	9999	BRAZILIAN REAL	-	-	-	-	-	-	-	-
05	9999	BRITISH POUND STERLING	-	309,102.99	-	-	-	-	-	-
05	9999	CANADIAN DOLLAR	50,009.18	29,596.86	-	-	-	-	-	-
05	9999	CHINESE R YUAN HK	8,824.74	-	-	-	-	-	-	-
05	9999	DANISH KRONE	-	-	-	-	-	-	-	-
05	9999	EURO CURRENCY UNIT	-	1,425,523.33	-	-	-	70,983.41	-	-
05	9999	HONG KONG DOLLAR	-	159,098.70	-	-	-	-	-	-
05	9999	INDONESIAN RUPIAH	5,618.21	-	-	-		-		-
05	9999	JAPANESE YEN	-	681,295.05	-	-		-		-
05	9999	MEXICAN PESO	134,147.30	-	-	-		-		-
05	9999	NEW TAIWAN DOLLAR	-	-	-	-		-		-
05	9999	NEW ZEALAND	-	-	-	-		-		-
05	9999	NORWEGIAN KRONE	-	-	-	-		-		-
05	9999	SINGAPORE DOLLAR	-	71,262.21	-	-		-		-
05	9999	S AFRICAN COMM RAND	-	-	-	-		-		-
05	9999	SOUTH KOREAN WON	-	128,443.14	-	-		-		-
05	9999	SWEDISH KRONA	-	50,073.76	-	-		-		-
05	9999	SWISS FRANC	-	490,941.44	-	-		-		-
05	9999	THAILAND BAHT	-	-		-		-		-
05	9999	NEW TURKISH LIRA	-	-		-		-		-
		TOTAL	$3,746,364.04	$5,891,533.22	$ -	$11,574,162.51	$ 6,947,706.36	$1,270,582.46	$269,707.08	$174,802.57

Credit risk is the risk that an issuer or other counterparty to an 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, Board Policy 3.21, *Investments*, limits investments in corporate bonds, debentures, or similar debt obligations to the two highest long-term rating categories.

As of August 31, 2022, the Standard & Poor's credit quality ratings of the University's investments by type of securities with credit risk exposure were as follows:

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Investment Types	AAA	AA	A	BBB	BB	B	CCC	D	A-1	NR
U.S. Government Agency Obligations	6,165.04	4,278,431.11	9,321.69	77,579.61	37,522.28	1,998.34	-	-	-	67,403.74
Corporate Obligations	53,143.09	328,392.00	1,313,904.59	3,958,992.70	1,087,086.12	523,400.34	-	-	-	146,830.56
Corporate Asset and Mortgage Backed Securities	747,509.90	498,159.34	312,439.03	166,030.22	-	12,615.89	14,560.28	-	-	1,207,773.89
International Obligations	188,245.05	20,873.85	459,739.26	1,275,528.66	778,367.91	304,100.38	7,069.84	-	-	712,439.09
Repurchase Agreements	-	-	-	-	-	-	-	-	-	-
Repurchase Agreements (Texas Treasury Safekeeping Trust Co.)	-	-	-	-	-	-	-	-	-	-
Fixed Income Money Market and Bond Mutual Fund	1,274,183.69	--	-	-	-	-	-	-	-	-
Other Commingled Funds - Fixed Income	-	-	-	-	-	-	-	-	-	1,102,152.50
Miscellaneous (municipals and CDs)	-	59,585.81	34,471.57	24,193.41	-	-	-	-	-	5,809.74

Interest rate risk is the risk that changes in 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 Board Policy 3.21 shall be interpreted as prohibiting the sale of any security prior to maturity, provided that it is in the University's financial interest to sell the security.

The maximum stated maturity date of any security may not exceed ten years, and the dollar-weighted average maturity of the portfolio shall not exceed five years without approval by the vice president for finance and administration and ratification by the Board. No officer or designee may engage in an investment transaction except as provided under terms of Board Policy 3.21.

Investment Types	Effective Duration (years)	Fair Value
U.S. Treasury Securities	8.012	$5,265,982.61
U.S. Government Agency Obligations	5.595	4,478,421.81
Corporate Obligations	5.644	7,411,749.40
Corporate Asset and Mortgage Backed Securities	2.187	2,959,088.55
International Obligations	4.004	3,746,364.04
Other Commingled Funds - Fixed Income	1.923	1,102,152.50
Miscellaneous (Political subdivision 7 CDs)	7.044	124,060.53
Total Fair Value		$25,087,819.44

The University invests funds in The Texas A&M University System's (A&M System) investment pools. The A&M System entered into forward currency contracts for the purpose of hedging international currency risk on its non-U.S. dollar denominated investment securities. When entering into a forward currency contract, the A&M System agrees to receive or deliver a fixed quantity of foreign currency for an agreed-upon price on a certain future date. These contracts are valued daily and the A&M System's net equity in the contracts, representing unrealized gain or loss on the contracts, as measured by the differences between the forward foreign exchange rates at the dates of entry into the contracts and the forward rates at the reporting date is recognized on the Statement of Revenues, Expenses, and Changes in Net Position as investment income or loss. The unrealized gain on open foreign currency exchange contracts is reported as an investment derivative and the unrealized loss is included with trade payables. The foreign currency forwards are traded over-the-counter and categorized as Level 2 of the fair value hierarchy.

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These investments involve market and/or credit risk in excess of the amount recognized in the Statement of Net Position. Risks arise from the possibility that counterparties will be unable to meet the terms of their contracts and from movement in currency, securities values, and interest rates. The tables below summarize the University's pro-rata share of the pending foreign exchange contracts as of August 31, 2022.

Foreign Exchange Contracts as of August 31, 2022				
			Unrealized Gain on	Unrealized Loss on
Currency	Net Sell	Net Buy	Foreign Exchange Contract	Foreign Exchange Contract
Brazilian Real	$ -	$ -	$ -	$ -
Chinese R Yuan HK	4,340.33	4,305.37	122.20	87.24
Indonesian Rupiah	51,701.50	51,733.77	762.08	794.35
Japanese Yen	-	-	-	-
Mexican Peso	63,842.71	64,307.06	1,560.86	2,025.21
Total	$ 119,884.54	$ 120,346.20	$ 2,445.14	$ 2,906.80

The University's pro-rata share of the gross counterparty exposure for the A&M System, as of August 31, 2022, is presented in the table below. The A&M System's policy does not address master netting arrangements and the A&M System is not party to any such an arrangement. The A&M System policy does not address collateral or other security for currency forward contracts. The following table shows the University's pro-rata counterparty exposure.

Foreign Exchange Contract Exposure to Counterparty Risk as of August 31, 2022				
Notional Value		Fair Value		
Assets	Liabilities	Assets	Liabilities	S&P Counterparty Rating
$119,884.54	$120,346.20	$2,445.14	$2,906.80	A+

The A&M System has also invested in Treasury futures. The instruments are used only for the purpose of managing interest rate risk in the fixed income portfolios. As of August 31, 2022, the weighted average effective duration for short futures contracts was 6.30 and for long futures contracts was 4.15. Futures contracts expose the A&M System to minimal counterparty risk since they are exchange traded and the exchange's clearinghouse, as counterparty to all exchange traded futures, guarantees the futures against default, therefore, they are not presented in the tables above. Futures contracts are marked to market daily; meaning they are valued at the close of business each day and a gain or loss is recorded between the value of the contracts that day and on the previous day. The daily gain or loss difference is referred to as the daily variation margin, which is settled in cash with the broker each morning for the amount of the previous day's mark to market. The amount that is settled in cash with the broker each morning is the fair value of the futures contracts. The gains are reported as trade receivables and the losses are reported as trade payables in the Statement of Net Position. Exchange-traded futures contracts are categorized as Level 1 on the fair value hierarchy.

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The table below summarizes the University's pro-rata notional value and fair values of the futures as of August 31, 2022.

Open Futures Contacts as of August 31, 2022

	Notional Value		Fair Value	
	Long	Short	Assets	Liabilities
			Other Receivable	Other Payable
Treasury Futures	$ 2,039,392.63	$ 1,210,885.80	$ 10,595.14	$ 10,400.36
	$ 2,039,392.63	$ 1,210,885.80	$ 10,595.14	$ 10,400.36

Concentration of credit risk is the risk of loss attributable to the magnitude of investment in a single issuer. As of August 31, 2022, the University's concentration of credit risk is immaterial to any single issuer.

Reverse Repurchase Agreements
The University, by statute, is authorized to enter into reverse repurchase agreements. A reverse repurchase agreement is a transaction in which a broker-dealer or financial institution transfers cash to the University and the University transfers securities to the broker-dealer and promises to repay the cash plus interest in exchange for the same or similar securities. Credit risk exposure for the University arises when a broker-dealer does not return the securities or their value at the conclusion of the reverse repurchase agreement. As of August 31, 2022, the University was not participating in reverse repurchase agreements.

Securities Lending
In securities lending transactions, the University transfers its securities to broker-dealers and other entities for collateral – which may be cash or securities – and simultaneously agrees to return the collateral for cash or the same securities in the future. The University invests the cash received as collateral and, if the returns on those investments exceed the "rebate" paid to the borrowers of the securities, the securities lending transactions generate income for the University. The University did not participate in securities lending transactions during fiscal year 2022.

NOTE 4: Short-Term Debt

There was no reportable activity for short-term debt during the year ended August 31, 2022.

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NOTE 5: Long-Term Liabilities

Changes in Long-Term Liabilities
During the year ended August 31, 2022, the following changes occurred in long-term liabilities:

Business-Type Activities	Balance 09/01/21	Additions	Reductions	Restatement/ Adjustment	Balance 08/31/22	Amounts Due Within One Year	Amounts Due Thereafter
Revenue Bonds Payable	$193,727,058.67	-	$7,620,000.00	($2,184,041.23)	$183,923,017.44	$9,750,705.82	$174,172,311.62
Revenue Bonds – Direct Placements	25,095,000.00	-	4,820,000.00	-	20,275,000.00	4,920,000.00	15,355,000.00
Capital Lease Obligations	26,473.21	-	26,473.21	-	-	-	-
Employees' Compensable Leave	3,514,708.25	1,997,716.75	1,376,921.14	-	4,135,503.86	860,902.71	3,274,601.15
Notes & Loans – Direct Placements	8,001,294.36	-	762,756.42	-	7,238,537.94	805,017.97	6,433,519.97
Total Business-Type Activities	$230,364,534.49	$1,997,716.75	$14,606,150.77	$(2,184,041.23)	$215,572,059.24	$16,336,626.50	$199,235,432.74

Notes payable consists of amounts used to finance energy conservation projects and modernization of the University's sports-related scoreboards and video displays. The debt service requirements for notes and loans payable are as follows:

Note Payments for Fiscal Year Ended August 31,	Principal	Interest	Total
2023	$ 805,017.97	$ 194,716.67	$ 999,734.64
2024	848,917.25	173,061.69	1,021,978.94
2025	894,509.32	150,225.81	1,044,735.13
2026	941,853.34	126,163.51	1,068,016.85
2027	991,006.06	100,827.66	1,091,833.72
2028-2031	2,757,234.00	136,992.11	2,894,226.11
Total Payments	$ 7,238,537.94	$ 881,987.45	$ 8,120,525.39

Claims and Judgments

The University had no unpaid settlements or judgments as of August 31, 2022.

Employees' Compensable Leave

Annual Leave

Full-time employees earn eight to twenty-one hours per month vacation leave (annual leave) depending on years of State employment. The State's policy is that employees may carry accrued vacation leave forward from one fiscal year to the next up to a maximum number of hours allowed based on their years of service. Employees with at least six months of State service who terminate employment are entitled to payment for all accumulated annual leave. The University accrues the dollar value of annual leave benefits which are payable upon retirement, termination, or death of its employees. The amounts of these liabilities are reported in the Statement of Net Position. The estimated liability, $4,135,503.86 as of August 31, 2022, is based on outstanding balances reported in the leave reporting system multiplied by the employee's respective salary rate. The University made lump sum payments of $1,376,921.14 for accrued leave to employees who separated from State service during the fiscal year ended August 31, 2022; the amount included accrued leave for employees who participated in the VSIP.

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Sick Leave

Sick leave is earned at the rate of eight hours per month and is paid only when an employee is absent due to illness or to the estate of an employee in the event of his/her death. The maximum sick leave payment to an employee's estate is the lesser of one-half of the employee's accumulated entitlement or 336 hours. Sick leave accumulation from one fiscal year to the next is not limited. The University recognizes the cost of sick leave when paid. The liability is not shown in the financial statements since historical payouts of sick leave have been minimal.

Overtime and Compensatory Leave for FLSA Non-Exempt and Exempt Employees

Under the federal Fair Labor Standards Act and State (FLSA), overtime can be accumulated in lieu of immediate payment as compensatory leave for non-exempt employees up to a maximum of 240 hours. For employees engaged in a public safety activity (e.g., University police officers), overtime can be accumulated up to a maximum of 480 hours. Overtime is calculated at a rate of 1.5 times an employee's regular rate of pay. Non-exempt employees may earn compensatory leave when they work hours in excess of 40 hours in a workweek. Compensatory time is calculated at the rate of 1.5 hours for each hour of overtime. When a non-exempt employee does not work more than 40 hours in a workweek but the number of hours worked plus the number of hours of holiday or other paid leave taken during the workweek exceeds 40 hours, the employee is entitled to compensatory time at the rate of one hour for each excess hour. Unpaid overtime and compensatory time for non-exempt employees is included in the calculation of current and long-term liabilities because these employees are eligible to be paid for these accruals upon death or termination. Compensatory leave is allowed for exempt employees who are not eligible for overtime pay. This leave is accumulated on an hour-for-hour basis and must be taken within one year from date earned or it lapses, up to a maximum of 80 hours in a fiscal year. There is no death or termination benefit for compensatory leave for exempt employees and it is non-transferable. For these reasons, no liability is reported in the financial statements for compensatory leave earned by exempt employees.

Direct Borrowings and Direct Placements

GASB Statement No. 88, *Certain Disclosures Related to Debt, including Direct Borrowings and Direct Placements*, requires the disclosure of direct borrowings and direct placements for reporting periods beginning after June 15, 2018.

Direct borrowings occur when the borrower goes directly to the lending source to avoid the high-interest rates associated with indirect lending, such as a public offering where the borrower has no relationship with the lender/investor. The University had no direct borrowings as of August 31, 2022.

Direct placements occur when the sale of an issue of debt securities is made to a single buyer or a limited number of buyers without a public offering. The University had direct placements related to business-type activities at August 31, 2022, totaling $27,513,537.94. This amount is comprised of $20,275,000.00 of Bonds Payable, related to the Series 2015 Revenue Bonds, and $7,238,537.94 of Notes Payable.

There were no unused lines of credit associated with the direct placements. No assets were pledged as collateral in association with the direct placements. In the event of default, the Series 2015 Revenue Bonds shall bear interest at a rate of 8%.

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NOTE 6: Bonded Indebtedness

Bonds Payable

Detailed supplemental bond information is disclosed in:

Schedule 2A – Miscellaneous Bond Information
Schedule 2B – Changes in Bonded Indebtedness
Schedule 2C – Debt Service Requirements
Schedule 2D – Analysis of Funds Available for Debt Service
Schedule 2E – Defeased Bonds Outstanding
Schedule 2F – Current Year Early Extinguishment and Refunding

General information related to bonds is summarized below:

Board of Regents of Stephen F. Austin State University Revenue Financing System Revenue Refunding Bonds – Series 2013 (Tuition Revenue Bonds and Revenue Bonds)

- To refund outstanding Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds - Series 2002 and Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds - Series 2004.
- Issued 9-11-13.
- $22,255,000.00; All authorized bonds have been issued.
- Source of revenue for debt service: Pledged Student Tuition; Pledged Student Center Fees; and Other Pledged Revenues.
- Changes in Debt: Principal paid during fiscal year $2,470,000.00; Outstanding at year end $5,060,000.00.

Board of Regents of Stephen F. Austin State University Revenue Financing System Revenue Refunding Bonds – Series 2015 (Revenue Bonds)

- To refund outstanding Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds - Series 2005 and Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds - Series 2005(A).
- Issued 5-01-15. This was a direct placement.
- $48,410,000.00; All authorized bonds have been issued.
- Source of revenue for debt service: Pledged Revenues consisting of Unrestricted Current Funds Revenues excluding: remissions, governmental appropriations and gifts, grants, and contracts within the Educational and General Fund Group; Higher Education Funds; and student service fees and private gifts in the Auxiliary Fund Group.
- Changes in Debt: Principal paid during fiscal year $4,820,000.00; Outstanding at year end $20,275,000.00.

Board of Regents of Stephen F. Austin State University Revenue Financing System Revenue Refunding Bonds – Series 2016 (Tuition Revenue Bonds)

- To refund outstanding Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds - Series 2008 and Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds - Series 2009, and provide funds to construct a new STEM building to house the University's Science, Technology, Engineering and Mathematics departments.
- Issued 9-07-16.
- $61,205,000.00; All authorized bonds have been issued.
- Source of revenue for debt service: Pledged Student Tuition; Pledged Student Center Fees; and Other Pledged Revenues.
- Changes in Debt: Principal paid during fiscal year $3,165,000.00; Outstanding at year end $44,995,000.00.

Board of Regents of Stephen F. Austin State University Revenue Financing System Revenue Bonds – Series 2019A (Revenue Bonds)

- To provide funds to construct a new basketball practice facility; to construct a new welcome and student support center; to expand buildings utilized by the College of Fine Arts; to construct a new student residential facility, and to pay the costs related to the issuance of the bonds.
- Issued 02-01-19.
- $94,290,000.00; All authorized bonds have been issued.
- Source of revenue for debt service: Pledged Revenues consisting of Unrestricted Current Funds Revenues excluding: remissions, governmental appropriations and gifts, grants, and contracts within the Educational and General Fund Group; Higher Education Funds; and student service fees and private gifts in the Auxiliary Fund Group.
- Changes in Debt: Principal paid during fiscal year $1,215,000.00; Outstanding at year end $91,415,000.00.

Board of Regents of Stephen F. Austin State University Revenue Financing System Revenue Bonds – Series 2019B (Revenue Bonds)

- To provide funds to construct a new dining facility and to pay the costs related to the issuance of the bonds.
- Issued 02-01-19.
- $15,925,000.00; All authorized bonds have been issued.
- Source of revenue for debt service: Pledged Revenues consisting of Unrestricted Current Funds Revenues excluding: remissions, governmental appropriations and gifts, grants, and contracts within the Educational and General Fund Group; Higher Education Funds; and student service fees and private gifts in the Auxiliary Fund Group.
- Changes in Debt: Principal paid during fiscal year $770,000.00; Outstanding at year end $13,985,000.00.

Board of Regents of Stephen F. Austin State University Revenue Financing System Refunding Bonds – Series 2020

- To provide funds to refund the Series 2010 Revenue Bonds and to pay the costs related to the issuance of the bonds.
- Issued 10-28-20.
- $15,935,000.00; All authorized bonds have been issued.
- Source of revenue for debt service: Pledged Revenues consisting of Unrestricted Current Funds Revenues excluding: remissions, governmental appropriations and gifts, grants, and contracts within the Educational and General Fund Group; Higher Education Funds; and student service fees and private gifts in the Auxiliary Fund Group.
- Changes in Debt: Principal paid during fiscal year $0.00; Outstanding at year end $15,935,000.00.

NOTE 7: Derivative Instruments

The University invests funds in the A&M System investment pools. The A&M System Investment Policy allows investment in certain derivative securities. A derivative security is a financial instrument which derives its value from another security, currency, commodity, or index. Investment derivatives are used to manage transaction, interest rate, or currency exchange risk in purchasing, selling, or holding investments.

The following disclosure summarizes the University's pro-rata derivative activity as reported in the financial statements. The foreign currency forwards are traded over-the-counter and categorized as Level 2 of the fair value hierarchy. Exchange traded futures contracts are categorized as Level 1 of the fair value hierarchy.

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Investment Derivatives	Changes in Fair Value		Fair Value as of 8/31/2022		Notional Amount
	Classification	Amount	Classification	Amount	
	Investment Revenue	$ 2,445.14	Investment	$ 2,445.14	$ (111,700.50)
FX Contracts	Investment Revenue	(2,906.80)	Other Payable	(2,906.80)	111,238.84
FX Contracts	Investment Revenue	(10,400.36)	Other Payable	(10,400.36)	2,062,218.79
Treasury Futures - Long	Investment Revenue	237.29	Other Receivable	237.29	(22,826.16)
Treasury Futures - Short	Investment Revenue	10,357.85	Other Receivable	10,357.85	(1,210,885.80)

Investment Derivatives

Investment derivatives expose the A&M System to certain investment related risks. More detail about investment derivatives is disclosed in Note 3.

Hedging Derivatives

The A&M System did not enter into hedging derivatives in fiscal year 2022.

NOTE 8: Leases

Operating Leases

Included in the expenditures reported in the financial statements are the following amounts of rent paid or due under operating lease obligations:

Fund Type	Amount
Proprietary Fund	$389,523.17

Future minimum lease rental payments under non-cancelable operating leases having an initial term in excess of one year are as follows:

Future Minimum Operating Lease Payments Year Ending August 31,	
2023	$ 274,888.62
2024	191,887.90
2025	111,933.54
2026	53,575.99
2027	15,446.47
Total Future Minimum Lease Rental Payments	$ 647,730.52

The University has also leased building roof space to a cellular phone service provider. Operating lease income in the amount of $55,000.00 has been recorded for the year ended August 31, 2022. There are no contingent rentals in this amount.

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Future minimum lease rentals under non-cancelable operating leases having an initial term in excess of one year as of August 31, 2022, are presented below.

Operating Lease Rentals Year Ending August 31,		
2023	$	66,000.00
Total Future Minimum Lease Rentals	$	66,000.00

Capital Leases

The University has entered into long-term leases for financing the purchase of certain capital assets. Such leases are classified as capital leases for accounting purposes and, therefore, are recorded at the present value of the future minimum lease payments at the inception of the lease. Following is a summary of original capitalized costs of all such property under lease as well as the accumulated depreciation as of August 31, 2022:

Assets Under Capital Leases Year Ended August 31, 2022	Business-Type Activities	
Furniture and Equipment	$	423,552.44
Less: Accumulated Depreciation		398,340.91
Total	$	25,211.53

There are no future minimum lease payments under these capital leases.

NOTE 9: Defined Benefit Pension Plans and Defined Contribution Plan

The State of Texas has joint contributory retirement plans for all of its benefits-eligible employees. One of the plans in which the University participates is administered by the Teacher Retirement System of Texas (TRS). The TRS defined benefit pension plan is established and administered in accordance with the Texas Constitution, Article XVI, Section 67 and Texas Government Code, Title 8, Subtitle C. The pension trust fund is a qualified pension trust under Section 401(a) of the Internal Revenue Code. The Texas Legislature establishes benefits and contribution rates within the guidelines of the Texas Constitution. The pension's Board of Trustees does not have the authority to establish or amend benefit terms. The contributory percentages of participant salaries currently provided by the State and by each participant are 8% and 8%, respectively, of annual compensation. Further information regarding actuarial assumptions and conclusions, together with audited financial statements, are included in TRS' annual financial report. Deferred outflows of resources and deferred inflows of resources related to the pension plan administered by TRS are disclosed in Note 28.

The State has also established an Optional Retirement Program (ORP) for institutions of higher education for certain administrative personnel and faculty. Participation in ORP is in lieu of participation in TRS, and the selection to participate in ORP must be made in the first 90 days of eligibility. The ORP allows participants to select from a variety of companies for the purchase of annuity contracts or to invest in mutual funds. The contributory percentages on salaries for participants entering the program prior to September 1, 1995, are 8.5% and 6.65% by the State and each participant, respectively. The State's contribution is comprised of 6.6% from the ORP appropriation and 1.9% from other funding sources. The 6.6% contribution is mandatory with the other 1.9% being at the discretion of the Board. The Board has approved the additional contributions for these employees. The contributory percentages on salaries for participants entering the program after August 31, 1995, are 6.6% and 6.65% by the State and each participant, respectively. Since these are individual annuity contracts or mutual fund investments, the University has no additional or unfunded liability for this program.

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GASB Statement No. 27, *Accounting for Pensions by State and Local Governmental Employers*, paragraph 27(d) requires universities that administer the ORP to disclose the amounts contributed by members and by the employer for that plan. Following are the ORP contributions made for the 2022 fiscal year:

Contributions	Year Ended Aug. 31, 2022
Member Contributions	$ 1,675,103.51
Employer Contributions	1,731,722.51
Total	$ 3,406,826.02

NOTE 10: Deferred Compensation

University employees may elect to defer a portion of their earnings for income tax and investment purposes pursuant to authority granted in the TEX. GOV'T. CODE ANN., Chapter 609. Two plans are available for employees: the 403(b) Tax Sheltered Annuity (TSA) plan and the Texa$aver 457(b) plan. The TSA is administered by the University. The 457(b) plan is administered by Employees Retirement System of Texas (ERS). The assets of these plans do not belong to the University or to the State, and thus they have no liability related to the plans.

NOTE 11: Postemployment Benefits Other Than Pensions – Not Applicable

NOTE 12: Interfund Activity and Transactions

The University experienced routine transfers with other State agencies that were consistent with the activities of the fund making the transfer. The following are individual balances and activity reported as Legislative transfers from Hazelwood assistance and license plate funds Due From and Due To Other State Agencies as of August 31, 2022:

	Legislative Financing Sources	Legislative Financing Uses
ENTERPRISE FUND (05)		
	Transfer In	**Transfer Out**
Appd Fund 0802, D23 Fund 0802		
Agency 608, D23 Fund 0802		$ 6,033.78
Appd Fund 0210, D23 Fund 0210		
Agency 902, D23 Fund 0210	$ 248,437.00	

Repayment of amounts reported as Due To or Due From Other State Agencies will normally occur within one year from the date of the financial statement.

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The following are individual balances reported as Due From and Due To Other Agencies as of August 31, 2022:

	Due From Other Agencies	Due To Other Agencies	Source
ENTERPRISE FUND (05)			
Appd Fund 0001, D23 Fund 0001			
Agency 781, D23 Fund 0001		$525,924.13	State Pass Through
Agency 781,D23 Fund 7999		35,440.05	State Pass Through
Agency 802, D23 Fund 0645	$38,427.85		State Pass Through
Agency 802, D23 Fund 4675	12,309.34		State Pass Through
Agency 802, D23 Fund 5062	14,260.08		State Pass Through
Agency 720, D23 Fund 7999		1,691.64	State Pass Through
Agency 752, D23 Fund 7999	7,998,40		State Pass Through
Total Due From/To Other Agencies - State	**$ 72,995.67**	**$563,055.82**	
Agency 320, D23 Fund 0001	$ 58,413,77		Federal Pass Through
Agency 556, D23 Fund 7999	3,381.48		Federal Pass Through
Agency 701, D23 Fund 0148	2,166.48		Federal Pass Through
Agency 701, D23 Fund 0325	104.65		Federal Pass Through
Agency 753, D23 Fund 7999	20,150.50		Federal Pass Through
Agency 771, D23 Fund 0001	147,899.85		Federal Pass Through
Agency 781, D23 Fund 0325		$29,577.17	Federal Pass Through
Agency 781, D23 Fund 0325		5,015.55	Federal Pass Through
Total Due From/To Other Agencies - Federal	$232,116.73	$34,592.72	
Total Interagency Balances	**$305,112.40**	**$597,648.54**	

The detailed State Grant Pass-Through information is listed on Schedule 1B - Schedule of State Grant Pass-Throughs From/To State Agencies.

NOTE 13: Continuance Subject to Review - Not Applicable

NOTE 14: Adjustments to Fund Balances and Net Position

During fiscal year 2022, certain accounting changes and adjustments were made that required the restatement of net position. A restatement of $100,055.61 was necessary to reflect the amount of a deleted addition to Depreciable Capital Assets in the prior year. The restatement is presented in the following table:

	Restatement	Prior Period Adjustments	Total
Net Position August 31, 2021			$78,651,873.92
Restatement: Property, Plant and Equipment adjustments		(100,055.61)	(100,055.61)
Net Position September 1, 2021 as Restated			$78,551,818. 31

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NOTE 15: Contingencies and Commitments

Unpaid Claims and Lawsuits

As of August 31, 2022, certain lawsuits were pending against the University and/or its officers. The lawsuits, which may present contingent liabilities, are displayed in the following summary:

Claimant/ Plaintiff	Defendant Name	Type of Litigation	Damages Sought	Probability of Liability	Possible Loss
Christin Evans	SFASU, Board of Regents, Various employees	Constitutional violations (4th and 14th Amendment), Negligence, Gross Negligence	Economic damages; pain/suffering; punitive damages; attorney's fees; court costs	Reasonably Possible*	Unknown

Description of the Case
The plaintiff alleges the University and/or its employees acted negligently and violated Plaintiff's constitutional rights in response to a "swatting" incident.

Claimant/ Plaintiff	Defendant Name	Type of Litigation	Damages Sought	Probability of Liability	Possible Loss
Ann Wilder, Ph.D.	SFASU	Sex Discrimination and Retaliation (Title VII), Equal Pay Act	Compensatory damages; liquidated damages; back pay/front pay; attorney's fees; court costs	Reasonably Possible*	Unknown

Description of the Case
The plaintiff alleges the University discriminated against Dr. Wilder based on sex and retaliated against her when it issued its notice of non-renewal of employment; further alleges University violated the Equal Pay Act with respect to her salary as compared to others in the department.

*Reasonably Possible indicates the event is more than remote, but less than likely.
*Probable indicates the event is likely to occur.

NOTE 16: Subsequent Events

In September 2022, employee Tammy Wheeler filed a suit against the Board, Steve Westbrook, Ed.D., Interim President, and the University alleging Discrimination and Retaliation (Title VII, ADA, Ch. 21 of Texas Labor Code). She is seeking injunctive relief, actual damages, compensatory damages, mental anguish, attorney's fees, courts costs, and interest. The probability of liability and possible loss have not yet been determined.

In October 2022, former employee Sarah Evans filed a suit against the University alleging Discrimination and Retaliation (Ch. 21 of Texas Labor Code). She is seeking actual damages, non-economic damages, interest, court costs, and attorney's fees. The probability of liability and possible loss have not yet been determined.

The Board scheduled a special called meeting for November 29, 2022, to make a decision regarding affiliation with a Texas state university system.

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NOTE 17: Risk Management

The University is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; injuries to employees; losses resulting from providing health and other medical benefits to employees; and natural disasters. It is the University's policy to periodically assess the proper combination of commercial insurance and retention of risk to cover losses to which it may be exposed. The methods the University uses to handle each of these risks are summarized below.

Injuries to Employees: Employees of the University are covered by a workers' compensation insurance policy provided by the State Office of Risk Management (SORM). An Interagency Contract with SORM is executed on behalf of the University for workers' compensation insurance every two years. SORM assesses the University an amount for the insurance coverage in accordance with 28 T.A.C. 251.507. The initial estimated assessment for fiscal year 2022 was $225,133.66 to be paid in two installments. The first payment of $168,850.24 was made in September. The assessment was adjusted during the year and the remaining payment of $21,087.75 was made in May, bringing the actual assessment total to $189,937.99.

Provision for Health and Other Medical Benefits: Employees of the University are eligible for health insurance and optional coverage(s) if they are employed at least 50% time. The coverage is provided through the State, under the Texas Employees Group Benefits Program (GBP), which is administered by HealthSelect. Eligible employees may select health, dental, vision, life, TexFlex, accidental death and dismemberment, dependent life, and long and short-term disability coverage. All risks associated with these benefits are passed to the GBP. The costs of health insurance coverage are jointly paid by the State and the University as follows: 100% for full-time employees and 50% for their dependents; 50% for part-time employees and 25% for their dependents. Employees hired on or after September 1, 2014, have a 60-day waiting period to participate in health insurance coverage. Contributions made by the State on behalf of the University for health and other medical benefits were $6,233,203.00 for the year ended August 31, 2022.

Damage to Property: The University is required by certain bond covenants to carry fire and extended coverage and boiler/heavy equipment insurance on buildings financed through the issuance of bonds. The insurance protects the bondholders from a disruption to the revenue stream that is being utilized to make the bond interest and principal payments.

The fiscal year 2021 catastrophic winter storm/ice freeze caused property damage to numerous buildings. The full replacement cost of repair was $411,272.27. After the deductible of $41,666.67, the University expects to recover approximately $369,605.60 from the insurance claim. The University received its first insurance proceeds of $110,881.68 in April and is awaiting the remaining claim payments. Because this claim was combined with several others from six Texas universities, it has taken longer than normal to settle.

In June, the Lumberjack Village Community Center was flooded due to a burst sprinkler pipe. The insurance adjuster was asked to assess the facility and a recovery service dried and restored the affected areas. The estimated loss is $300,000.00. The University filed a property insurance claim and is working with the adjuster.

The Texas Motor Vehicle Safety Responsibility Act requires that every nongovernmental vehicle operated on a State highway be insured for minimum limits of liability in the amount of $30,000 per injured person, up to a total of $60,000 for everyone injured in an accident and $25,000 for property damage. However, through the SORM's Automobile Insurance Program the University has chosen to carry liability insurance on its licensed vehicles in the amount of $250,000/$500,000/$100,000. For fiscal year 2022, the auto insurance program covered liability for motorized utility vehicles and physical damage for all vehicles 11 years and newer. The annual premium was $116,688.00. Athletic courtesy vehicles are not covered by the University's automobile policy.

Torts and Other Risks: The University is exposed to a variety of civil claims resulting from the performance of its duties and has purchased commercial insurance to mitigate this risk. The annual premium for general and excess liability was $132,689.00.

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Notes to the Financial Statements
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Claims and Judgments: Changes in the balances of the University's claims liabilities for 2022 are noted in the table below:

		Beginning Balance	Increases	Decreases	Ending Balance
2022	Claims & Judgments	$ -	$ 35,000.00	$ 35,000.00	$ -

NOTE 18: Management's Discussion and Analysis (MD&A)

See *Management's Discussion and Analysis* at the beginning of this financial report.

NOTE 19: The Financial Reporting Entity

The University is an agency of the State of Texas. The ten members of its Board of Regents are appointed by the Governor and include one non-voting student Regent. The University has no component units or joint ventures.

NOTE 20: Stewardship, Compliance and Accountability

Note 1, *Summary of Significant Accounting Policies*, discusses the generally accepted accounting principles upon which the financial statements are based and addresses any changes in accounting principles. The University had no material violations of finance-related legal or contractual provisions. Per the laws of the State of Texas, the University cannot spend amounts in excess of appropriations granted by the Texas Legislature.

Effect of Coronavirus (COVID-19) Response on the University Financial Statements

In fiscal year 2022, the University drew the remaining available funds provided by the federal government to replace lost program funding related to COVID-19. Funds in the amount of $2,268,962.37 were provided by the American Recover Program (ARP) were received to replace lost revenue in fiscal year 2021.

NOTE 21: Not Applicable

NOTE 22: Donor Restricted Endowments

The University endowments are invested to maximize returns yet preserve principal. The long-term objective of maintaining the purchasing power of the endowments coupled with the goal of providing a reasonable, predictable, stable, and sustainable level of income to support current needs guide the management of these funds. Distributions from the earnings and cumulative net appreciation are made annually to fund scholarships, professorships, and for other uses as stipulated by the donors. The Vice President for Finance and Administration reviews the total return on current year investing activities for endowment accounts and recommends an annual distribution. The distribution to spending accounts was 3.92% for 2022.

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The following tables present the amount of net appreciation for donor restricted true endowments for fiscal year 2022 and the changes from the prior year amounts for expendable and non-expendable balances:

Donor Restricted Endowments	Amounts of Cumulative Net Appreciation	Reported in Net Position
True Endowments	$ 4,017,075.23	Restricted for Expendable
Term Endowments	8,697.93	Restricted for Expendable
Total	$ 4,025,773.16	Restricted for Expendable

Endowment Funds	Increase/(Decrease)	Reason for Change
Expendable Balances		
True Endowments	$ (1,681,826.12)	Fair value decrease in portfolio
Term Endowments	(5,333.29)	Fair value decrease in portfolio
Non-Expendable Balances		
True Endowments	$ 240,989.86	Donor gifts and bequests
Term Endowments	-	

NOTE 23: Extraordinary and Special Items - Not Applicable

NOTE 24: Disaggregation of Receivable and Payable Balances

Accounts Receivables

The components of Current Accounts Receivable, as reported in the Statement of Net Position, are as follows:

Accounts Receivable Category	Current Amount
3rd Party Contracts for Student Payments	$ 2,478,626.79
Travel Advances	14,549.79
Departmental Receivables	645,532.61
Receivable from Endowments	564,261.42
Pledged Gifts Receivable	330,000.00
Food Services	422,967.13
Receivables from State Comptroller	347,658.61
Other Receivables	23,301.13
Total	$ 4,826,897.48

Of these amounts, none are considered significant and the University expects to collect all within one year.

Accounts Payables

The components of Current Accounts Payable, as reported in the Statement of Net Position, are as follows:

Accounts Payable Category	Current Amount
Construction Payables	$ 3,242,704.64
Procurement Card Payables	706,797.55
Food Service	1,204,667.59
Restricted Payables	1,067,031.07
Payables for Supplies	2,828,937.99
Payables for Services	284,501.04
Miscellaneous	1,703.62
Total	$ 9,336,343.50

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Notes to the Financial Statements
August 31, 2022

NOTE 25: Termination Benefits – Not Applicable

NOTE 26: Segment Information – Not Applicable

NOTE 27: Service Concession Arrangements – Not Applicable

NOTE 28: Deferred Outflows of Resources and Deferred Inflows of Resources

In accordance with GASB Statement Nos. 68 and 75, all public entities, including State universities are required to report its proportionate share of the net pension liability and the OPEB liability in the financial statements, along with associated deferred inflows, deferred outflows, and pension and OPEB expense or revenue.

Business-Type Activities	Deferred Outflows of Resources	Deferred Inflows of Resources
TRS Pension	$ 16,271,106.00	$ 32,133,858.00
ERS OPEB	52,942,288.00	27,911,983.00
Total	$ 69,213,394.00	$ 60,045,841.00

NOTE 29: Troubled Debt Restructuring – Not Applicable

NOTE 30: Non-Exchange Financial Guarantees – Not Applicable

NOTE 31: Tax Abatements – Not Applicable

NOTE 32: Governmental Fund Balances – Not Applicable

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Stephen F. Austin State University
Agency 755
Schedule 1A-Schedule of Expenditures of Federal Awards
For the Fiscal Year Ended August 31, 2022

Federal Grantor/ Pass-Through Grantor/ Program Title	CFDA Number	NSE Name/ Identifying Number	Pass-through From Agy/ Univ No.	Pass-through From Agencies or Universities Amount	Pass-through From Non-State Entities Amount
Corporation for National and Community Service					
Direct Programs:					
Martin Luther King Jr Day of Service Grants	94.014				
Totals - Corporation for National and Community Service				0.00	0.00
Institute of Museum and Library Services					
Pass-Through From:					
Grants to States	45.310				
Pass-Through From:					
Texas State Library and Archives Commission			306	1,281.15	
Totals - Institute of Museum and Library Services				1,281.15	0.00
National Endowment For The Humanities					
COVID-19 - Promotion of the Humanities Federa/State Partnership	45.129	Humanities Texas/2021-6447			5,908.66
		Humanities Texas/2021-6449			7,475.83
Totals - National Endowment For The Humanities				0.00	13,384.49
U.S. Department of Agriculture					
Pass-Through From:					
Capacity Building for Non-Land Grant Colleges of Agriculture (NLGCA)	10.326				
Pass-Through From:					
Sam Houston State University			753	20,150.50	
Totals - U.S. Department of Agriculture				20,150.50	0.00
U.S. Department of Education					
Direct Programs					
COVID-19 - Higher Education Emergency Relief Fund (HEERF) Student Aid Portion	84.425E				
COVID-19 - Higher Education Emergency Relief Fund (HEERF) Institutional Portion	84.425F				
Pass-Through From:					
Governors Emergency Education Relief (GEER) Fund	84.425C				
Pass-Through From:					
Texas Higher Education Coordinating Board			781	137,422.83	
COVID-19 - American Rescue Plan - Elementary and Secondary School Emergency Relief (ARP ESSER)	84.425U				
Pass-Through From:					
Texas Education Agency			781	11,215.02	
Totals - U.S. Department of Education				148,637.85	0.00
U.S. Department of Health and Human Services					
Pass-Through From:					
Temporary Assistance for Needy Families	93.558				
Pass-Through From:					
Texas Workforce Commission			320	89,326.37	
Totals - U.S. Department of Health & Human Services				89,326.37	0.00
U.S. Department of Homeland Security					
Direct Programs:					
Disaster Grants - Public Assistance (Presidentially Declared Disasters)	97.036				
Totals - U.S. Department of Homeland Security				0.00	0.00
U.S. Department of Homeland Security					
Direct Programs:					
Public Safety Partnership and Community Policing Grants	16.710				
Totals - U.S. Department of Justice				0.00	0.00

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Direct Program Amount	Total PT From & Direct Program Amount	Pass-through To Agy/ Univ No.	Pass-through To Agencies or Universities Amount	Pass-through To Non-State Entities Amount	Expenditures Amount	Total PT To & Expenditures Amount
5,443.79	5,443.79				5,443.79	5,443.79
5,443.79	5,443.79		0.00	0.00	5,443.79	5,443.79
	1,281.15				1,281.15	1,281.15
0.00	1,281.15		0.00	0.00	1,281.15	1,281.15
	5,908.66				5,908.66	5,908.66
	7,475.83				7,475.83	7,475.83
0.00	13,384.49		0.00	0.00	13,384.49	13,384.49
	20,150.50				20,150.50	20,150.50
0.00	20,150.50		0.00	0.00	20,150.50	20,150.50
134,575.00	134,575.00				134,575.00	134,575.00
2,295,159.51	2,295,159.51				2,295,159.51	2,295,159.51
	137,422.83				137,422.83	137,422.83
	11,215.02				11,215.02	11,215.02
2,429,734.51	2,578,372.36		0.00	0.00	2,578,372.36	2,578,372.36
	89,326.37				89,326.37	89,326.37
0.00	89,326.37		0.00	0.00	89,326.37	89,326.37
195,414.12	195,414.12				195,414.12	195,414.12
195,414.12	195,414.12		0.00	0.00	195,414.12	195,414.12
6,284.03	6,284.03				6,284.03	6,284.03
6,284.03	6,284.03		0.00	0.00	6,284.03	6,284.03

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Stephen F. Austin State University
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Schedule 1A-Schedule of Expenditures of Federal Awards
For the Fiscal Year Ended August 31, 2022

Federal Grantor/ Pass-Through Grantor/ Program Title	CFDA Number	NSE Name/ Identifying Number	Pass-through From Agy/ Univ No.	Pass-through From Agencies or Universities Amount	Pass-through From Non-State Entities Amount
Research & Development Cluster					
Environmental Protection Agency					
Pass-Through From:					
Nonpoint Source Implementation Grants	66.460				
Pass-Through From:					
Texas A&M AgriLife Extension Service			555	15,640.00	
Nonpoint Source Implementation Grants	66.460				
Pass-Through From:					
Texas A&M AgriLife Research			556	22,931.50	
Totals - Environmental Protection Agency				38,571.50	0.00
National Science Foundation					
Direct Programs:					
Mathematical and Physical Sciences	47.049				
Education and Human Resources	47.076				
Totals - National Science Foundation				0.00	0.00
U.S. Department of the Interior					
NFWF-USFWS Conservation Partnership	15.663	National Fish and Wildlife Foundation/ 1907 20 067912			32,405.09
Pass-Through From:					
State Wildlife Grants	15.634				
Pass-Through From:					
Parks and Wildlife Department			802	47,467.62	
Totals - U.S. Department of the Interior				47,467.62	32,405.09
U.S. Department of Agriculture					
Specialty Crop Block Grant Program - Farm Bill	10.170	Nacogdoches Economic Development Corporation/SC-1920-52			1,181.24
Cooperative Forestry Assistance	10.664	United State Endowment For Forestry and Communities, Inc./207111			658.75
Direct Programs:					
Cooperative Forestry Research	10.202				
Forestry Research	10.652				
Environmental Quality Incentives Program	10.912				
Totals - U. S. Department of Agriculture				0.00	1,839.99
U.S. Department of Health and Human Services					
Telehealth Programs	93.211	Texas Health Institute/ G25RH40062			19,570.32
Totals - U.S. Department of Health and Human Services				0.00	19,570.32
SPECIAL EDUCATION (IDEA) Cluster					
U.S. Department of Education					
Pass-Through From:					
Special Education Grants to States	84.027A				
Pass-Through From:					
Texas Education Agency			701	30,706.55	
Special Education Grants to States	84.027A				
Pass-Through From:					
Texas School for the Blind & Visually Impaired			771	568,383.22	
Totals - U.S. Department of Education				599,089.77	0.00
Student Financial Assistance Cluster					
U.S. Department of Education					
Direct Programs:					
Federal Supplemental Educational Opportunity Grants	84.007				
Federal Work-Study Program	84.033				
Federal Pell Grant Program	84.063				
Federal Direct Student Loans	84.268				
Teacher Education Assistance for College and Higher Education Grants (TEACH Grants)	84.379T				
Totals - U.S. Department of Education				0.00	0.00
Total Expenditures of Federal Awards				$ $944,524.76	$ 67,199.89

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Direct Program Amount	Total PT From & Direct Program Amount	Pass-through To Agy/ Univ No.	Pass-through To Agencies or Universities Amount	Pass-through To Non-State Entities Amount	Expenditures Amount	Total PT To & Expenditures Amount
	15,640.00				15,640.00	15,640.00
	22,931.50				22,931.50	22,931.50
0.00	38,571.50		0.00	0.00	38,571.50	38,571.50
54,682.67	54,682.67			16,837.84	37,844.83	54,682.67
179,572.37	179,572.37				179,572.37	179,572.37
234,255.04	234,255.04		0.00	16,837.84	217,417.20	234,255.04
	32,405.09				32,405.09	32,405.09
	47,467.62				47,467.62	47,467.62
0.00	79,872.71		0.00	0.00	79,872.71	79,872.71
	1,181.24				1,181.24	1,181.24
	658.75				658.75	658.75
481,097.50	481,097.50				481,097.50	481,097.50
11,010.40	11,010.40				11,010.40	11,010.40
12,383.77	12,383.77				12,383.77	12,383.77
504,491.67	506,331.66		0.00	0.00	506,331.66	506,331.66
	19,570.32				19,570.32	19,570.32
0.00	19,570.32		0.00	0.00	19,570.32	19,570.32
	30,706.55				30,706.55	30,706.55
	568,383.22				568,383.22	568,383.22
0.00	599,089.77		0.00	0.00	599,089.77	599,089.77
334,159.00	334,159.00				334,159.00	334,159.00
564,183.45	564,183.45				564,183.45	564,183.45
20,142,884.00	20,142,884.00				20,142,884.00	20,142,884.00
48,294,795.00	48,294,795.00				48,294,795.00	48,294,795.00
201,296.00	201,296.00				201,296.00	201,296.00
69,537,317.45	69,537,317.45		0.00	0.00	69,537,317.45	69,537,317.45
$ 72,912,940.61	$ 73,924,665.26		$ 0.00	$ 16,837.84	$ 73,907,827.42	$ 73,924,665.26

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 1A-Schedule of Expenditures of Federal Awards
For the Fiscal Year Ended August 31, 2022

Note 1: Non-Monetary Assistance - N/A

Note 2: Reconciliation
Below is a reconciliation of the total of federal pass through and federal expenditures as reported on the Schedule of Federal Financial Assistance to the total of federal revenues and federal grant pass-through revenues as reported in the general-purpose financial statements. Generally, federal funds are not earned until expended; therefore, federal revenues equal federal expenditures for the reporting period.

Per Combined Statement of Revenues, Expenditures and Changes in Fund Balance - Governmental Funds; and Combined Statement of Revenues, Expenses and Changes in Net Assets - Proprietary Funds; and Combined Statement of Changes in Fiducuary Net Assets:

Federal Revenue			
Operating		$1,577,271.99	
Non-Operating		23,108,073.51	
Total Federal Revenue			**$24,685,345.50**
Federal Pass-Through Revenue			
Operating		944,524.76	
Total Federal Pass-Through Revenue			**944,524.76**
Total Federal Revenue and Federal Pass-Through Revenue			**25,629,870.26**
Reconciliation Items:			
Non-monetary Items:			
--			
Total Non-monetary Items			**$0.00**
New Loans Processed: (Amounts are from Note 3a)			
Federal Direct Student Loans (Direct Loans)	84.268	$48,294,795.00	
Total New Loans Processed		**$48,294,795.00**	
Total reconciliation Items:			**$48,294,795.00**
Total per Note 2:			**$73,924,665.26**
Total Pass-Through and Expenditures per Federal Schedule:			**$73,924,665.26**
Difference:			**$0.00**

Note 3a: Student Loans Processed and Administrative Cost Recovered FY2022

Program Name / CFDA Number	Beginning Balance of Outstanding Loans as of 8/31/20	New Loans Processed, does not include Admin Cost Recovered	*CY Admin Cost Recovered, PY's only if applicable	Total Loans Processed and Admin Cost Recovered	Repayment/ Adjustment (PY+CY)	**Outstanding Balance of Loans as of 8/31/2021 Includes all FYs
Department of Education 84.038 Federal Perkins Loans	$ 2,338,977.60	$ -	$ -	$ -	$ -	$ 2,338,977.60
Department of Education 84.268 Federal Direct Student Loans (Direct Loans)		48,294,795.00		$ 48,294,795.00	48,294,795.00	-
Total Department of Education	$ 2,338,977.60	$ 48,294,795.00	$ -	$48,294,795.00	$ 48,294,795.00	$ 2,338,977.60

* Administrative Cost Recovered includes administration cost and any interest subsidy related to student loans processed.
** Confirmed on Servicer Report

Note 3b: Federally Funded Loans Processed and Administrative Cost Recovered FY2022 - N/A

Note 4: Depository Libraries for Government Publications - Agencies are no longer required to submit.

Note 5: Unemployment Insurance Funds - N/A

Note 6: Rebates for the Special Supplemental Food Program for Women, Infants and Children (WIC) - N/A

Note 7: Federal Deferred Revenue - Universities are exempt from Note 7

Note 8: Disaster Grants - Public Assistance, FY 2022, ALN 97.036

Project Name	FY Project Worksheet Approved in FY2022 (CY Only)	FEMA Disaster Declaration Declared Year - Disaster Title	Expenditure Amount Incurred Prior Fiscal Year	Amount De-obligated	Comments
B - Emergency Protective Measurers	2022	2021 - Texas Severe Winter Storms (DR-4586-TX)	$26,240.85	$2,624.08	Exp incurred in 2021 but PW not approved until FY22
A - Debris Removal	2022	2021 - Texas Severe Winter Storms (DR-4586-TX)	$169,173.27	$16,917.33	Exp incurred in 2021 but PW not approved until FY22

Note 9: Economic Adjustment Assistance (CFDA 11.307) - Not applicable. Our agency does not have any Revolving Loan Funds related to the Economic Adjustment Assistance program.

Note 10: 10% de Minimis Indirect Cost Rate - Our agency does not elect to use the 10 percent de minimis indirect cost rate.

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STEPHEN F. AUSTIN STATE UNIVERSITY (755)
Schedule 1B
Schedule of State Grant Pass-Throughs From/To State Agencies
For The Year Ended August 31, 2022

Pass Through From:	Grant ID	Agency Number	Amount
Fifth Year Accounting Student Scholarship Program	457.0001		$ 5,000.00
Texas State Board of Pubic Accountancy		457	**5,000.00**
Available School Fund - Per Capita	701.0007		128,102.00
Texas Education Agency		701	**128,102.00**
Foundation School Program (FSP)-Formula	701.0015		2,124,969.00
Texas Education Agency		701	**2,124,969.00**
Instructional Materials Allotment	701.0048		1,840.00
Texas Education Agency		701	**1,840.00**
Joint Admission Medical Program (JAMP)	720.0002		31,134.36
University of Texas System		720	**31,134.36**
	752.0009		7,998.40
University of NorthTexas		720	**7,998.40**
TEXAS Grant Program	781.0008		9,056,082.00
Texas Higher Education Coordinating Board		781	**9,056,082.00**
Professional Nursing Shortage Reduction Program	781.0013		15,987.32
Texas Higher Education Coordinating Board		781	**15,987.32**
College Work Study Program	781.0023		43,153.95
Texas Higher Education Coordinating Board		781	**43,153.95**
Work Study Mentorship Program	781.0029		29,828.95
Texas Higher Education Coordinating Board		781	**29,828.95**
Developmental Education Program	781.0040		8,576.22
Texas Higher Education Coordinating Board		781	**8,576.22**
Texas Grants B.1.10	781.0083		316,649.00
Texas Higher Education Coordinating Board		781	**316,649.00**
531442 Assessing pathways of introduction of non-native fishes (Sheepshead minnow & Gulf Killifish) in Texas streams	802.0178		(57.36)
Parks and Wildlife Department		802	**(57.36)**
531961 Assessing the population status of Brazos river Watersnakes	802.0179		1,166.64
Parks and Wildlife Department		802	**1,166.64**
CA-0001069 Reptriation of Illegally Collected Alligator Snapping Turtles (AST) Bank Into Texas Waters	802.0188		19,772.02
Parks and Wildlife Department		813	**19,772.02**
CA-0001060 Texas State Parks Visitor Market Analysis	802.0197		95,942.94
Parks and Wildlife Department		813	**95,942.94**
CA-0002932 East Texas Adventurers Girls Environmental Science Academy	802.0211		24,620.94
Parks and Wildlife Department		813	**24,620.94**
Total Operating Pass-Through From Other Agencies			**$ 11,910,766.38**

Pass Through To	Grant ID	Agency Number	Amount
Total Pass-Through to Other Agencies			$ -

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Agency No. 755
Schedule 2A - Miscellaneous Bond Information
For the Fiscal Year Ended August 31, 2022

Description of Issue	Bonds Issued to Date	Range of Interest Rates		Scheduled Maturities		First Call Date	Final Maturity
				First Year	Last Year		
Business-Type Activities							
Revenue Bonds - Self Supporting							
Rev Fin Sys Bonds Ser '13	15,610,000.00	1.000	5.000	2014	2024	n/a	10/15/2024
Rev Fin Sys Bonds Ser '16	61,205,000.00	4.000	5.000	2017	2036	10/15/2026	10/15/2036
Rev Fin Sys Bonds Ser '19A	94,290,000.00	4.000	5.000	2019	2048	10/15/2028	10/15/2048
Rev Fin Sys Bonds Ser '19B	15,925,000.00	2.873	4.192	2019	2048	n/a	10/15/2035
Rev Fin Sys Bonds Ser '20	15,935,000.00	5.000	5.000	2022	2029	n/a	10/15/2029
	202,965,000.00						
Revenue Bonds - Direct Placement							
Rev Fin Sys Bonds Ser '15	48,410,000.00	2.010	2.010	2015	2025	n/a	10/15/2025
	48,410,000.00						
Total Revenue Bonds	251,375,000.00						
Grand Total of Bonds	$ 251,375,000.00						

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2B-Changes in Bonded Indebtedness
For the Fiscal Year Ended August 31, 2022

Description of Issue	Bonds Outstanding 9/1/21	Bonds Issued	Bonds Matured or Retired	Bonds Refunded or Extinguished	Bonds Outstanding 8/31/22
For the Fiscal Year Ended August 31, 2022					
Revenue Bonds - Self Supporting					
Rev Fin Sys Bonds Ser '13	$ 7,530,000.00	$ -	$ 2,470,000.00	$ -	$ 5,060,000.00
Rev Fin Sys Bonds Ser '16	48,160,000.00	-	3,165,000.00	-	44,995,000.00
Rev Fin Sys Bonds Ser '19A	92,630,000.00	-	1,215,000.00	-	91,415,000.00
Rev Fin Sys Bonds Ser '19B	14,755,000.00	-	770,000.00	-	13,985,000.00
Rev Fin Sys Bonds Ser '20	15,935,000.00	-	-	-	15,935,000.00
	179,010,000.00	-	7,620,000.00	-	171,390,000.00
Revenue Bonds - Direct Placement					
Rev Fin Sys Bonds Ser '15	25,095,000.00	-	4,820,000.00	-	20,275,000.00
	25,095,000.00	-	4,820,000.00	-	20,275,000.00
Total Revenue Bonds	204,105,000.00	-	12,440,000.00	-	191,665,000.00
Grand Total	$ 204,105,000.00	$ -	$ 12,440,000.00	$ -	$ 191,665,000.00

UNAUDITED

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2B-Changes in Bonded Indebtedness
For the Fiscal Year Ended August 31, 2022

Description of Issue	Unamortized Premium	Unamortized Discount	Other Adjustments	Net Bonds Outstanding 8/31/22	Amounts Due Within One Year
For the Fiscal Year Ended August 31, 2022					
Revenue Bonds - Self Supporting					
Rev Fin Sys Bonds Ser '13	$ 286,907.04	$ -		$ 5,346,907.04	$ 1,719,762.81
Rev Fin Sys Bonds Ser '16	5,066,186.78	-	-	50,061,186.78	4,207,090.50
Rev Fin Sys Bonds Ser '19A	4,680,982.31	(171,425.55)	-	95,924,556.76	1,734,060.92
Rev Fin Sys Bonds Ser '19B	-	-	-	13,985,000.00	790,000.00
Rev Fin Sys Bonds Ser '20	2,670,366.86			18,605,366.86	1,299,791.59
	12,704,442.99	(171,425.55)	-	183,923,017.44	9,750,705.82
Revenue Bonds - Direct Placement					
Rev Fin Sys Bonds Ser '15	-	-	-	20,275,000.00	4,920,000.00
	-	-	-	20,275,000.00	4,920,000.00
Total Revenue Bonds	12,704,442.99	(171,425.55)	-	204,198,017.44	14,670,705.82
Grand Total	$ 12,704,442.99	$ (171,425.55)	$ -	$ 204,198,017.44	$ 14,670,705.82

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2C - Debt Service Requirements
For the Fiscal Year Ended August 31, 2022

Description of Issue	FY	Principal	Interest	Total
Business-Type Activities				
Revenue Bonds - Self Supporting				
Rev Fin Sys Bonds Ser '20	2023	705,000.00	779,125.00	$ 1,484,125.00
Rev Fin Sys Bonds Ser '20	2024	1,865,000.00	714,875.00	2,579,875.00
Rev Fin Sys Bonds Ser '20	2025	1,960,000.00	619,250.00	2,579,250.00
Rev Fin Sys Bonds Ser '20	2026	2,060,000.00	518,750.00	2,578,750.00
Rev Fin Sys Bonds Ser '20	2027	2,165,000.00	413,125.00	2,578,125.00
Rev Fin Sys Bonds Ser '20	2028-2030	7,180,000.00	550,500.00	7,730,500.00
		15,935,000.00	3,595,625.00	19,530,625.00
Rev Fin Sys Bonds Ser '13	2023	1,605,000.00	190,812.50	1,795,812.50
Rev Fin Sys Bonds Ser '13	2024	1,690,000.00	108,437.50	1,798,437.50
Rev Fin Sys Bonds Ser '13	2025	1,765,000.00	33,093.75	1,798,093.75
		5,060,000.00	332,343.75	5,392,343.75
Rev Fin Sys Bonds Ser '16	2023	3,310,000.00	2,072,750.00	5,382,750.00
Rev Fin Sys Bonds Ser '16	2024	3,480,000.00	1,903,000.00	5,383,000.00
Rev Fin Sys Bonds Ser '16	2025	3,665,000.00	1,724,375.00	5,389,375.00
Rev Fin Sys Bonds Ser '16	2026	3,850,000.00	1,536,500.00	5,386,500.00
Rev Fin Sys Bonds Ser '16	2027	4,055,000.00	1,338,875.00	5,393,875.00
Rev Fin Sys Bonds Ser '16	2028-2032	13,940,000.00	4,222,925.00	18,162,925.00
Rev Fin Sys Bonds Ser '16	2033-2037	12,695,000.00	1,510,525.00	14,205,525.00
		44,995,000.00	14,308,950.00	59,303,950.00
Rev Fin Sys Bonds Ser '19A	2023	1,275,000.00	4,017,975.00	5,292,975.00
Rev Fin Sys Bonds Ser '19A	2024	1,345,000.00	3,952,475.00	5,297,475.00
Rev Fin Sys Bonds Ser '19A	2025	1,410,000.00	3,883,600.00	5,293,600.00
Rev Fin Sys Bonds Ser '19A	2026	1,490,000.00	3,811,100.00	5,301,100.00
Rev Fin Sys Bonds Ser '19A	2027	1,560,000.00	3,734,850.00	5,294,850.00
Rev Fin Sys Bonds Ser '19A	2028-2032	9,090,000.00	17,388,500.00	26,478,500.00
Rev Fin Sys Bonds Ser '19A	2033-2037	13,025,000.00	14,884,025.00	27,909,025.00
Rev Fin Sys Bonds Ser '19A	2038-2042	21,940,000.00	11,071,425.00	33,011,425.00
Rev Fin Sys Bonds Ser '19A	2043-2047	27,585,000.00	5,412,825.00	32,997,825.00
Rev Fin Sys Bonds Ser '19A	2048-2049	12,695,000.00	512,900.00	13,207,900.00
		91,415,000.00	68,669,675.00	160,084,675.00
Rev Fin Sys Bonds Ser '19B	2023	790,000.00	514,537.35	1,304,537.35
Rev Fin Sys Bonds Ser '19B	2024	815,000.00	489,558.75	1,304,558.75
Rev Fin Sys Bonds Ser '19B	2025	845,000.00	462,936.90	1,307,936.90
Rev Fin Sys Bonds Ser '19B	2026	870,000.00	434,382.95	1,304,382.95
Rev Fin Sys Bonds Ser '19B	2027	900,000.00	403,621.70	1,303,621.70
Rev Fin Sys Bonds Ser '19B	2028-2032	5,055,000.00	1,475,255.27	6,530,255.27
Rev Fin Sys Bonds Ser '19B	2033-2036	4,710,000.00	393,124.43	5,103,124.43
		13,985,000.00	4,173,417.35	18,158,417.35
Total Revenue Bonds - Self Supporting		$ 171,390,000.00	$ 91,080,011.10	$ 262,470,011.10

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2C - Debt Service Requirements
For the Fiscal Year Ended August 31, 2022

Description of Issue	FY	Principal	Interest	Total
Revenue Bonds - Direct Placement				
Rev Fin Sys Bonds Ser '15	2023	4,920,000.00	358,081.50	5,278,081.50
Rev Fin Sys Bonds Ser '15	2024	5,015,000.00	258,234.75	5,273,234.75
Rev Fin Sys Bonds Ser '15	2025	5,120,000.00	156,378.00	5,276,378.00
Rev Fin Sys Bonds Ser '15	2026	5,220,000.00	52,461.00	5,272,461.00
		20,275,000.00	825,155.25	21,100,155.25
Total Revenue Bonds - Direct Placement		20,275,000.00	825,155.25	21,100,155.25
Total Revenue Bonds		191,665,000.00	91,905,166.35	283,570,166.35
Total Debt Service		$ 191,665,000.00	$ 91,905,166.35	$ 283,570,166.35

UNAUDITED

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2D - Analysis of Funds Available for Debt Service - General Obligation Bonds
For the Fiscal Year Ended August 31, 2022

Description of Issue	Application of Funds		Accrual Basis
	2022 Principal	2022 Interest	Int Exp
	$ -	$ -	$ -
General Obligation Bonds - Not Self-Supporting	$ -	$ -	$ -

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2D - Analysis of Funds Available for Debt Service - Revenue Bonds
For the Fiscal Year Ended August 31, 2022

	Net Available for Debt Service		Debt Service		Accrual Basis	
Description of Issue	Total Pledged and Other Sources	Operating Expenses and Capital Outlay	2022 Principal	2022 Interest	Interest Expense	Interest Capitalized
Business-Type Activities						
Revenue Bonds - Self Supporting						
Rev Fin Sys Bonds Ser '13	*	*	$ 2,470,000.00	$ 292,687.50	$ 246,375.00	$ -
Rev Fin Sys Bonds Ser '16	*	*	3,165,000.00	2,218,800.00	2,171,325.02	-
Rev Fin Sys Bonds Ser '19A	*	*	1,215,000.00	4,080,225.00	4,057,443.74	-
Rev Fin Sys Bonds Ser '19B	*	*	770,000.00	538,091.62	529,434.90	-
Rev Fin Sys Bonds Ser '20	*	*	-	796,750.00	789,292.35	
Revenue Bonds - Direct Placement						
Rev Fin Sys Bonds Ser '15	*	*	4,820,000.00	455,968.50	419,637.77	-
			$ 12,440,000.00	$ 8,382,522.62	$ 8,213,508.78	$ -

Analysis of Pledged and Other Sources:

Pledged Sources:	
Tuition and Fees	$ 122,777,113.69
Sales and Services	35,658,627.95
Other Sources	5,798,258.73
Total Revenues	164,234,000.37
Unrestricted Fund Balances	(87,078,236.43)
Less State Appropriated Fund Balances with Restrictions	(11,277,793.00)
Total Pledged Revenues	$ 65,877,970.94
Expenditures associated with operations which generated the pledged revenues	$ 198,427,415.09

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2E - Defeased Bonds Outstanding
For the Fiscal Year Ended August 31, 2022

Description of Issue	Year Refunded	Par Value Outstanding

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2F - Current Year Early Extinguishment and Refunding
For the Fiscal Year Ended August 31, 2022

			For Refunding Only		
Description of Issue	Category	Amount Extinguished or Refunded	Refunding Issue Par Value	Cash Flow Increase (Decrease)	Economic Gain/Loss

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 3 - Reconciliation of Cash in State Treasury
August 31, 2022

Cash in State Treasury	Unrestricted	Restricted	Current Year Total
Special Mineral Fund 0241	$ 0.00	$ 0.00	$ 0.00
Local Revenue Fund 0261	774,651.03	0.00	774,651.03
Coronavirus Relief Fund	39,122.43	0.00	39,122.43
Total Cash in State Treasury (Stmt of Net Position)	$ 813,773.46	$ 0.00	$ 813,773.46

WE ARE THE LUMBERJACKS



Fiscal Year 2022 Annual Financial Report (AFR) Summary and Analysis of Unrestricted Net Position (UNP)

Prepared by Finance & Administration

Fiscal Year 2022 Annual Financial Report (AFR) Summary and Analysis of Unrestricted Net Position (UNP)

Prepared by Finance & Administration

Fiscal Year 2022 Annual Financial Report (AFR) Summary and Analysis of Unrestricted Net Position (UNP)

Prepared by Finance & Administration

Fiscal Year 2022 Annual Financial Report (AFR) Summary and Analysis of Unrestricted Net Position (UNP)

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Fiscal Year 2022 Annual Financial Report (AFR) Summary and Analysis of Unrestricted Net Position (UNP)

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Fiscal Year 2022 Annual Financial Report (AFR) Summary and Analysis of Unrestricted Net Position (UNP)

Prepared by Finance & Administration

Fiscal Year 2022 Annual Financial Report (AFR) Summary and Analysis of Unrestricted Net Position (UNP)

Prepared by Finance & Administration

GRANT AWARDS

Explanation:

In fiscal year 2023, the multi-year grant award total is currently $44,094,946. Of this total, grant awards allocable to fiscal year 2023 are currently $7,143,511, an increase of $609,762 since the last report.

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.

Recommendation:

The administration recommends approval and ratification of the additional fiscal year 2023 grant awards that total $609,762. The grant awards are detailed as presented.

Report to the Board of Regents – January 2023
Grants[1] awarded between October 1, 2022 and December 31, 2022

Fiscal Year 2023 – *as of December 30, 2022*

Amounts allocable to FY23 (detailed in this report)	
Federal funds (direct and pass-through)	$ 500,383
State Funds (direct and pass-through)	$ 19,820
Private and Local Government	$ 89,559
TOTAL	**$ 609,762**
New awards, FY23 (detailed in this report, all project years)	**$ 2,809,964**
Cumulative amount allocable to FY23	**$ 7,143,511**
Cumulative award total FY23, all project years	**$44,094,946**

New, Additional, or Previously Unreported Awards for FY 2023

Federal Funds (direct and pass-throughs)

Title ****Reaching all Communities to Establish Success in Language Learning (RAICES)***
Sponsor: Department of Education
Award Term: September 1, 2022 to August 31, 2027
PI/PD: Dr. Heather Olson Beal, Education Studies
Total Award: $2,530,139 **Amount Allocable to FY23**: $374,304
Grant to enhance bilingual and multilingual education for Nacogdoches and Angelina County school districts. Funding will provide for professional development sessions for over 300 educators in addition to the hiring of two-full time staff to manage the project.

Title ****Developing Pineapple Guava as a New Low-Input Fruit & Ornamental Crop for Texas***
Sponsor: Texas Department of Agriculture (prime sponsor - US Department of Agriculture)
Award Term: December 1, 2022 to September 30, 2024
PI/PD: Dr. David Creech, SFA Gardens
Total Award: $30,533 **Amount Allocable to FY23**: $15,266
SFA, in partnership with Texas A&M AgriLife Extension, will seek to develop pineapple guava as a new commercial crop in Texas. Students at both institutions will work with faculty and researchers.

**New awards or additional funds added to a current award*
[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. Prepared by the Office of Research & Graduate Studies.

Report to the Board of Regents – January 2023
Grants[1] awarded between October 1, 2022 and December 31, 2022

Title ****Development, Production, and Initial Test of an Archaeological Site Potential Model for the Sabine National Forest in Advance of Southern Pine Beetle (dendroctonus frontalis zimmerman) Outbreak***
Sponsor: National Park Service
Award Term: September 15, 2022 to August 31, 2024
PI/PD: Dr. Robert 'Zac' Selden, Regional Heritage Research Center
Total Award: $15,813 **Amount Allocable to FY23**: $15,813
Archaeological site modeling work to determine how to combat the likely invasion of the Southern Pine Beetle in the Sabine National Forest.

Previously Described Awards:
****National Visitor Use Monitoring (NVUM) - FY23-24***
John Kidd, Forestry
Award Total: $95,000 **Amount allocable to FY 2023:** $95,000

***Subtotal Federal Amounts Allocable to FY 2023 (this report)* = $500,383**
***Subtotal New Federal Awards* (*total award*) = $2,671,485**

State Funds (direct and pass-through)

Title ****Performance Grant Support: Oskar's Not So Simple Comeback***
Sponsor: Texas Commission on the Arts
Award Term: October 6, 2022
PI/PD: Diane Peterson, College of Fine Arts
Total Award: $1,340 **Amount Allocable to FY23**: $1,340
Funds for three performances for the Children's Performance Arts Series. This series seeks to bring regional, national, and internally renowned professional performing arts programs to pre-K through 12th grade students in East Texas.

Previously Described Awards
****JAMP Special Projects: JAMP Camp 2023***
Dr. Erin Childress, Biology
Award Total: $18,480 **Amount allocable to FY 2023:** $18,480

***Subtotal State Amounts Allocable to FY 2023 (this report)* = $19,820**
***Subtotal New State Awards (total award)* =$19,820**

**New awards or additional funds added to a current award*
[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. Prepared by the Office of Research & Graduate Studies.

Report to the Board of Regents – January 2023
Grants[1] awarded between October 1, 2022 and December 31, 2022

Private Entity and Local Government Awards

Title ****Lumberjack Food Pantry***
Sponsor: T. L. L. Temple Foundation
Award Term: December 16, 2022 to May 1, 2028
PI/PD: Dr. Andrew Dies, Student Affairs
Total Award: $40,000 **Amount Allocable to FY23**: $40,000
Funds to purchase, install, and maintain food lockers and software to manage the Lumberjack Food Pantry on campus.

Title ****The Effects of Anthropogenic Noise on Attention, Learning, Memory and Communication in Bottlenose Bolphins***
Sponsor: Dolphin Quest
Award Term: December 12, 2022 to January 1, 2024
PI/PD: Dr. Jason Bruck, Biology
Total Award: $14,524 **Amount Allocable to FY23**: $14,524
Funds for researchers to study how nuisance sounds impact cognition in bottlenose dolphins at the Dolphin Quest facilities in Bermuda.

Title ****Passive Hormone Analysis in Sea Mammals (P.H.A.S.M.)***
Sponsor: Dolphin Quest
Award Term: December 12, 2022 to December 31, 2023
PI/PD: Dr. Jason Bruck, Biology
Total Award: $8,735 **Amount Allocable to FY23**: $8,735
Funds for researcher and GRA to develop non-invasive means of collecting data from the blowholes of marine mammals. Work to be performed at the Dolphin Quest facilities in Bermuda.

Previously Described Awards

Assessing drivers of long-term population declines in game and non-game wildlife species
Dr. Jessica Glasscock, Forestry
Award Total: $43,800 **Amount allocable to FY23:** $14,700

****Economics Reading Group, Phase II***
Dr. Ryan Phelps, Economics and Finance
Award Total: $7,000 **Amount allocable to FY23:** $7,000

****Poultry Science Education Student Recruitment FY23***
Dr. John Mehaffey, Agriculture
Award Total: $4,600 **Amount allocable to FY23:** $4,600

**New awards or additional funds added to a current award*
[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. Prepared by the Office of Research & Graduate Studies.

Report to the Board of Regents – January 2023
Grants[1] awarded between October 1, 2022 and December 31, 2022

Subtotal Private Amounts Allocable to FY 2023 (this report) **= $89,559**
Subtotal New Private Awards **(*total award*) = $166,719**

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 or additional funds added to a current award*
[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. Prepared by the Office of Research & Graduate Studies.

CONTRACT OVER $1 MILLION - VINTAGE KING AUDIO FOR SOUND RECORDING TECHNOLOGY STUDIO

Explanation:

The Fine Arts Expansion project budget includes funds allocated for Furniture, Fixtures, and Equipment (FF&E). The university issued a Request for Proposal (RFP) for a turn-key sound recording technology studio to include equipment and installation for the newly renovated Griffith Fine Arts Building. Respondents were requested to furnish and install equipment to include a complete patch bay system including design, labeling cabling, commissioning, testing and training. There were three (3) respondents to the RFP that were evaluated and ranked by a review committee.

Recommendation:

The administration recommends approval of a contract with Vintage King Audio for a not to exceed contract amount of $1,200,000 for a turn-key sound recording technology studio including equipment and installation for the newly renovated Griffith Fine Arts Building. The funding source is from the Fine Arts Expansion Project budget. The administration further recommends authorization for the president to sign associated purchase orders, contracts and amendments as necessary, in accordance with policy 1.4, Items Requiring Board of Regents Approval.

ADOPTION OF A REIMBURSEMENT RESOLUTION FOR THE EXPENDITURE OF FUNDS FOR AN INTERDISCIPLINARY AND APPLIED SCIENCES BUILDING AND INFRASTRUCTURE CAPITAL CONSTRUCTION ASSISTANCE PROJECT

Explanation:

The 87th Texas Legislature approved funding for a Capital Construction Assistance Project for Stephen F. Austin State University of $44,922,833. The university plans to issue bonds at a future date but wants to begin the pre-construction phase of the project including planning and design.

To qualify expenditures for reimbursement, the administration submits a resolution relating to establishing the Board's intention to reimburse the expenditure of funds relating to the acquiring, purchasing, constructing, improving, renovating, enlarging or equipping property and facilities, including roads and related infrastructure for an interdisciplinary and applied sciences building approved by the 87th Texas Legislature from the proceeds of tax-exempt obligations to be issued by the board; authorizing other matters incident and related thereto; and providing an effective date as shown in Appendix ??

Recommendation:

The administration recommends that the Board of Regents adopt the reimbursement resolution as shown in Appendix ??

A RESOLUTION RELATING TO ESTABLISHING THE BOARD'S INTENTION TO REIMBURSE FOR THE EXPENDITURE OF FUNDS RELATING TO THE ACQUIRING, PURCHASING, CONSTRUCTING, IMPROVING, RENOVATING, ENLARGING OR EQUIPPING PROPERTY AND FACILITIES, INCLUDING ROADS AND RELATED INFRASTRUCTURE FOR AN INTERDISCIPLINARY AND APPLIED SCIENCES BUILDING APPROVED BY THE 87TH TEXAS LEGISLATURE FROM THE PROCEEDS OF TAX- EXEMPT OBLIGATIONS TO BE ISSUED BY THE BOARD; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Board of Regents of Stephen F. Austin State University or any successor or assigns (collectively, the "Board") has entered into or will enter into various contracts pertaining to the expenditure of lawfully available funds of the Board to finance the costs associated with acquiring, purchasing, constructing, improving, renovating, enlarging or equipping property and facilities, including roads and related infrastructure for an interdisciplinary and applied sciences building approved by the 87th Texas Legislature which constitute the costs of the Board's project that is the subject of this Resolution (the "Project"); and

WHEREAS, the provisions of Section 1201.042, as amended, Texas Government Code ("Section 1201.042") provide that the proceeds from the sale of obligations issued to finance the acquisition, construction, equipping, or furnishing of any project or facilities, such as the Project, may be used to reimburse the Board for costs attributable to such project or facilities paid or incurred before the date of issuance of such obligations; and

WHEREAS, the United States Department of Treasury (the "Department") released Regulation Section 1.150-2 (the "Regulations") which establishes when the proceeds of obligations are spent and therefore are no longer subject to various federal income tax restrictions contained in the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Board intends to reimburse itself, within eighteen (18) months from the later of the date of expenditure or the date the property financed is placed in service (but in no event more than three (3) years after the original expenditures are paid), for the prior lawful capital expenditure of funds from the proceeds of one or more series of tax-exempt obligations (the "Obligations") that the Board currently contemplates issuing Obligations to finance the costs of the Project and expects to expend approximately $44,922,833 prior to issuance of such Obligations; and

WHEREAS, under the Regulations, to fund such reimbursement with proceeds of the Obligations, the Board must declare its expectation ultimately to make such reimbursement before making the expenditures; and

WHEREAS, the Board hereby finds and determines that the reimbursement for the prior expenditure of funds of the Board is not inconsistent with the Board's budgetary and financial circumstances; and

WHEREAS, the Board hereby finds and determines that the adoption of this Resolution is in the best interests of Stephen F. Austin State University (the "University"); now, therefore,

BE IT RESOLVED BY THE BOARD OF REGENTS OF STEPHEN F. AUSTIN STATE UNIVERSITY OR ANY SUCCESSOR OR ASSIGNS THAT:

SECTION 1: This Resolution is a declaration of intent to establish the Board's reasonable, official intent under section 1.150-2 of the Regulations and Section 1201.042 to reimburse itself from certain of the proceeds of the Obligations for any capital expenditures previously incurred (not more than 60 days prior to the date hereof) or to be incurred with respect to the Project from lawfully available funds of the University. For the avoidance of doubt, since the Board of Regents of the University have voted to accept the invitation of The University of Texas System to become a member institution and the Board of Regents of The University of Texas System have also voted to authorize the Chancellor of its system to work with the University leadership to take all actions necessary, including legislation, to create a new university system institution within The University of Texas System, this declaration of intent to reimburse can be relied upon by the Board of Regents of The University of Texas System as a successor or assign of the University Board.

SECTION 2: The Board intends to issue the Obligations and allocate within 30 days after the date of issuance of the Obligations the proceeds therefrom to reimburse the University for prior lawful expenditures with respect to the Project in a manner to comply with the Regulations.

SECTION 3: The reimbursed expenditure will be a type properly chargeable to a capital account (or would be so chargeable with a proper election) under general federal income tax principles.

SECTION 4: The Board will reimburse itself, within eighteen (18) months from the later of the date of expenditure or the date the property financed is placed in service but in no event more than three (3) years after the original expenditures are paid.

SECTION 5: The Board intends to otherwise comply, in addition to those matters addressed within this Resolution, with all the requirements contained in the Regulations.

SECTION 6: This Resolution may be relied upon by the appropriate officials at the Office of the Attorney General for the State of Texas and establishes compliance by the Board with the requirements of Texas law and the Regulations.

SECTION 7: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

SECTION 8: All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 9: This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 10: If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 11: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 12: This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

EXECUTED this the ____ day of _____, 2023.

_____
Chair, Board of Regents

_____
Secretary, Board of Regents

EMPLOYEE COMPENSATION

Explanation:

Our faculty and staff are the university's greatest assets. They engage our students in high impact practices that provide them with transformational experiences. To successfully fulfill our mission, SFA must attract and retain highly qualified faculty and staff. We experience challenges with employee recruitment and retention due to current compensation levels. It is important that our employee compensation be more closely aligned with that offered by peer institutions across the state.

As a step toward this goal, the administration proposes an increase of 6-percent to the base salaries of eligible faculty and staff to be effective February 1, 2023 and paid starting with the March 1, 2023 payroll. This increase will be applied as a "cost-of-living" base adjustment.

This compensation increase will require the use of up to $3.5 million of fund balance/net position in the current fiscal year through August 2023 and will be incorporated into the FY2024 operating budget.

Recommendation:

The administration recommends that the base salaries of eligible employees be increased by 6-percent effective February 1, 2023 and paid starting with the March 1, 2023 payroll. It is further recommended that up to $3.5 million of fund balance/net position be used to fund this salary increase during the current fiscal year.

AMENDMENT TO BANK DEPOSITORY CONTRACTS

Explanation:

In January 2013, Board Order 13-18 approved several banks as the university's depository banks. The current depository contracts are set to expire in the upcoming months and we are recommending to amend the bank depository contracts to extend for a period of one year with BancorpSouth Bank (Cadence Bank), Citizens 1st Bank, Commercial Bank of Texas, N.A., and Regions Bank.

Recommendation:

The administration recommends approval of amending the university's current depository bank contracts to extend for a period of one year with Cadence Bank(formerly BancorpSouth Bank), Citizens 1st Bank, Commercial Bank of Texas, N.A. and Regions Bank. The administration further recommends authorization for the president to sign the amendments and all associated documents as necessary, in accordance with policy 1.4, Items Requiring Board of Regents Approval.

FINANCIAL AFFAIRS POLICY REVISIONS

Explanation:

The *Board Rules and Regulations* state that the Finance and Audit Committee will consider: budgeting and appropriations request processes; all requests for appropriations and budgets covering expenditures of educational and general funds and auxiliary programs including, but not limited to, student housing and the athletic department; handling of university funds, depositories, etc., whether from appropriated or contributed funds; and the auditing function of the university including, but not limited to, annual audit plan, internal and external audit reports, risk assessment, and audit/compliance issues.

The following policies are necessary to incorporate organizational, job title, and regulatory changes and to improve the flow of information in the above areas of responsibility. The general counsel has reviewed the proposed revisions.

Recommendation:

The administration recommends that the Board of Regents adopt the following policy revisions as presented:

Central Receiving 17.2
Check Cashing 3.7
Investments 3.21
Investments – Endowment Funds 3.20
Prompt Payment to Vendors 17.13
Property Liability 16.22
Purchase of Surplus Property 17.17
Receipts and Deposits 3.26
Safe and Vault Combinations 14.9
Student Fiscal Appeals 6.19
Student and Non-Student Accounts Receivable 3.28

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Central Receiving

Policy Number: 17.2

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes guidelines and responsibilities when receiving supplies and equipment purchased for the university.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

John Branch, Physical Plant Interim Director
Kay Johnson, Executive Director of Finance and Administrative Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Central Receiving

Original Implementation: Unpublished
Last Revision: January *30*~~28~~, 202*3*~~0~~

Purpose

This policy establishes guidelines and responsibilities when receiving supplies and equipment purchased for the university.

General

All supplies and equipment purchased for the university are to be delivered through ~~c~~*C*entral *R*~~r~~eceiving to ensure uniform handling of freight claims, accurate entry of receiving information, and necessary elements of institutional control. The following purchases are excluded from this requirement:

1. items ~~being~~ delivered under delegated purchase authority to the *Steen* ~~l~~*L*ibrary, Stone Fort Museum, or departments using p-cards or rush orders;
2. items that require installation by the contractor or vendor; and
3. items specifically authorized by ~~the Department of~~ Procurement and *Business*~~Property~~ Services.

It is the responsibility of the department taking receipt of goods or services to immediately complete a Receiving Form for Purchase Orders online for all deliveries of goods or services purchased through a purchase order. See the Purchase Order Receiving Manual for detailed instructions for receiving purchase orders. Timely entry of receiving information is essential to avoid late payment penalties, and to effectively handle freight claims, shortages, or discrepancies.

Failure to promptly complete a Receiving Form for Purchase Orders ~~or notify central receiving of damages or shortages~~ may result in the inability to *document damages or shortages*, return goods, higher restocking fees, or liability for late payment penalties. The payment of any such penalties will be made from the account(s) that funded the original purchase.

Delivery of Vehicles

All vehicles must be delivered to ~~g~~*Grounds and T*~~t~~*transportation* ~~central receiving~~ to verify that specifications have been met, ~~and to~~ complet*ion*~~e~~ *of* required documentation, ~~-~~and ~~-~~tag*ging* ~~ging~~ by the property manager. ~~Vehicles will be delivered to the transportation manager for identification as a state vehicle and recording state vehicle fleet management plan information.~~

Delivery of Other Goods

Other goods delivered to *C*~~c~~entral ~~r~~*R*eceiving will be examined for damages *to packaging* and *shipment* ~~the~~ contents ~~of the shipment~~ compared *to*~~against~~ ~~–~~the purchase order. *Packaging d*~~D~~amages or discrepancies will be noted on the bill of lading. Central *R*~~r~~eceiving will *assist with* ~~handle~~ the filing of claims with the freight company for any freight damages or quantity discrepancies. Central ~~r~~*R*eceiving will create a receiver document ~~and delivery log~~ in the university's financial system, *create a delivery log*, ~~–~~and schedule delivery to the requisitioning department, with the exception of computers which will be delivered to the appropriate tech shop for deployment.

Other goods delivered to the requisitioning department will be examined for damages and the contents of the shipment compared against the purchase order or procurement card (p-card) receipt. Damages or discrepancies should be reported immediately to *the vendor*~~central receiving~~ for claims processing.

Outgoing Freight

Outgoing freight may be dispatched through ~~c~~*C*entral ~~r~~*R*eceiving to ensure proper documentation, packing, and labeling. Clear indication of shipment value should always be made on the package or on the accompanying documentation. A special notation should be made when insurance is desired. Contact ~~c~~*C*entral ~~r~~*R*eceiving for additional instructions or assistance in handling outgoing freight.

Cross Reference: Purchase Order Receiving Manual

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: *Executive Director of Finance and Administrative Services, Physical Plant Director* ~~Director of Procurement and Property Services/HUB Coordinator~~

Forms: Receiving Form for Purchase Orders

Board Committee Assignment: Finance and Audit Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Check Cashing

Policy Number: 3.7

Is this policy new, being reviewed/revised, or deleted? Delete

Date of last revision, if applicable: 10/26/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy designates the business office as the only campus location allowed to cash checks. The business office may cash personal checks for faculty, staff, and currently enrolled students with a Stephen F. Austin State University ID.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☒ Other, please explain: Delete policy

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Process is no longer requested or needed.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Michaelyn Greene, Director of Treasury and Student Business Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Check Cashing

Original Implementation: September 1, 1988
Last Revision: October 26, 2020

Purpose

This policy designates the business office as the only campus location allowed to cash checks. The business office may cash personal checks for faculty, staff, and currently enrolled students with a Stephen F. Austin State University ID.

General

The check cashing limit is established by the controller's office. If an extenuating circumstance exists in which a student or employee needs to cash a check in excess of the established amount, authorization must come from the controller, the bursar in the business office or the bursar's designee. Checks returned to the university for nonsufficient funds, payment stopped, or account closed will be collected by the university or an outside collection entity. A fee will be assessed by the university for any check returned. Any fees charged to the university by an outside collection entity or the financial institution will be assessed to the individual. The university reserves the right to refuse personal checks from individuals who have a history of bad checks.

Restrictions

Employees may not cash their own check or a check from a relative, as defined by policy 11.16, Nepotism. Family member status is not terminated by death or divorce. The business office is not authorized to cash two-party checks or post-dated checks.

University checks (i.e., payroll checks, travel checks, student refund checks, etc.) may ordinarily be cashed only when the check is used as payment on the payee's account. Any other circumstances must be approved by both the bursar or his/her designee and the controller or his/her designee on the university's check cashing exception form.

Web check payments in excess of the amount owed, thus resulting in a refund, are not permissible.

Cross Reference: Returned Payments (3.27); Nepotism (11.16)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Controller

Forms: Check Cashing Exception Form

Board Committee Assignment: Finance and Audit

~~**Revision History:** October 23, 2017~~
~~April 25, 2017~~
~~July 28, 2015~~
~~July 17, 2012~~
~~July 21, 2009~~

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Investments

Policy Number: 3.21

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2022

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy applies to all Stephen F. Austin State University operating funds, quasi-endowment funds, and bond proceeds that are governed by Chapter 2256 of the Texas Government Code known as the Public Funds Investment Act (PFIA), and certain portions of the Texas Education Code. The policy states the goals and objectives in the investment of these assets and is intended to provide guidance in the management of the assets. Endowment funds are invested in accordance with Investments – Endowment Funds policy (3.20) approved by the Board of Regents (board) annually.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Investments

Original Implementation: April 30, 1996
Last Revision: ~~February 1, 2022~~*January 30, 2023*

Purpose

This policy applies to all Stephen F. Austin State University operating funds, quasi-endowment funds, and bond proceeds that are governed by Chapter 2256 of the Texas Government Code known as the Public Funds Investment Act (PFIA), and certain portions of the Texas Education Code. The policy states the goals and objectives in the investment of these assets and is intended to provide guidance in the management of the assets. Endowment funds are invested in accordance with Investments – Endowment Funds policy (3.20) approved by the Board of Regents (board) annually.

Definitions

Short-Term investments have a maturity of less than 90 days. Funds needed to meet short-term operating requirements will be primarily invested in either investment pools or overnight sweep accounts established with banking institutions. The benchmark is the average three-month Treasury bill yield.

Intermediate-Term investments have a maturity of 90 days to one year. United States Treasury and Agency securities, or 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.

Long-Term investments have a maturity over one year. United States Treasury and Agency securities are the primary investment vehicles. The 30 Year Treasury Bond rate is the benchmark for long term funds.

Quasi-Endowment Funds are funds for which the governing body of the university, rather than a donor has determined that the corpus is to be retained and invested. Since these funds are internally designated rather than externally restricted, the university has the right to expend principal with approval from the governing body.

Investment Officers include the university's vice president for finance and administration, the associate vice president ~~of~~*for* finance~~ial~~ and administrati*on*~~ve services~~, the director of treasury and

student business services, and other employees as designated in writing by the university's vice president for finance and administration including an employee temporarily holding one of those positions in an acting or an interim role.

General

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. Secondarily, 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.

Investment 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 and to meet all reasonably anticipated operating requirements. Investments shall incur no unreasonable risk in order to maximize potential income. 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.

Investment Strategy

All investments will be made in accordance with the university's investment policy. Investments may be diversified as needed to support 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 structured to provide sufficient liquidity and marketability to meet operating requirements. The investment portfolio may be diversified with authorized securities to accommodate changing market conditions. An investment decision shall consider yield only after the requirements for principal preservation, liquidity, and marketability have been met.

All securities transactions, including collateral for repurchase agreements, but excluding mutual funds and investment pools, must be settled on a delivery versus payment basis.

An investment strategy may include investment pooling with another public institution as authorized in Texas Education Code Sec. 51.0031. Funds invested with another institution that meets guidelines established by Sec. 51.0031 will be managed in accordance with prudent person investment standards.

Investment Authority

The investment officers 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 investment officers may only invest funds regulated by this policy and purchase securities authorized by this policy.

The board may contract with an investment management firm registered under the Investment Advisers Act of 1940 or with the State Securities Board to provide for the investment and management of public funds under its control.

The board may contract with other institution(s) to invest all or part of the university's funds in accordance with Texas Education Code Sec. 51.0031.

Investment Responsibilities

The vice president for finance and administration is responsible for investment management decisions and activities. The vice president for finance and administration delegates the day-to-day management of the investment activities to the investment officers.

The vice president for finance and administration 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 vice president for finance and administration 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 vice president for finance and administration 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.

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.

Investment Guidelines

Authorized Investments: All university funds and funds held in trust for others may be invested in the securities listed below and/or pooled with another institution of higher education as authorized in Texas Education Code Sec. 51.0031. The university is not required to liquidate investments that were authorized investments at the time of purchase. For investments exclusive of funds authorized by Sec. 51.0031, credit rating requirements will be monitored at least monthly. If or when a rating drops below the established minimum or when an investment is no longer authorized, that investment will be liquidated as soon as prudently possible.

Authorized securities include:

a. obligations, including letters of credit, of the United States, 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, the underlying security for which is guaranteed by an agency or instrumentality of the United States;
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 or their respective 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. interest-bearing banking deposits that conform to Sections 2256.009(7) and 2256.009(8) of the Texas Government code;
g. certificates of deposit and share certificates issued by a depository institution that conforms to Section 2256.010 of the Texas Government Code;
h. fully collateralized repurchase agreements that conform to Section 2256.011 of the Texas

Government Code;

i. bankers' acceptances that conform to Section 2256.012 of the Texas Government Code;
j. commercial paper that conforms to Section 2256.013 of the Texas Government Code;
k. no-load money market mutual funds and no-load mutual funds registered and regulated by the Securities and Exchange Commission and conform to Section 2256.014 of the Government Code;
l. guaranteed investment contracts that conform to Section 2256.015 of the Government Code;
m. investment pools that conform to Sections 2256.016 and 2256.019 of the Government Code;
n. 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));
o. 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;
p. 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.

Unauthorized Investments: The following investments are prohibited:

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.

Asset Allocation: 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 vice president for finance and administration 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 sell the security.

The maximum stated maturity date of any security may not exceed ten years, and the dollar-weighted average maturity of the portfolio shall not exceed five years without approval by the vice president for finance and administration 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.

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.

Insurance or Collateral: All depository bank accounts shall be secured by a pledge of collateral with a market value equal to no less than 100% of the deposits plus accrued interest less any amount insured by the FDIC. Pledged collateral must conform to Chapter 2257 of the Government Code, Collateral for Public Funds. Evidence of the pledged collateral associated with depository bank accounts shall be maintained by the associate vice president ~~of~~*for* financ~~ial~~*e* and administrati*on*~~ve services~~ or the director of~~ administrative services~~ *treasury and student business*

services. Collateral shall be reviewed monthly by ~~the director of financial reporting and~~ the associate vice president ~~of~~*or* finance~~ial~~ and administrati*on*~~ve~~ ~~services~~ or the director of *treasury and student business services* ~~administrative services~~ to assure the market value of the securities pledged equals or exceeds the depository bank balances.[MG1][MG2] Pledged collateral shall be maintained for safekeeping by an independent third party.

Collateral Defined: The university shall accept only the following securities as collateral:

a. FDIC 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;
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, the underlying security for which is guaranteed by an agency or instrumentality of the United States. CMO must have a stated final maturity date of less than 10 years.

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 Texas Education Code Sec.51.0031. The board shall adopt a list of approved qualified brokers that are authorized to engage in investment transactions with the university. This list shall be reviewed and revised at least annually.

For funds subject to Chapter 2256 of the Texas Government Code, a 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. Funds invested with

institutions authorized by Texas Education Code Sec. 51.0031, will be invested pursuant to the qualifying institution's investment policy.

Competitive quotes must be taken from at least three qualifying institutions for all individual security purchases and sales (excluding transactions with money market mutual funds, local government investment pools and when issued securities are deemed to be made at prevailing market rates).

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 Advisor

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.

Performance Evaluation

The vice president for finance and administration, ~~and~~ associate vice president ~~of~~*for* finance~~ial~~ and administrati*on*~~ve services~~, or director of *treasury and student business services* ~~administrative services~~ shall submit quarterly reports to the Board of Regents and the president of the university in the format prescribed by the PFIA, 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:
    i. beginning market value for the reporting period;
    ii. ending market value for the period; and
    iii. 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 investment strategy expressed in this policy and to relevant provisions of the Public Funds Investment Act.

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.

Disclosure Requirements for Investment Officers

Pursuant to Texas Government Code Sec. 2256.005(i), 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:

- 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;
- funds received by the investment officer from the business organization exceed 10 percent of the investment officer's gross income for the previous year; or
- 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.

Training

Each member of the board and investment officer shall attend at least one training session within six months after taking office or assuming duties relating to investment responsibilities as required by Section 2256.007 of the Texas Government Code. The primary investment officers shall attend an investment training session relating to investment responsibilities from an independent source

not less than once each state fiscal biennium. Training for the investment officer(s) will be conducted by an organization or firm that is approved by the board. The approved independent sources include:

- Texas Higher Education Coordinating Board
- Center for Public Management at the University of North Texas
- Government Treasurer's Organization of Texas
- PFM Asset Management LLC

The university may provide other training in investments in order to insure the quality and capability of the university's investment officers to make investment decisions in compliance with the PFIA.

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

The board shall review this investment policy and investment strategies not less than annually. The board shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies.

Cross Reference: Tex. Gov't Code Ch. 573, 2256-2257, 2263; 26 U.S.C. § 501(f); Tex. Educ. Code
§ 51.0031-.0032, Investments-Endowment Funds (3.20)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Treasury and Student Business Services

Forms: None

Board Committee Assignment: Finance and Audit

Revision History: February 2, 2021
January 28, 2020
January 29, 2019
January 30, 2018
January 31, 2017
January 26, 2016
January 27, 2015
January 28, 2014
July 16, 2013
January 29, 2013
January 31, 2012
October 18, 2011

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 conform to Chapter 2257 of the Government Code. The signature of the president, vice president for finance and administration, associate vice president ~~of~~*or* financ~~ial~~ and administrati~~ve~~*on* ~~services~~, or director of treasury and student business services is required for release of pledged securities from safekeeping. Increases in the level of collateralization require approval by the president, vice president for finance and administration, associate vice president ~~of~~*or* financ~~ial~~ and administrati*on*~~ve services~~, or director of treasury and student business services~~,~~. The ~~controller's~~*financial reporting* office will reconcile the appropriate investment accounts to broker's statements and other supporting documents monthly.

APPENDIX B
ADMINISTRATIVE PROCEDURES

The student business services 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.[MG3] "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~~ *financial reporting* 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 associate vice president ~~of~~*or* financ*e*~~ial~~ and administrati*on*~~ve services~~ or the director of treasury and student business 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.

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Investments - Endowments Funds

Policy Number: 3.20

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2022

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy applies to all Stephen F. Austin State University endowment funds. The policy states the boards' attitudes, goals and objectives in the investment of the endowment assets and is intended to provide guidance to the finance and audit committee, the university administration, and any investment consultant(s)/manager(s) in the management of the endowment assets. University funds that are governed by Chapter 2256 of the Texas Government Code known as the Public Funds Investment Act are invested in accordance with Investments policy (3.21).

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Investments–Endowment Funds

Original Implementation: Unpublished
Last Revision: ~~February 1, 2022~~*January 30, 2023*

Purpose

This policy applies to all Stephen F. Austin State University endowment funds. The policy states the boards' attitudes, goals and objectives in the investment of the endowment assets and is intended to provide guidance to the finance and audit committee, the university administration, and any investment consultant(s)/manager(s) in the management of the endowment assets. University funds that are governed by Chapter 2256 of the Texas Government Code known as the Public Funds Investment Act are invested in accordance with Investments policy (3.21).

Definitions

True (or Permanent) Endowment Funds are funds which a donor or other outside agencies have stipulated, as a condition of the gift instrument, that the principal is to be maintained in perpetuity and invested for the purposes of producing present and future income.

Quasi-Endowment Funds are funds for which the governing body of the university, rather than a donor has determined that the corpus is to be retained and invested. Since these funds are internally designated rather than externally restricted, the university has the right to expend principal with approval from the governing body.

Gift Instrument refers to the records that establish the terms of the gift and may consist of more than one document. The release or modification of restrictions on management, investment, or purpose contained within the gift instrument is governed by Texas Property Code Section 163.007.

Investment Consultant is an external firm or individual who can provide advice and/or guidance regarding investment decisions to the university, and/or hire investment managers.

Investment Officers include the university's vice president for finance and administration, the associate vice president ~~of~~*or* finance~~ial~~ and administrati*on*~~ve services~~, the director of treasury and student business services, and other employees as designated in writing by the university's vice president for finance and administration including an employee temporarily holding one of those positions in an acting or an interim role.

General

Endowment funds represent private funds given to the university by individuals or institutions to promote, encourage and advance education and to improve the degree and non-degree educational functions by establishing scholarships, fellowships, professorships, academic chairs and other academic endeavors at the university, as specified by donors.

University endowment funds are not considered to be public funds but instead are governed by Section 51.0031 of the Texas Education Code. This section of the Texas Education Code states that the university "...with regard to donations, gifts and trusts, may establish endowment funds that operate as trusts and are managed under prudent person standards".

Investment Objectives

The overall investment objective is to assure that the university's endowment funds are invested in a manner to achieve as high a level of return as can reasonably be expected to be achieved given the primary objective of safety and preservation of principal. In the management of the university endowment investments, consideration will be given to the need to balance a requirement for current income for present activities with a requirement for growth in principal to compensate for inflation.

Investment Risk Tolerance

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

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

Avoiding large risks is essential. The university will assume a moderate-risk posture in order to have a more stable positive return. This may result in sacrificing some potential opportunities for gain during rising markets in order to avoid large short-term declines in market value during falling markets. Since the university is averse to large downward fluctuations in the value of its investments resulting from volatile market value fluctuations, such year-to-year volatility should be minimized.

Prudence

The "prudent person" standard is defined by Texas Education Code 51.0031(d) and described in Article VII, Section 11b, of the Texas Constitution, and means that standard of judgment and care that prudent investors, exercising reasonable care, skill, and caution, would acquire or retain in light of the purposes, terms, distribution requirements, and other circumstances of the fund then prevailing, taking into consideration the investment of all the assets of the fund rather than a single investment.

Responsibility and Delegation of Authority

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

The university acknowledges that the ultimate responsibility for the investment of endowment funds rests with the board. The board will determine the institutional approach used to invest endowment funds. The board may choose to hire external investment consultants and/or managers, contract with another institution, or manage funds internally. To carry out this responsibility, the board delegates certain authority to the financial officer(s) to oversee and work with external investment consultants and/or managers the board has selected.

The Board

The specific responsibilities of the board in the investment process include:

- Develop a sound and consistent investment policy that establishes guidelines and reasonable objectives for the management of endowments;
- At least annually, review the policy for continued accuracy and completeness;
- Select suitable investment consultants, managers or qualifying institutions to provide for the management of endowment funds;
- Evaluate performance results; and
- Comply with all applicable laws, including conflict of interest provisions therein.

University Administration

The specific responsibilities of the vice president in the investment process include:

- Communicate with outside investment management team (consultants, managers and qualifying institutions);
- If appropriate, prudently select and recommend investment options to the board;
- Review and evaluate performance results to ensure policy guidelines are being adhered to and objectives are being met;

- Submit quarterly and annual investment reports to the board;
- Annually, determine the proper distribution of investment returns to the various spending accounts in accordance with the distribution section of this policy; and
- Comply with all applicable laws, including conflict of interest provisions.

The vice president may also establish an investment committee (committee). The committee may review and evaluate investment performance and review and revise qualified investment managers that are eligible to serve in an investment capacity for the university. The chair of the board may designate a board member to serve as a liaison on the committee.

Qualifying Institution

The board may contract to invest its funds with another Texas public institution. Endowment funds invested with a qualifying institution will be invested in accordance with the institution's Investment Policy and the asset allocation of the institution's policy will supersede the Investment Guidelines Section of this policy. The university's investment officer(s) will provide investment performance reports to the board.

Investment Consultant

The board may contract with an investment consultant to manage the university's endowment funds. The consultant may employ or delegate investment management to discretionary investment managers or affiliates. The consultant is responsible for ensuring that investment managers are in compliance with this policy.

Specifically, the consultant will:

- Assist the officers in the development of investment policy, objectives, asset allocation strategy and portfolio structure;
- Review investment managers, including search, selection and recommendation to the investment officers and committee;
- Monitor and report on investment manager performance;
- Monitor asset allocation and rebalance to target allocation on a periodic basis; and
- Provide written performance measurement reports as required to the investment officers, investment committee and board. The reports will contain sufficient information to determine if any changes or other actions are called for with respect to the investment portfolio.

Investment Managers

The board may choose to use an investment consultant to select investment managers. The investment consultant may exercise discretion to hire investment managers. If an investment manager is hired through the investment consultant, the consultant is responsible for ensuring that investment managers comply with all applicable policy guidelines.

The board may choose to directly contract with external investment managers. Each investment manager selected or approved by the board is expected to manage the endowment's assets in a manner consistent with the investment objectives, guidelines and constraints of this policy and in accordance with applicable laws. This obligation includes discharging responsibilities with respect to the endowment consistent with "prudent investor" standards, and all other applicable fiduciary regulations and requirements.

If the university directly contracts with the investment manager, then the manager(s) will receive a copy of this policy and the manager must execute a written statement to the effect that the registered principal of the organization has received and thoroughly reviewed the investment policy of the university. The statement must also acknowledge that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities.

The investment manager(s) will:

- Be registered as an investment adviser under the Investment Advisers Act of 1940 (where applicable);
- Maintain adequate fiduciary liability insurance and bonding for the management of this account;
- Acknowledge in writing that it is a fiduciary with respect to the assets under its control;
- Be responsible for making decisions on a discretionary basis. This includes buy, hold, sell and timing decisions. The external manager(s) must make responsible decisions in the selections of specific securities and the general timing of purchases and sales necessary to invest only into the security class(es) for which they were retained to manage.

Custodian

The custodian is responsible for the safekeeping for the endowment's investment assets. The specific duties and responsibilities of the custodian include:

- Maintain separate accounts by legal registration;
- Value the holdings;
- Collect all income and dividends owed to the endowment in its custody;
- Settle all transactions initiated by the investment manager; and
- Provide monthly reports that detail transactions, cash flows, securities held and their current value, and change in value of each security and the overall portfolio since the previous report.

Investment Policy Guidelines

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

Authorized Investments:

The endowment's assets may be invested in the following:

a. Direct obligations of the United States government or its direct agencies.
b. Direct obligations of federally-sponsored agencies in accordance with the above paragraph.
c. Obligations of states, agencies, counties, cities, and other political subdivisions of any state in accordance with the above paragraph.
d. United States dollar denominated bonds, debentures, or commercial paper and convertible securities issued by corporations in accordance with the above paragraph.
e. Debentures or obligations, and preferred or common stock of international governments and corporations. International preferred and common stock issues must be listed on an organized stock exchange.
f. Common stock and preferred stock issued by United States domiciled corporations and common stocks of international companies listed on the major U.S. or international security exchanges.
g. Certificates of Deposit issued by federally insured state banks, federally insured savings and loan associations and saving banks or federally insured credit unions. Amounts over the insurance limit of the institutions must be secured by pledged securities.
h. Bankers' acceptances accepted by a bank organized and existing under laws of the United States or any state in accordance with the above paragraph.
i. Money Market Mutual Funds. Funds must be registered with the Securities and Exchange Commission, have a maximum dollar weighted average maturity of no longer than l3 months, and be no-load funds. Funds must have assets consisting of securities described in the paragraphs above and seek to maintain a stable net asset value of $1.00 per share (or unit).
j. Mutual Funds. Funds must be registered with the Securities and Exchange Commission and invest in assets authorized under this policy.
k. Direct Security Repurchase Agreements. Direct Repos must be fully secured (collateralized) by securities authorized under the sections (a) through (g) above. Such collateral must be held by a third party. All agreements will comply with Federal Reserve Bank guidelines.
l. Shares of investment companies as defined by the Investment Company Act of l940. These companies include both closed-end investment companies and open-end investment companies (mutual funds). Shares in these companies may be purchased if they own securities described in sections (a) through (j) above.
m. Shares of Exchange Traded Funds, known as ETFs.
n. No more than ten percent (10%) of the equity portfolio can be invested at any time in one company based on the market value of the stock and portfolio.
o. No more than thirty percent (30%) of the equity portfolio can be invested in any one industry sector based on the market value of the portfolio.
p. Alternative investments. Permitted alternative investments may include hedge funds, managed

futures funds, private equity funds, or real estate. Hedge funds are not subject to limitations of the "Prohibited Investment" section below. Investments in other strategies shall be reviewed and recommended by the investment officer prior to purchase.

q. Permitted alternative investments in the portfolio are limited to diversified commingled trust fund vehicles or limited partnerships offered through a ~~third party~~*third-party* distribution channel, such as what is offered through many broker-dealer firms.
r. Permitted alternative investments in the portfolio are limited to investment vehicles that offer the ability for the portfolio to make contributions or receive distributions at least quarterly (but preferably monthly) without restriction or incurring additional fees.
s. The portfolio shall emphasize investments in fund-of-fund vehicles that are diversified by investment style and typically utilize multiple investment managers within a fund.

Unauthorized Investments

The endowment's assets should not be invested in the following unless agreed to by the vice president pursuant to an approved strategy and specifically approved in writing by the vice president:

a. Commodity trading including all futures contracts;
b. Short selling, option trading and margin trading unless by managers approved for that strategy;
c. Guaranteed investment contracts.

Asset Allocation

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

Asset Category	**Minimum**	**Maximum**	**Target**
Total Fixed Income	0.0%	60.0%	35.0%
Total Equity	0.0%	70.0%	55.0%
Total Alternatives	0.0%	25.0%	10.0%
Total Cash or Cash Equivalents	0.0%	100.0%	0.0%

The allowable asset mix for fixed income and equities is:

Fixed Income	**Minimum**	**Maximum**
US Government Bonds	0.0%	100.0%
Corporate Bonds	0.0%	50.0%
Equity	**Minimum**	**Maximum**
Domestic Equity	0.0%	100.0%
International Equity	0.0%	30.0%

Interest Rate, Credit and Foreign Currency Risks

The university will insure the safety of its invested funds by limiting interest rate, credit and foreign

currency risks. 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. The vice president may diversify investment maturity to limit interest rate risk. The average weighted duration of the portfolio should not vary from industry benchmarks by more than +/- 20%.

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 requires all securities which use long-term credit ratings to be rated the equivalent of "B" or better with the overall credit rating for the fixed income portfolio to be rated "A" or better. All short-term credit ratings must be rated at least A-2, P-2, F-2.

Foreign currency risk is the risk that changes in exchange rates will adversely affect the fair value of investment. In order to mitigate this risk, international equity investments are limited to a maximum of 30% of the equity portfolio.

Gifts of Individual Securities

Gifts of individual securities will be liquidated and invested in accordance with policy guidelines and investment procedures. Exceptions to this policy are securities described as authorized investments in sections (a), (b), and (c) of the investment policy guidelines above. Such securities may be held so long as the asset allocation ranges are maintained.

Quasi-Endowments

The board may establish a quasi-endowment using unrestricted gifts. Income from funds held in quasi-endowments is available for the purpose established by the board. The corpus of such funds will be held until such time as the board abolishes the quasi-endowment, at which time the corpus is available for such purpose(s) as may be designated by the board. Quasi-endowment funds that are not considered to be public funds are governed by this policy.

Distribution Policy

The spending policy should balance the long-term objective of maintaining the purchasing power of the endowment funds with the goal of providing a reasonable, predictable, stable, and sustainable level of income to support current needs. At the end of the investment year, in consultation with the investment manager, the vice president will review the total return on the endowment accounts and recommend an annual distribution.

Performance Evaluation

The vice president will submit quarterly reports to the board on the performance of the investment portfolio. The reports will disclose the book value and market value of the portfolio at the beginning and ending of the reporting period. The reports will disclose the realized and unrealized gains/losses and total return on the portfolio for the reporting period.

Conflicts of Interest

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

- A member of the board shall not direct nor participate in the decision to purchase or sell securities of a firm with which such member is affiliated; and
- Investments will not be purchased from or sold to a member of the board.

Audits

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

Investment Policy Adoption and Certification

Upon adoption by the Stephen F. Austin State University Board of Regents, the university's investment policy for endowment funds shall be reviewed annually to ensure current applicability and significant modifications thereto submitted to the Board of Regents for approval.

Cross Reference: Tex. Educ. Code § 51.0031; 15 U.S.C. §§ 80a-1 – 80a-64; Tex. Prop. Code Ch. 163, Investments (3.21)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Treasury and Student Business Services

Forms: None

Board Committee Assignment: Finance and Audit Committee

Revision History: February 2, 2021
January 28, 2020
January 29, 2019
January 30, 2018
January 31, 2017
January 26, 2016
January 27, 2015
January 28, 2014
April 23, 2013
January 29, 2013
January 31, 2012
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Prompt Payment to Vendors

Policy Number: 17.13

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): It is the intention of Stephen F. Austin State University to comply with the state's prompt payment law and make prompt payments to vendors using the most efficient means available.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Removed procedures from policy. Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Brittney Goad, Disbursments Manager
Kay Johnson, Executive Director of Finance and Administrative Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Prompt Payment to Vendors

Original Implementation: April 21, 1998
Last Revision: January *30*~~28~~, 2023~~0~~

Purpose

It is the intention of Stephen F. Austin State University to comply with the state's prompt payment law and make prompt payments to vendors using the most efficient means available.

Definitions

Payment – Money owed to a vendor *for goods or services*.

State agency – A board, commission, department, office or other agency in the executive branch of state government created by the constitution or a statue of this state, including an institution of higher education as defined by the Texas Education Code Section 61.003.

Vendor – A person or entity who supplies goods or a service to a state agency or another person directed by the agency. The term does not include a state agency, except for the Texas Correctional Industries. The term includes an officer or employee of a state agency when acting in a private capacity to supply goods or a service.

General

~~Three requirements must be met before a disbursement can be made to a vendor:~~

~~1. There must be an approved order for goods or services that has been signed/authorized by the account manager or his/her designee.~~
~~2. The goods or services must have been received. Acknowledging the date of receipt of goods or services rendered is the responsibility of the department that placed the order.~~
~~3. The vendor must provide an itemized invoice to accounts payable. If an invoice is received by the department, it should be date stamped and immediately forwarded to accounts payable.~~

The ~~controller~~'s *Procurement and Business Services* ~~office~~ *Office* is responsible for processing payments in a manner which ensures compliance with the prompt payment law ~~once these three requirements have been met~~. In certain instances, interest will be paid to a vendor if payment is not made within 30 days of the later of:

- date the university receives the goods under the contract;
- date the vendor completes its services; or
- date the university receives an invoice for the goods or services.

To maximize the interest earned on funds held by the state, the university is required to schedule its payments~~, paying~~ *to pay* -vendors as close to the 30-day limit as possible. *If the vendor payment is late, interest will be computed at a rate determined by the Texas Comptroller's Office.* The university is not allowed to pay vendors before the payments are actually due unless the invoice is less than $5,000 or the university has a valid business reason for paying early, or there is a specific exception to this rule.~~. Potential examples of when the university may make early payments to vendors are:~~

~~If the vendor or the university has an agreement to make a payment at a certain time;~~
~~If the vendor gives the agency a substantial discount for paying early;~~
~~Purchase of real property;~~
~~Payment for utilities;~~
~~Payment for lease cost, leased space, or rent;~~
~~Purchases of books or library materials paid with Higher Education Funds (HEF);~~
~~Subscription services up to a maximum of six weeks before the service begins;~~
~~Vendor payments for specialized goods or services if the vendor requires the payment to be made in advance.~~

~~For payment more than $5,000, payment must be scheduled for distribution on the date identified above, unless the department can justify the cost effectiveness of making a payment early. A vendor hardship does not qualify as a state business reason for paying early.~~

~~Payments of $5,000 or less are exempted from mandatory payment scheduling. The university, at its discretion, may choose to pay invoices $5,000 or less according to the scheduling requirements or may schedule the payment due date as soon as they are processed. For groups of invoices covered by a monthly statement, the statement amount must be $5,000 or less for the invoices to qualify for this exemption.~~

~~If the vendor payment is late, interest will be computed at a rate determined by the Texas Comptroller's Office. If the late payment is due to departmental errors, such interest payment will be charged to the department that caused the late payment. If a department requests the controller's~~*~~Procurement and Business Services~~* ~~office to process a payment outside its normal operating procedures for any reason, the department shall be assessed a special processing fee of $50.~~

Cross Reference: Tex. Gov't Code § 2155.382; Ch. 2251; Tex. Educ. Code § 61.003; Texas Comptroller of Public Accounts Payment Services and eXpendit State Purchase Policies

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: *Executive Director of Finance and Administrative Services*~~Controller~~

Forms: None

Board Committee Assignment: Finance and Audit Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Property Liability

Policy Number: 16.22

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy acknowledges that, in accordance with Texas Government Code § 403.275, all university employees are liable for the state property that they use.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Kay Johnson, Executive Director of Finance and Administrative Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Property Liability

Original Implementation: April 22, 2003
Last Revision: January 30~~28~~, 2023~~0~~

Purpose

This policy acknowledges that, in accordance with Texas Government Code § 403.275, all university employees are liable for the state property that they use.

Definition

Reasonable care is defined as taking steps to ensure control and security of the property and being able to locate the property at all times.

General

All employees must complete the property liability acknowledgement form as part of new employee orientation. Employees taking equipment off campus will be required to complete a removal of property from campus request form acknowledging that the person responsible for property is aware of their responsibilities.

The department head will be listed as equipment manager on property records and is responsible for identifying property custodians who have been entrusted with the care and safekeeping of specific pieces of property. Equipment managers will be required to sign a certification of physical inventory when there is a change in department head, accepting responsibility for all department property within 30 days of assuming their duties.

A person is financially liable for any property loss sustained by the university if:

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

If the property manager has reasonable cause to believe that any property in the university's possession has been stolen, lost, destroyed, or damaged through the negligence of any state official or employee, the property manager shall report the loss, destruction, or damage to audit services, the

vice president *or president's cabinet member* for the division, the vice president for finance and administration, the *executive* director of *finance and administrative* ~~procurement and property~~ services, the equipment manager and the property custodian. All computer losses, missing or stolen, regardless of negligence, will be reported to the chief information officer.

The property manager in consultation with the equipment manager, the *executive* director of *finance and administrative* ~~procurement and property~~ services and/or the vice president of finance and administration will determine whether replacement of property or reimbursement of property value best meets the needs of the university. The value of the loss to the university will be determined by considering the value of the property and the value to SFA as outlined in the property management manual.

A determination of negligence may be appealed to the property risk management committee within five working days of receiving notification of the determination. The property risk management committee will review the property manager's determination and the written appeal, and will make a final determination that may not be appealed. Appointments to the committee will be made on a case by case basis by the vice president for finance and administration with the property manager and property assistant serving as non-voting ex officio members.

If the property risk management committee upholds the determination of negligence, the negligent employee will be notified to replace the property or reimburse the university for the determined value of the property. If the employee refuses or disregards the determination and request for replacement or reimbursement, the university may pursue action against the employee through the Office of the Attorney General or employ other efforts to obtain reimbursement.

Cross Reference: Tex. Gov't Code §§ 403.275, 2203.004; Property Inventory and Management (17.14)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: *Executive Director of Finance and Administrative Services* ~~Director of Procurement and Property Services/HUB Coordinator~~

Forms: Property Liability Acknowledgement; Removal of Property from Campus Request

Board Committee Assignment: Finance and Audit

Revision History: January 28, 2020
November 7, 2016

October 21, 2013
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Purchase of Surplus Property

Policy Number: 17.17

Is this policy new, being reviewed/revised, or deleted? Delete

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes guidelines for purchasing surplus property from the Texas Facilities Commission and details restrictions on the use of any federal surplus property.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision:

Specific rationale for deletion of policy: The content of this policy is procedural in nature and it is recommended that the policy be removed and included in procedure.

Additional Comments:

Reviewers:

Kay Johnson, Executive Director of Finance and Administrative Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Purchase of Surplus Property

Original Implementation: September, 1987
Last Revision: January ~~2~~*31*~~8~~, 202*3*~~0~~

~~**Purpose**~~

~~This policy establishes guidelines for purchasing surplus property from the Texas Facilities Commission and details restrictions on the use of any federal surplus property.~~

~~**Definitions**~~

~~**Surplus property** is any personal property that is in excess of the needs of the department and which is not required for the foreseeable future. Surplus property may be new or used but must have additional useful life.~~

~~**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.~~

~~**General**~~

~~The Texas Facilities Commission (TFC) disposes of surplus and salvage personal property from Texas state agencies and manages the disposition of surplus and salvage donated to the state by federal programs. The Office of the State Comptroller advertises surplus property exclusively to state agencies, political subdivisions and assistance organizations. Surplus property not transferred within 10 business days of posting is available for sale to state agencies, political subdivisions and assistance organizations as well as the general public. Federal surplus property is available only to eligible organizations, not private citizens or the general public. Available property can be viewed at the following URLs:~~

~~State Surplus (State Comptroller's listing)~~

~~State Surplus (available at store fronts; TFC listing)~~

~~Federal Surplus~~

~~A requisition must be submitted to initiate the purchase of surplus property. A purchaser is available to research the availability, condition and cost of surplus property.~~

State Surplus

The agency offering the surplus equipment is to be contacted directly to determine a price and make arrangements for transfer. The requisition submitted to the purchasing office should state on the requisition 'STATE SURPLUS PROPERTY'. The name of the state agency and the agreed price, and arrangements for transfer should also be shown.

Federal Surplus

The Texas Facilities Commission manages the disposition of surplus property donated to the state by federal programs. The purchaser may make a written request for federal surplus to be held for SFA if it becomes available.

Visitation to and shopping at a federal surplus warehouse is allowed only by a certified agent of the university. The item(s) may be picked up at the time of purchase or arrangements can be made for pick up at a later date. The individual(s) picking up the merchandise do not have to be certified, but they must have the receipt in hand when arriving at the distribution center. If the SFA transportation department picks up the item(s), the department will be charged for travel and labor costs. When the merchandise is received, the itemized receipt and/or invoice should be returned to the procurement department.

Restrictions on the Use of Federal Surplus Property

Participating organizations ("donees") are required to use the property obtained through the program for a specific amount of time before the property can be sold or transferred and must adhere to the following restrictions:

1. Property must be placed into use within the first year of possession.
2. Property must continue to be used for the duration of the compliance period before ownership is transferred to SFA.
    - 12 months for property with an original acquisition cost less than $5,000.
    - 18 months for passenger vehicles or any item of property with original acquisition cost of $5,000 or more.
    - 5 years for aircraft and vessels 50' or more in length.
    - In perpetuity for combat-configured aircrafts, and firearms.
3. The property may not be sold, transferred, or otherwise disposed of during the compliance period. If property is sold, transferred or otherwise disposed of during the required period of use, SFA may be subject to penalties and fines, as well as possible state or federal prosecution.
4. Compliance visits may be conducted by state and federal program staff during the

~~compliance period to ensure that property is being put to its intended use. If the property is not paid for in full or is not being used or handled as required, SFA will be required, at its expense, to return the property to TFC or offer for transfer to another donee, as instructed by TFC.~~

~~As a donee, SFA must include the General Services Administration's required non-discrimination statement with information about the federal surplus program.~~

Cross Reference: 41 C.F.R. §§ 101, 102; Purchase Requisition (17.19)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: *Executive Director of Finance and Administrative Services*~~Director of Procurement and Property Services/HUB Coordinator~~

Forms: Purchase Requisition, TFC Eligibility Application Form, TFC Update Form, TFC Authorized Representative Form

Board Committee Assignment: Finance and Audit

Revision History: *January 31, 2017*
January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Receipts and Deposits

Policy Number: 3.26

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 4/11/2022

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy provides guidance for the internal control of receipt handling to all Stephen F. Austin State University departments who handle receipts and deposits. The university has delegated the authority and responsibility for maintaining procedures for all receipt-handling activities to the office of student business services.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Michaelyn Greene, Director of Treasury and Student Business Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Receipts and Deposits

Original Implementation: Unpublished
Last Revision: ~~April 11, 2022~~*January 30, 2023*

Purpose

This policy provides guidance for the internal control of receipt handling to all Stephen F. Austin State University departments who handle receipts and deposits. The university has delegated the authority and responsibility for maintaining procedures for all receipt-handling activities to the office of student business services.

Definitions

Custodian is anyone who handles cash and receipts.

Receipts as referenced in this policy, is deemed to include currency, coins, personal checks, bank drafts, money orders, traveler's checks, cashier's checks, credit card transactions, debit card transactions, wire transfers, and any other method of receiving funds.

R**efund** is the return of funds for a transaction that occurred on a prior business day.

Cashier's check is a check purchased at a bank for any amount; the bank completes all information on the face of the check with a bank officer signing as the maker.

Certified check is a personal check guaranteed by the bank; the check is stamped "certified" and signed by a bank officer.

Money order is an instrument purchased at a bank, post office, or other business establishment for any amount that orders a sum of money to be paid to someone else.

Traveler's check is a special check supplied by banks or other companies for the use of travelers; these checks already bear the purchaser's signature and must be countersigned in the cashier's presence.

Personal check is a written order payable on demand, drawn on a bank by a depositor; a personal check is written against an individual's funds as opposed to a cashier's check, certified check, money order, or traveler's check, all of which are written against or guaranteed by bank funds.

Starter check is a non-personalized encoded check that a person receives from a bank when they

establish a checking account. These are for the person's use prior to receiving personalized checks.

Counter check is a non-personalized, non-encoded check that is available at most banks.

Third-party check is a check made payable to a person or organization other than the one accepting or cashing the check (e.g. a paycheck).

Foreign check is a check written on a foreign bank (e.g., a Canadian bank) not specifically prepared as U.S. currency.

General

The vice president of finance and administration has delegated the authority and responsibility for establishing procedures for all receipt-handling activities to the director of treasury and student business services. In carrying out the responsibility for maintaining procedures for all receipt-handling activities-, the office of student business services is responsible to:

1. Establish and enforce procedures governing the receipt, handling, custody, and disbursement of funds.
2. Require the maintenance of records that account for funds received and paid by the university.
3. Establish and authorize procedures for granting, maintaining, and terminating the collection of university funds by a department, office, or affiliated organization that handles university receipts.

This policy is applicable to every university department, administrative office, and affiliated organization that handles receipts for any university-related function. The student business services office or audit services may perform periodic audits of any department or affiliated organization with university receipt-handling operations.

Any individual handling university receipts must remain familiar with the provisions of this policy, and ensure proper security and accountability. Due to the personal liability involved in performing receipt-handling functions, it is important that only authorized employees accept funds for university business. In rare instances, non-employees (i.e. students or volunteers) may be authorized to accept funds for the university if written approval is obtained from the director of treasury and student business services or their designee. In these cases, an employee is responsible for ensuring that these persons are properly trained and receipts are handled appropriately. All persons accepting funds for the university are required to appropriately safeguard, account for, and document all receipts received on behalf of the university. Applicable university discipline and/or discharge policies will be followed in the imposition of sanctions related to a violation of

this policy.

Segregation of Duties

Receipt-handling operations must be subject to daily supervisory review and management. To minimize the potential for mistakes or misappropriation of receipts, the segregation of receipt handling duties is recommended. The duties of collecting receipts, maintaining documentation, preparing deposits, and reconciling records should be separated among different individuals. In departments where the separation of duties is not feasible, strict individual accountability and thorough management supervision and review is required.

Written Departmental Procedures

In addition to the receipt-handling policies established in this document, each department that handles receipts is required to have its own internal procedures for receipts. Written procedures should minimally include authorization of person(s) to collect receipts; maintenance of receipt books; security and reconciliation of receipts; preparing, approving, and depositing receipts at the student business services office; over/short procedures; and a procedure to notify the appropriate campus authority in the event of a loss.

In addition, it is the responsibility of the department head or supervisor to ensure that all employees with receipt-handling responsibilities have receipt-handling duties included in their job description.

Safekeeping

Departments handling receipts are responsible for the safekeeping of these university assets. Physical security should be emphasized to every employee involved in receipt handling.

Prohibition Against Transactions Involving Family Members

Employees may not receipt, accept, or handle checks, cash, or deposits from a relative, as defined by policy 11.16, Nepotism. Family member status is not terminated by death or divorce.

Custodian Responsibilities

Custodians should be familiar with this policy and with Receipting Guidelines and Procedures found on the *Student Business Services website*.

The adequate and appropriate safekeeping of the university monies: While using cash funds for daily operational activities, procedures should be established to maintain a safe and secure working environment to ensure the safeguarding of funds and safety of personnel. Employees should be well informed of their responsibilities for handling cash and receipt transactions and being accountable for those funds. The custodian must see that appropriate internal control measures are enforced.

When not being used for operational activities, all cash and receipts should be kept in a safekeeping device, either a safe or locked container. Lock combinations and the custody of keys should be maintained by one person. These items should not be stored in an unlocked desk drawer or unsupervised area. For strictly emergency situations, the department head or other designated employee should have the safe combination or an extra set of keys.

Maintaining current and accurate records of the funds: The records should provide clear documentation of receipts from the time of collection to the time of deposit. This documentation should always be readily available for audit by the student business services office, internal or external auditors, or the department head. Specific information on appropriate documentation can be found in *Receipting Guidelines and Procedures*.

Overages and Shortages: Both overages and shortages should be noted and tracked by the custodian and then reviewed and certified by a supervisor or department head. Significant amounts *($25.00 or more)* should be immediately reported to the department head and the student business services office. If there appears to be a growing pattern or anything unusual or abnormal about the overages and shortages, that information must be disclosed immediately.

Refunds: Refunds cannot be made directly through the use of petty cash funds, change funds or funds received from cash receipts, unless specifically authorized by the student business services office. All refunds should be processed by the completion of a purchase voucher in adherence to the procedures as established by the procurement and business services office, depending upon the type of transaction involved. Petty cash funds, change funds, or funds received from cash receipts must not be used to reimburse employees for out-of-pocket expenditures. These reimbursements will be made in accordance with procedures developed by the procurement and business services office. All funds must be deposited into a university account before a department may use the receipted funds.

Training Requirements: Mandatory receipts training is required of all employees whose job duties include the acceptance, record keeping, and deposit of university receipts. Additionally, in accordance with policy 14.8, Payment Card Acceptance and Security, separate training is required for employees who handle payment cards. Receipts and payment card training is required on an annual basis and should be coordinated through the student business services office.

Cross Reference: Records Management (2.9); Payment Card Acceptance and Security (14.8); Returned Payments (3.27); Nepotism (11.16)*; Safe and Vault Combinations (14.9)*

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Treasury and Student Business Services

Forms: None

Board Committee Assignment: Finance and Audit Committee

Revision History:
April 11, 2022
January 29, 2019
April 25, 2017
April 15, 2014
October 22, 2012
July 19, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Safe and Vault Combinations

Policy Number: 14.9

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy requires current combinations for safes or vaults holding cash, checks, or other valuables to be on file in the office of the vice president for finance and administration.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: No changes.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Safe and Vault Combinations

Original Implementation: Unpublished
Date of Last Revision: January *30~~28~~*, 202*~~0~~3*

Purpose

This policy requires current combinations for safes or vaults holding cash, checks, or other valuables to be on file in the office of the vice president for finance and administration.

General

The department head must submit a memorandum indicating the location of the safe or vault, the combination, date of last combination change if known, and the names of all employees who have access to the combination. The memorandum must be delivered to the vice president for finance and administration in a manner such that no unauthorized person is able to access the confidential information.

The vice president for finance and administration must be notified when changes are made to safe or vault combinations, when a safe or vault is moved or transferred to another department, or when a safe or vault is removed from university property records. Safe and vault combinations must be changed anytime an employee who knows the combination terminates employment or is transferred.

Annually, the vice president for finance and administration will request the safe or vault custodian in each department to verify the information on file.

Cross Reference: None

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 Committee

Revision History: January 28, 2020
January 31, 2017

January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Student Fiscal Appeals

Policy Number: 6.19

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes the process of evaluation and resolution of all student fiscal appeals.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Updates correspond with procedure on SBS Forms website.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Michaelyn Greene, Director of Treasury and Student Business Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Student Fiscal Appeals

Original Implementation: January 30, 2007
Last Revision: January ~~28, 2020~~*30, 2023*

Purpose

This policy establishes the process of evaluation and resolution of all student fiscal appeals.

General

An independent~~The~~ Fiscal Appeals Panel will consider appeals related to Stephen F. Austin State University (SFA) fiscal policy as it applies to student charges. The *confidential* panel will be appointed by the vice president for finance and administration~~, chaired by the bursar,~~ and include academic and administrative representation. The panel will make its decision based on the ~~written~~ information *provided*~~submitted~~.

Appeals will be considered when a student believes that extenuating circumstances justify removal or modification of charges. Appeals must be submitted in written form and must be based on extenuating circumstances, such as (but not limited to) catastrophic illness *in the family*, ~~injury,~~ death in the family, or ~~*economic hardship*call up for military service~~. Appeals of the penalty for excessive time to graduation and repetition of a course may be based on economic hardship for the student, and will be considered on a case--by--case basis. Appeals pertaining to the requirements to maintain eligibility for certain exemptions and waivers may also be based on economic hardship for the student or other good cause, and will be considered on a case--by--case basis.

Unless there are extenuating circumstances, appeals should be filed within 60 days of the date of the charge on the student's account that the student is requesting to appeal. Appeals will be considered only for the specific charge and specific term for which the appeal is requested.

The following may be appealed to the panel: penalty for excessive time to graduation (the 30 and 45-hour rule), extenuating circumstances culminating in withdrawal, late add fee, reinstatement fee, $1,000 tuition rebate, penalty for repetition of a course more than twice (3-peat), and ~~loss of~~ eligibility for certain exemptions and waivers.

Specific *procedures* for making an appeal are found *on the* ~~in the Student Fiscal Appeals Guidelines, Procedures, and Form located on SFA's business office~~*Student Business Services* website *on the Forms link* and at the ~~business~~ *Student Business Services* office.

Cross Reference: Tex. Educ. Code § 54.014, .2001; 19 Tex. Admin. Code § 13.108; Tuition Rebate (6.21); Student Fiscal Appeal~~s Guidelines, Procedures, and~~ Form

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: ~~Controller~~*Director of Treasury and Student Business Services*

Forms: Student Fiscal Appeal Form ~~(part of the Student Fiscal Appeals Guidelines, Procedures, and Form)~~*, Student Fiscal Appeals Guidelines and Procedures*

Board Committee Assignment: Finance and Audit Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
October 22, 2012
April 17, 2012
January 25, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Student and Non-Student Accounts Receivable

Policy Number: 3.28

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 4/11/2022

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

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

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Text clarification.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Michaelyn Greene, Director of Treasury and Student Business Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Student and Non-Student Accounts Receivable

Original Implementation: July 15, 2008
Last Revision: ~~April 11, 2022~~ *January 30, 2023*

Purpose

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

General

Procedures will be maintained by the office of student business services, for at least the following:

- to ensure that the requested extension of credit is not a prohibited transaction.
- to ensure that any extension of credit (installment plan contract or repayment agreement) is done ~~so~~ in a prudent manner~~, including the use of standardized credit applications and legal authority required for approval of the requested credit~~.
- to analyze whether credit should be extended to students who are in default on other obligations or for whom previous obligations have been written off as uncollectible. If a student account is past due, a transcript and registration hold will be placed on the account.
- for managing and monitoring the billing and collection activities on student accounts.
- for recording and monitoring student billing and subsequent payments received on student accounts.
- to ensure that amounts reported as receivables on the financial statement are recorded in accordance with generally accepted accounting principles.

Criteria for Recognizing an Account Receivable

A student account receivable ~~or~~ will be recognized (recorded in the university's financial records) when:

- a student has enrolled for classes at the university or has been registered for classes by the university;

- a student has incurred charges for costs associated with attendance (tuition, fees, housing and meal charges, post office charges, book purchases, parking permits and fines, etc.) from which a benefit to the student is derived;
- payment is *expected*~~due~~ to the university from the student or a third party;
- payment has not been received (collected) by the university from the student or third party;
- the account receivable does not represent an extension of credit that is prohibited by law; and~~,~~
- the recording is deemed to be appropriate by the university's fiscal officers.

A non-student account receivable will be recognized (recorded in the university's financial records) when:

- *a charge has been incurred by a non-student for university goods or services;*
- *payment is expected to the university;*
- *payment has not been received (collected) by the university; and*
- *the recording is deemed to be appropriate by the* ~~*univerisity's*~~*university's fiscal officers.*

Recording an Account Receivable in the Financial Records

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

In the event that a student withdraws during the semester, the student charges will be adjusted in accordance with state law.

A non-student accounts receivable will be recorded in the financial records by the office of financial reporting. The department responsible for the accounts receivable should maintain records and send timely information to the office of financial reporting.

Reconciling Accounts Receivable

The office of student business services maintains records of student accounts receivable and prepares a reconciliation of the student receivable records and the financial accounting records on a timely basis.

The office of financial reporting reconciles the non-student records provided by the responsible

department.

Aging Accounts Receivable

The office of student business services also maintains an aging schedule for all student accounts receivable *and non-student accounts receivable* with the total of the aging schedule balanced to the total recorded accounts receivable. At year end, the aging schedule may be analyzed to aid in the process of the calculation of the allowance for doubtful accounts.

Collecting Accounts Receivable

Guidelines and procedures for collection of delinquent accounts will be maintained by the office of student business services.

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

- the account balance is at least 30 days old;
- the debtor has not exhibited concern regarding the delinquent account (i.e., requested a repayment agreement); and,
- the debtor is not an active student.

An account will be considered delinquent if it is past due.

Billing and Collection Activity on Delinquent Accounts or Accounts in Default

Active Students: Active students will be billed throughout the term with due dates set by the office of student business services. Students may be assessed penalties for late payments, but will not be turned over for collection in the term if they are actively enrolled.

Inactive Students: Delinquent accounts will be analyzed and processed on a regular basis. Any general deposits will be applied to inactive students' outstanding balances to defray the amounts due to the university. As appropriate, delinquent accounts on inactive students will be subject to collection activity. Attempts will be made to contact students before delinquent accounts are turned over to collections. Students will not be assessed collection agency fees or collection costs if they ~~make a payment or~~ set up a repayment agreement *with reoccurring payments* prior to the account being turned over to a collection agency. Collection agency fees assessed to the student will be negotiated in advance by the university and approved by the Texas Attorney General's office. Additionally, accounts may also be reported to the Texas Comptroller of Public Accounts as authorized by Texas Government Code § 403.055 to ensure that no treasury warrants are issued or payments are paid to the debtor until the debt is paid.

If a debtor with a delinquent account establishes a repayment agreement *with ~~reoccurring~~recurring payments* and makes scheduled payments towards the balance ~~within one of the warning periods~~, the debtor will be treated as an "active" student and will not be turned over to a collection agency unless monthly payments cease before the account balance is paid in full. *Once an account has been placed with collections, payments may not be accepted at the university.* If the account is turned over for collection, collection costs, collection agency fees and/or attorney fees will apply. There will be transcript and registration holds placed on the student's account until the balance has been paid in full.

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

Write-Off of an Uncollectible Account

The university will establish procedures to determine when the write-off of an uncollectible account will occur. These write-off procedures will consider both the age of the account and the amount due from the student.

Allowance for Doubtful Accounts

The university records an allowance for doubtful accounts on past due accounts. Prior to closing each fiscal year's books, the office of student business services and office of financial reporting will analyze and adjust the allowance for doubtful accounts, with offsets to the appropriate revenue accounts or bad debt expense, in accordance with accounting guidelines. An allowance for doubtful accounts will be set up as a contra-receivable in the general ledger.

Cross Reference: Texas Comptroller of Public Accounts Fiscal Policies and Procedures, Accounting for Uncollectible Accounts (APS 027); Tex. Gov't Code § 403.055; Ch. 2107; Tex. Educ. Code § 54.006

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Treasury and Student Business Services

Forms: None

Board Committee Assignment: Finance and Audit Committee

Revision History: April 11, 2022
January 29, 2019
January 26, 2016
April 14, 2015
April 17, 2012
July 19, 2011

Building and Grounds Committee

CONSTRUCTION UPDATE

Stephen F. Austin State University

Board of Regents
Building and Grounds Committee

January 30, 2023

Construction Update

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January 30, 2023

Construction Summary

Project status current as of December 31, 2022.

Project	Const Start Date	Fund Source	Board Approved Budget	Expenditures	Encumbered	Total Cost to Date	Available Balance	Const % Complete	Const Complete Date
Campus Space Realignment and Renovation [1]	N/A	HEF	$ 605,322	$ 66,073	$ 44,242	$ 110,316	$ 495,006	N/A	UNK
College of Fine Arts Expansion	Dec '20	Revenue Financing Bonds	$ 53,000,000	$ 37,384,771	$ 11,577,669	$ 48,962,440	$ 4,037,560	91%	Apr '23
Basketball Practice Facility	Jul '19	Revenue Financing Bonds	$ 28,532,845	$ 28,443,166	$ 39,639	$ 28,482,805	$ 50,040	100%	Oct '21
Residence Hall Bond Fund Proceeds [2]	TBD	Revenue Financing Bonds	$ 18,931,295	$ 1,294,747	$ 51,752	$ 1,346,499	$ 17,584,796	N/A	UNK
Dining Hall	TBD	Revenue Financing Bonds	$ 15,800,000	$ 224,874	$ 350,377	$ 575,251	$ 15,224,749	0%	TBD
Totals			**$ 116,869,462**	**$ 67,413,632**	**$ 12,063,678**	**$ 79,477,310**	**$ 37,392,152**		

[1]Current budget following budget reallocations of $222,000, $1,310,000, $862,678, and $1,500,000.

[2]Current budget following budget reallocations of $158,000, $670,000, $500,000, $1,400,000, $479,031, $242,674, $19,000, and $1,300,000.

Campus Space Realignment and Renovation *Board Order 18-32*

Project Team

Owner's Rep:	N/A
Design & Engineering:	N/A
Contractor:	N/A
Project Support:	N/A

Scope of Work

In the April 2016 meeting, the Board approved Facility Programming and Consulting (FP&C) to assess campus building space and utilization, and develop a comprehensive space utilization plan. FP&C has concluded the space assessment recommendations on education and general (E&G) buildings. Using the FP&C space assessment as a guide, the university wishes to implement a space realignment, utilization, and renovation process. The process will involve departmental and functional moves and any necessary E&G space reconfiguration and/or renovation. The space implementation plan will begin in fiscal year 2018 and will be prioritized based on institutional need and available resources. Specific initiatives that require Board of Regents' approval will be submitted as needs are prioritized and costs are fully developed.

Project Details

Funding Source:	HEF
Project Approval:	Jul-2018
Project Budget:	$605,322.00

Construction Details

Notice to Proceed:	N/A
Percent Complete:	N/A
Substantial Completion:	Unknown
Guaranteed Max Price:	N/A

Project Update

- Board Order 22-33, $1,310,000 for IT Infrastructure Refresh
- Transfer out for Austin 2nd & 3rd Floor Renovation
- Library, Boynton, Music, and McKibben updates ongoing
- Board Order 23-14, $862,729 to Griffith Fine Arts Expansion
- Board Order 23-15, $1,500,000 to Steen Library Renovations Project

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
605,322.00	66,073.45	44,242.10	110,315.55	495,006.45

College of Fine Arts Expansion *Board Order 20-09*

Project Team

Owner's Rep:	Physical Plant
Design & Engineering:	Kirksey Architecture, Schuler Shook, + Team
Contractor:	KDW, Ltd.
Project Support:	Armko Industries, Project Control a Raba Kistner Company, Campos Engineering

Scope of Work

Renovate and construct an addition to the Griffith Fine Arts building consistent with the SFA master plan, FP&C space assessment study, and Kirksey Architecture programming assessment.

Project Details

Funding Source:	Revenue Financing Bonds	
	Bond Resolution of $37,000,000	*Board Order 19-38*
Project Approval:	Dec-2020	
Project Budget:	$53,000,000.00	
	Increased from $37,000,000 to $50,000,000	*Board Order 20-09*
	Increased from $50,000,000 to $53,000,000	*Board Order 23-14*

Construction Details

Notice to Proceed:	Dec-2020	
Percent Complete:	91%	
Substantial Completion:	Apr-2023	
Guaranteed Max Price:	$42,799,654.00	
	$779,838.65	Phase I: Demolition & Abatement
	$42,019,815.35	Phase II: Building Construction
Transition to Operations:	Apr-2023	
Building Occupancy:	Aug-2023	

Project Update

- Procurement of furniture, fixtures, & equipment underway
- Theatrical rigging and lighting installation ongoing
- Sidewalks and drives are being poured and formed

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
53,000,000.00	37,384,771.04	11,577,668.87	48,962,439.91	4,037,560.09

Basketball Performance Center *Board Order 19-38*

Project Team

Owner's Rep:	Physical Plant
Design & Engineering:	Populous + Team
Contractor:	KDW, Ltd.
Project Support:	N/A

Scope of Work

Construct an addition to the William R Johnson Coliseum that will include a basketball practice facility and house men's and women's basketball operations and associated support facilities.

Project Details

Funding Source:	Revenue Financing Bonds	
	Bond Resolution of $26,000,000	*Board Order 19-38*
Project Approval:	Jul-2019	
Project Budget:	$28,532,845	
	Increased from $26,000,000 to $28,500,000	*Board Order 20-22*
	Increased from $28,500,000 to $29,232,845	*Board Order 21-27*

Construction Details

Notice to Proceed:	Jul-2019	
Percent Complete:	100%	
Substantial Completion:	Oct-2021	
Guaranteed Max Price:	$25,462,604.00	
	$1,237,057.20	Phase I: Tunnel
	$24,225,546.80	Phase II: Building Construction
Transition to Operations:	Oct-2021	
Building Occupancy:	Sep-2021	

Project Update

- Construction close-out in process
- External audit underway, scheduled completion January 2023
- Transfer $700,000 in unused gift funds back to Athletics as per original agreement with Athletics Director

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
28,532,845.00	28,443,166.04	39,638.50	28,482,804.54	50,040.46

Residence Hall Bond Fund Proceeds 2 *Board Order 22-05*

Project Team

Owner's Rep:	Physical Plant
Design & Engineering:	N/A
Contractor:	N/A
Project Support:	N/A

Scope of Work

In July 2022, the Board of Regents approved a project budget of $23,329,368 for projects related to Residence Halls, Auxiliary and Academic Deferred Maintenance and Improvements. At the time, the Board approved projects including a campus electric grid study, Wright Music Building Roof Replacement, Upper and Lower Art Building HVAC System upgrades and Health and Wellness Center HVAC System upgrades. The Administration will further study initiatives for the use of the remaining bond proceeds.

Project Details

Funding Source:	Revenue Financing Bonds	
	Bond Resolution of $39,500,000	*Board Order 19-38*
Project Approval:	Oct-2018	
Project Budget:	$18,931,295.00	

Construction Details

Notice to Proceed:	N/A
Percent Complete:	N/A
Substantial Completion:	N/A
Guaranteed Max Price:	N/A

Project Update

- Board Order 22-63, transferred out $158,000 for Campus Electrical Study, $500,000 for Music Roof Replacement, $1,400,000 for Upper and Lower Arts HVAC Upgrades, $670,000 for Health Clinic HVAC Upgrades, $1,300,000 for Hall 16 Abatement and Demolition, $479,031 for Griffith and Kerr Hall HVAC Upgrades, and $19,000 for Mays Hall & Hall 10 demolition plans

The Administration has identified needs for the remaining use of the bond proceeds that include:

- Kerr Hall and Griffith Hall Mechanical-Electrical Upgrades ($8,500,000)
- Replacement of the fire pump at Steen Hall ($49,600)
- Demolition of East College Cafeteria once the new Dining Hall is completed ($1,500,000)
- Demolition of Mays Hall ($300,000)
- Demolition of Hall 10 ($600,000)
- New East Dining Hall Pavilion to accompany new East Campus Dining Hall and site work at former location of East College Cafeteria ($5,000,000)
- Improvements to Patio Square Apartments
- Improvements to Steen Hall front entrance and lobby
- Fire system upgrades at Steen, Kerr, and Griffith

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
18,931,295.00	1,294,747.08	51,751.58	1,346,498.66	17,584,796.34

Dining Hall *Board Order 22-05*

Project Team

Owner's Rep:	Physical Plant
Design & Engineering:	N/A
Contractor:	N/A
Project Support:	Project Control a Raba Kistner Company

Scope of Work

Construct an approximately 20,000 square foot, mass timber designed, flexible and contemporary dining facility which can meet the demands for modern food service. This facility will eventually replace East College Cafeteria.

Project Details

Funding Source:	Revenue Financing Bonds	
	Bond Resolution of $39,500,000	*Board Order 19-38*
Project Approval:	Oct-2018	
Project Budget:	$15,800,000.00	

Construction Details

Notice to Proceed:	N/A
Percent Complete:	0%
Substantial Completion:	N/A
Guaranteed Max Price:	N/A

Project Update

- Hall 16 abatement is complete
- Hall 16 demolition is nearing completion
- Design work for new Dining Hall ongoing

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
15,800,000.00	224,874.05	350,377.00	575,251.05	15,224,748.95

Construction Update

Project:

Dining Hall
Board Order #22-05

<u>Dining Hall Preliminary Timeline</u>

May 2023 – GMP/Notice to Proceed

Fall 2024 Substantial Completion



Planned Maintenance Report

Finance and Administration

January 30, 2023

Completed Planned Maintenance

Description	FY2018	FY2019	FY2020	FY2021	FY2022	Totals
Planned Project Maintenance	6,453,149	6,459,866	2,567,243	3,852,332	781,000	20,113,590
Planned Project Maintenance - CCAP Funded	-					-
Grand Total	**6,453,149**	**6,459,866**	**2,567,243**	**3,852,332**	**781,000**	**20,113,590**

Planned Project Maintenance: A systematic approach to repairing or replacing major building subsystems including, but not limited to: roofs, HVAC, electrical and plumbing systems, which have predictable life-cycles, to maintain and extend the life of the facility. This category is sometimes referred to as a renewal or capital repair. Planned maintenance is normally funded by an institution's capital budget and excludes ongoing and regular maintenance.

*Throughout the report there are 16 buildings identified with an (*) that represents any of the following:

The building is scheduled or planning is underway for renovations, replacement or demolition.

Hall 16 has been removed from the report.

*Ag Mechanics Shop
*Agriculture Building
*Biology Greenhouse
*Forestry Building
*Forestry Greenhouse
*Kennedy Auditorium
*Miller Science
*Poultry Feed Mill
*SRC/CARRI Center

*Griffith Hall
*Hall 10
*Kerr Hall
*Mays Hall
*North Hall
*South Hall
*East College Cafeteria

Planned Maintenance by Building & Type

Facility Type / Maintenance Type	2023	2024	2025	2026	2027	Totals
Infrastructure	**0**	**6,046,950**	**11,099,000**	**5,750,000**	**66,512,500**	**89,408,450**
Administrative			675,000			675,000
Architectural		2,025,000			64,433,500	66,458,500
HVAC		1,350,000	270,000			1,620,000
Other		1,807,950	7,116,500	5,750,000	2,079,000	16,753,450
Plumbing and Electrical		864,000	3,037,500			3,901,500
E&G	**31,560,750**	**65,899,595**	**10,510,205**	**1,661,250**	**240,000**	**109,871,800**
Ag Mechanics Shop*	**643,750**	**0**	**187,500**	**0**	**0**	**831,250**
Architectural			187,500			187,500
Other	537,500					537,500
Safety	12,500					12,500
Technology	93,750					93,750
Agriculture Building*	**2,637,500**	**0**	**0**	**0**	**0**	**2,637,500**
Other	1,656,250					1,656,250
Plumbing and Electrical	125,000					125,000
Safety	325,000					325,000
Technology	531,250					531,250
Alumni	**0**	**65,000**	**0**	**0**	**0**	**65,000**
Safety		65,000				65,000
Art (Lower)	**0**	**7,000**	**175,500**	**205,000**	**0**	**387,500**
HVAC						0
Other				205,000		205,000
Plumbing and Electrical		7,000	175,500			182,500
Art Studio (Upper)	**0**	**110,000**	**110,000**	**0**	**0**	**220,000**
HVAC						0
Plumbing and Electrical		7,000	110,000			117,000
Safety		103,000				103,000
Art Ag Mechanical	**0**	**0**	**0**	**0**	**0**	**0**
Architectural						0
Austin Bldg	**0**	**275,000**	**360,000**	**320,000**	**37,500**	**992,500**
Architectural		100,000				100,000
HVAC				270,000		270,000
Other				50,000	37,500	87,500
Plumbing and Electrical			360,000			360,000
Safety		175,000				175,000

Planned Maintenance by Building & Type

Facility Type / Maintenance Type	2023	2024	2025	2026	2027	Totals
Biology Greenhouse*	**0**	**350,000**	**0**	**0**	**0**	**350,000**
Architectural		37,500				37,500
Other		312,500				312,500
Boynton Building	**0**	**668,750**	**0**	**0**	**0**	**668,750**
HVAC		250,000				250,000
Other		250,000				250,000
Safety		168,750				168,750
Chemistry	**0**	**35,000**	**0**	**0**	**0**	**35,000**
Safety		35,000				35,000
COE Annex	**0**	**202,500**	**150,000**	**0**	**0**	**352,500**
Other		202,500	150,000			352,500
Conservation Education	**0**	**35,000**	**0**	**0**	**0**	**35,000**
Safety		35,000				35,000
DeWitt Nursing Education	**0**	**3,750,000**	**270,000**	**270,000**	**0**	**4,290,000**
Architectural			270,000			270,000
HVAC		2,500,000				2,500,000
Other		1,250,000				1,250,000
Plumbing and Electrical				270,000		270,000
ECRC	**0**	**1,597,500**	**0**	**0**	**0**	**1,597,500**
HVAC		250,000				250,000
Other		1,250,000				1,250,000
Plumbing and Electrical		62,500				62,500
Safety		35,000				35,000
Ed And Gwen Cole Art Center	**0**	**275,000**	**0**	**0**	**0**	**275,000**
Architectural		175,000				175,000
Other		100,000				100,000
Ferguson	**0**	**35,000**	**0**	**128,250**	**202,500**	**365,750**
Architectural					202,500	202,500
Safety		35,000				35,000
Other				128,250		128,250
Forestry Building*	**7,781,000**	**660,000**	**0**	**0**	**0**	**8,441,000**
Architectural	156,250					156,250
HVAC	1,861,250					1,861,250
Other	3,825,000					3,825,000
Plumbing and Electrical	1,035,000	660,000				1,695,000
Safety	91,000					91,000
Technology	812,500					812,500

Planned Maintenance by Building & Type

Facility Type / Maintenance Type	2023	2024	2025	2026	2027	Totals
Forestry Greenhouse*	**331,250**	**0**	**0**	**0**	**0**	**331,250**
Architectural	18,750					18,750
Other	312,500					312,500
G&T Bldg.	**0**	**0**	**0**	**0**	**0**	**0**
Architectural						0
HPE Complex	**0**	**3,141,095**	**197,500**	**0**	**0**	**3,338,595**
Architectural		607,500				607,500
HVAC		2,000,000				2,000,000
Other		525,000				525,000
Plumbing and Electrical		5,000	197,500			202,500
Safety		3,595				3,595
Human Sciences - North	**114,750**	**175,000**	**200,000**	**0**	**0**	**489,750**
Architectural						0
HVAC			200,000			200,000
Other		175,000				175,000
Safety	114,750					114,750
Human Sciences - South	**0**	**0**	**1,065,750**	**0**	**0**	**1,065,750**
Safety			93,750			93,750
Infrastructure			486,000			486,000
Architectural			148,500			148,500
Other			337,500			337,500
Kennedy Auditorium*	**0**	**173,000**	**102,000**	**0**	**0**	**275,000**
Other		65,000	102,000			167,000
Plumbing and Electrical		108,000				108,000
Liberal Arts North	**0**	**45,000**	**611,955**	**0**	**0**	**656,955**
Architectural		45,000				45,000
HVAC			128,250			128,250
Plumbing and Electrical			483,705			483,705
Math Building	**0**	**2,295,000**	**0**	**0**	**0**	**2,295,000**
Architectural		235,000				235,000
HVAC		2,000,000				2,000,000
Other		60,000				60,000

Planned Maintenance by Building & Type

Facility Type / Maintenance Type	2023	2024	2025	2026	2027	Totals
McGee Business	**0**	**215,000**	**783,500**	**0**	**0**	**998,500**
Architectural			412,500			412,500
Other			87,500			87,500
Safety		215,000				215,000
Plumbing and Electrical			283,500			283,500
McKibben Education	**0**	**325,000**	**552,500**	**0**	**0**	**877,500**
Architectural		75,000	262,500			337,500
Other			87,500			87,500
Plumbing and Electrical			202,500			202,500
Safety		250,000				250,000
Military Science	**0**	**101,250**	**490,000**	**0**	**0**	**591,250**
Architectural			40,000			40,000
HVAC			43,750			43,750
Other			225,000			225,000
Plumbing and Electrical			31,250			31,250
Safety		101,250	12,500			113,750
Technology			137,500			137,500
Miller Science*	**15,052,500**	**48,195,000**	**0**	**0**	**0**	**63,247,500**
Administrative		8,370,000				8,370,000
Architectural	1,552,500					1,552,500
HVAC		1,350,000				1,350,000
Other		13,500,000				13,500,000
Plumbing and Electrical	13,500,000	14,850,000				28,350,000
Safety		4,320,000				4,320,000
Technology		5,805,000				5,805,000
Music	**0**	**491,500**	**1,233,750**	**0**	**0**	**1,725,250**
Architectural		115,000	285,000			400,000
Electric			33,750			33,750
HVAC			675,000			675,000
Safety		255,000				255,000
Other		121,500	240,000			361,500
Poultry Feed Mill*	**0**	**0**	**0**	**0**	**0**	**0**
HVAC						0

Planned Maintenance by Building & Type

Facility Type / Maintenance Type	2023	2024	2025	2026	2027	Totals
PPD Storage	**0**	**0**	**130,000**	**0**	**0**	**130,000**
Architectural			50,000			50,000
HVAC			30,000			30,000
Other			50,000			50,000
Rusk Bldg	**0**	**663,000**	**480,000**	**0**	**0**	**1,143,000**
Architectural		45,000				45,000
HVAC		185,000				185,000
Safety		383,000				383,000
Other		50,000	480,000			530,000
SFA Theater	**0**	**35,000**	**60,750**	**0**	**0**	**95,750**
Architectural			60,750			60,750
Safety		35,000				35,000
Shelton Gym	**0**	**655,000**	**148,500**	**0**	**0**	**803,500**
HVAC						0
Other		250,000				250,000
Plumbing and Electrical		405,000	148,500			553,500
Social Work	**0**	**200,000**	**0**	**0**	**0**	**200,000**
Architectural		115,000				115,000
Other		85,000				85,000
SRC/CARRI Center*	**0**	**0**	**0**	**0**	**0**	**0**
Architectural						0
Steen Library	**0**	**932,000**	**2,883,750**	**738,000**	**0**	**4,553,750**
Architectural		200,000		407,500		607,500
Other			2,580,000			2,580,000
Plumbing and Electrical		7,000		330,500		337,500
Safety		725,000				725,000
HVAC			303,750			303,750
Stone Fort	**0**	**35,000**	**317,250**	**0**	**0**	**352,250**
Architectural			47,250			47,250
Safety		35,000				35,000
HVAC			270,000			270,000
UPD	**0**	**157,000**	**0**	**0**	**0**	**157,000**
Architectural						0
Plumbing and Electrical		7,000				7,000
Other		150,000				150,000

Planned Maintenance by Building & Type

Facility Type / Maintenance Type	2023	2024	2025	2026	2027	Totals
Power Plant 2	**5,000,000**	**0**	**0**	**0**	**0**	**5,000,000**
HVAC	5,000,000					5,000,000
Auxiliary - Residence Halls	**2,470,500**	**3,208,250**	**2,247,750**	**9,836,250**	**5,548,500**	**23,311,250**
Hall 10*				**864,000**	**0**	**864,000**
Architectural				337,500		337,500
FF&E				256,500		256,500
Plumbing and Electrical				202,500		202,500
Technology				67,500		67,500
Hall 14	**0**		**1,714,500**	**1,140,750**	**0**	**2,855,250**
Architectural				398,250		398,250
FF&E				742,500		742,500
Other			1,350,000			1,350,000
Plumbing and Electrical			364,500			364,500
Hall 20	**0**	**155,250**		**236,250**	**0**	**391,500**
Architectural		101,250				101,250
Plumbing and Electrical		54,000		236,250		290,250
Technology						0
Griffith/Kerr Mech (15/18)*	**337,500**	**0**	**0**	**0**	**0**	**337,500**
HVAC	337,500					337,500
Griffith Hall -15*	**573,750**	**0**	**0**	**904,500**	**0**	**1,478,250**
Architectural	371,250					371,250
FF&E				904,500		904,500
HVAC						0
Plumbing and Electrical	202,500					202,500
Technology						0
Kerr Hall - 18*	**1,559,250**	**371,250**	**0**	**418,500**	**0**	**2,349,000**
Architectural		371,250		243,000		614,250
Other	81,000			175,500		256,500
FF&E	904,500					904,500
HVAC						0
Plumbing and Electrical	573,750					573,750
Technology						0

Planned Maintenance by Building & Type

Facility Type / Maintenance Type	2023	2024	2025	2026	2027	Totals
Lumberjack Landing	**0**	**0**	**0**	**0**	**0**	**0**
Technology						0
Lumberjack Lodge	**0**	**0**	**337,500**	**162,000**	**0**	**499,500**
Architectural			337,500	94,500		432,000
Technology				67,500		67,500
Lumberjack Village (All Buildings)	**0**	**0**	**0**	**3,563,500**	**0**	**3,563,500**
Architectural				3,563,500		3,563,500
Technology						0
Mays Hall*	**0**	**0**	**0**	**0**	**0**	**0**
Architectural						0
HVAC						0
Plumbing and Electrical						0
Technology						0
North Hall*	**0**	**0**	**0**	**0**	**2,774,250**	**2,774,250**
Architectural					2,774,250	2,774,250
South Hall*	**0**	**0**	**0**	**0**	**2,774,250**	**2,774,250**
Architectural					2,774,250	2,774,250
Steen Hall	**0**	**2,681,750**	**0**	**2,000,000**	**0**	**4,681,750**
Architectural		681,750				681,750
Plumbing and Electrical				2,000,000		2,000,000
Safety		2,000,000				2,000,000
Wisely Hall	**0**	**0**	**195,750**	**546,750**	**0**	**742,500**
Architectural			94,500	236,250		330,750
FF&E				135,000		135,000
HVAC			40,500			40,500
Plumbing and Electrical			60,750	175,500		236,250
Auxiliary - Student Services	**1,560,750**	**717,500**	**911,250**	**372,250**	**0**	**3,561,750**
Health Services	**0**	**0**	**0**	**0**	**0**	**0**
Architectural						0
HVAC						0

Planned Maintenance by Building & Type

Facility Type / Maintenance Type	2023	2024	2025	2026	2027	Totals
Auxiliary - Student Services	**1,560,750**	**717,500**	**911,250**	**372,250**	**0**	**3,561,750**
Health Services	**0**	**0**	**0**	**0**	**0**	**0**
Architectural						0
HVAC						0
BP Student Center	**0**	**0**	**0**	**47,250**	**0**	**47,250**
Architectural						0
HVAC						0
Other				47,250		47,250
Plumbing and Electrical						0
Technology						0
BPSC Mech	**0**	**0**	**810,000**	**0**	**0**	**810,000**
HVAC			810,000			810,000
East College Cafeteria*	**1,560,750**	**650,000**	**60,750**	**325,000**	**0**	**2,596,500**
Architectural	500,000	500,000				1,000,000
HVAC		150,000				150,000
Other	625,000			325,000		950,000
Technology	60,750		60,750			121,500
Plumbing and Electrical	375,000					375,000
Intramural Restroom	**0**	**0**	**0**	**0**	**0**	**0**
Architectural						0
Plumbing and Electrical						0
Student Recreation Center	**0**	**67,500**	**40,500**	**0**	**0**	**108,000**
Architectural		67,500				67,500
Other			40,500			40,500
Auxiliary - Athletics	**0**	**1,379,250**	**0**	**0**	**0**	**1,379,250**
Coliseum	**0**	**74,250**	**0**	**0**	**0**	**74,250**
HVAC		74,250				74,250
Stadium Fieldhouse	**0**	**850,000**	**0**	**0**	**0**	**850,000**
Architectural		850,000				850,000
Plumbing and Electrical						0
Stadium Press Box	**0**	**455,000**	**0**	**0**	**0**	**455,000**
Architectural		50,000				50,000
HVAC		405,000				405,000
Grand Total	35,592,000	77,251,545	24,768,205	17,619,750	72,301,000	227,532,500



Planned Maintenance Report

Finance and Administration

January 30, 2023



Planned Maintenance Report

Finance and Administration

January 30, 2023

Planned Maintenance Report

January 2022 - $234,110,700

January 2023 - $227,532,500

Planned Maintenance Report

Notables

Hall 16 has been removed from the report.

Mays Hall, Health Clinic & SRC have been reduced to 0.

HVAC maintenance in Upper & Lower Art have been reduced to 0.

Planned Maintenance Report

Notables

Throughout the report there are 16 buildings identified with an (*) that represent any of the following:

The building is scheduled or planning is underway for renovations, replacement or demolition.

Planned Maintenance Report

Notables

*Ag Mechanics Shop
*Agriculture Building
*Biology Greenhouse
*Forestry Building
*Forestry Greenhouse
*Kennedy Auditorium
*Miller Science
*Poultry Feed Mill
*Griffith Hall
*Hall 10
*Kerr Hall
*Mays Hall
*North Hall
*South Hall
*East College Cafeteria
*SRC/CARRI Center

Planned Maintenance Report

Notable Additions

ECRC - $1.2 million for roof coating & envelope waterproofing.

Math Building - $2 million for HVAC replacement.

HPE/Shelton Gym - $3.3 million in roof work on HPE/Shelton; HVAC replacement in HPE.

Elevator Work Throughout Campus



Planned Maintenance Report

Finance and Administration

January 30, 2023

BUILDING AND GROUNDS POLICY REVISIONS

Explanation:

The *Board Rules and Regulations* state that the Building and Grounds Committee will consider: use and occupancy of university property; and planning of, locating of, receiving bids for, awarding contracts for, construction of, and maintenance of buildings, utilities, and other physical facilities of the campus.

The following policies are necessary to incorporate organizational, job title, and regulatory changes and to improve the flow of information in the above areas of responsibility. The general counsel has reviewed the proposed revisions.

Recommendation:

The administration recommends that the Board of Regents adopt the following policies revisions as presented:

Austin Building Conference Rooms 16.5
Homer Bryce Stadium and William R. Johnson Coliseum 16.13
Use of University Facilities 16.33

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Austin Building Conference Rooms

Policy Number: 16.5

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy outlines approved use of Austin 305 and 307.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Steve Westbrook, Interim President
Damon Derrick, General Counsel

Austin Building Conference Rooms

Original Implementation: June 10, 1986
Last Revision: January ~~28, 2020~~*30, 2023*

The provisions of the policy on the Use of University Facilities (16.33) govern the use of all buildings, facilities, equipment, and grounds, hereafter referred to as facilities, under the control of Stephen F. Austin State University. That policy provides that the university may establish additional procedures for the reservation and use of specific facilities; therefore, the following provisions apply to Room 305 and Room 307 in the Austin Building.

These conference rooms will be primarily for the use of ~~the Board of Regents and~~ the president of the university in their conduct of the governance and administration of the university, as well as for visits of dignitaries and official university guests.

Beverages and food are prohibited in conference rooms 305 and 307, except as approved by the president ~~or the chair of the Board of Regents~~.

Cross Reference: Use of University Facilities (16.33)

Responsible for Implementation: President

Contact for Revision: President

Forms: None

Board Committee Assignment: Building and Grounds Committee

Revision History: January 31, 2017
January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Homer Bryce Stadium and William R. Johnson Coliseum

Policy Number: 16.13

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy outlines approved use of Homer Bryce Stadium and William R. Johnson Coliseum.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Ryan Ivey, Director of Athletics
Steve Westbrook, Interim President
Damon Derrick, General Counsel

Homer Bryce Stadium and William R. Johnson Coliseum

Original Implementation: 1972
Last Revision: January ~~28, 2020~~*30, 2023*

The provisions of the policy on the Use of University Facilities (16.33) govern the use of all buildings, facilities, equipment, and grounds, hereafter referred to as facilities, under the control of Stephen F. Austin State University. That policy provides that the university may establish additional procedures for the reservation and use of specific facilities; therefore, the following provisions apply to Homer Bryce Stadium and William R. Johnson Coliseum.

Use of Homer Bryce Stadium or William R. Johnson Coliseum by persons other than the university athletic department will be arranged through the coordinator of athletic operations and approved by the director of athletics. Such usage will be limited to events sponsored by university departments or recognized student organizations conducting activities within their established role and scope. Some events may be sponsored by the university, such as high school and University Interscholastic League events as well as other athletic events, which are sanctioned by an official governing organization. Persons or groups wishing to use either of these facilities should contact the ~~coordinator of athletic operations~~*Associate Athletics Director for Business Affairs* (in person or by phone) concerning the availability of the facility. Questions regarding the use of these facilities for camp/conference participants should be directed to the camps and conferences coordinator, located in the Baker Pattillo Student Center. (See Camps and Conferences, policy 16.7.)

1. Intercollegiate athletic teams have first priority of access to all intercollegiate competition surfaces.
2. The *Associate Athletics Director for Business Affairs* ~~coordinator of athletic operations~~ will complete a facility use application.
3. The *Associate Athletics Director for Business Affairs or designee*~~coordinator of athletic operations~~ will assist university departments and student organizations with coordination of university police department and university physical plant services for upcoming events.
4. A contract will be completed before the date of the event.
5. The William R. Johnson Coliseum marquee will be used to advertise only official university events *and/or official corporate partners/sponsors*. Requests for messages on the marquee should be made to the *Associate Athletics Director for Business Development and Revenue Generation or designee* ~~coordinator of athletic operations~~.
6. Homer Bryce Stadium and William R. Johnson Coliseum competition surfaces (i.e. football field, track surface and basketball court) shall be permitted only through approval through the facility use process. General public use of competition surfaces is strictly prohibited.
7. Grandstands located in Homer Bryce Stadium and William R. Johnson Coliseum shall be opened for general public use at their own risk, between 6am-10pm. Both facilities shall be closed for general public use between 10pm-6am. Those individuals caught using the facilities during unpermitted timeframes may be subject to disciplinary action, including

prosecution by the extent allowed by law.

Cross Reference: Use of University Facilities (16.33); Camps and Conferences (16.7)

Responsible for Implementation: President

Contact for Revision: Director of Intercollegiate Athletics

Forms: None

Board Committee Assignment: Building and Grounds Committee

Revision History: January 28, 2020
November 7, 2016
October 21, 2013
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Use of University Facilities

Policy Number: 16.33

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/23/2019

Unit(s) Responsible for Policy Implementation: President, Vice President for Finance and Administration, Vice President for Student Affairs, Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for the use of university facilities by individuals and groups, outlines the process for reserving facilities, and establishes financial policies relating to facility usage.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Significant revision by Student Affairs and Financial Affairs to clarify point-of-contacts for authorization to use facilities. Also, clarified hearing procedure for those individuals/groups suspended from using facilities. Academic Affairs made minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Wording changes, minor additional revisions

Reviewers:

Academic Affairs Policy Committee
Student Affairs Policy Committee

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Brandon Frye, Vice President of Student Affairs
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Use of University Facilities

Original Implementation: April 11, 1980
Last Revision: ~~July 23, 2019~~*January 30, 2023*

Purpose

This policy provides guidelines for the use of university facilities by individuals and groups, outlines the process for reserving facilities, and establishes financial policies relating to facility usage.

Definitions

The following definitions will be utilized for the purpose of this policy:

———Student - ~~is defined as~~ a person who is currently enrolled for academic instruction or research at the university.

———Campus - ~~is defined as~~ all real property over which the university has possession and control by law.

———University group - ~~is defined as~~ a registered student organization, other student group, or faculty ~~and~~ *or* staff group. No group shall be considered a university group if it includes a person who is not a student, faculty member, or employee of the university unless that person is a member of the immediate family of a student, faculty member, or employee of the university.

———Outside group - ~~is defined as~~ any organization or group that is not included within the term university group.

~~"~~Outside individual~~"~~ - ~~is defined as~~ any individual that is not a student, faculty member, or employee of the university, and a student, faculty member, or employee of the university not acting within the scope of their employment.

———Sponsoring organization - ~~will mean~~ a university group that vouches for an outside group's use of a university facility.

———University official - ~~is defined as~~ a person charged with the responsibility for supervising the use of a university facility.

———University agency - ~~is defined as~~ an academic unit, college, or program, or a university council, committee or auxiliary enterprise.

General

All university facilities will be used only in the pursuit of the stated objectives of the university - academic, cultural, and public service. While academic space exists primarily for academic instruction, individuals and groups may utilize available academic space in accordance with this policy. ~~–~~Groups not affiliated with the university may be granted use of university facilities according to the general policies provided herein and an agreement to adhere to the specific rules and procedures governing the use of the individual facilities.

It is the responsibility of the user to become acquainted with and abide by these specific rules.

Priorities and Limitations for Use of University Facilities

All activities associated with the mission of the university will have priority regarding the use of university facilities. ~~u~~*U*niversity agencies/groups and individuals engaged in the educational mission of the university may use university facilities in accordance with federal, state, and local laws, as well as the rules and regulations of the university.

Priority for the use of university facilities will go first to the students and second to the faculty and staff. Exceptions to this rule may be made in certain instances by the university administration.

Outside groups sponsored by a university agency conducting an activity that is within the university agency's established role and scope may be allowed the use of university facilities. Outside individuals and/or groups without a sponsor may be permitted to use the facilities of the *Baker Pattillo S*~~s~~tudent ~~c~~*C*enter, subject to all other appropriate guidelines contained in this policy.

Reservations and Use by University Groups/Agencies

Application for use of university facilities by university groups/agencies will be made to the appropriate university official as follows:

Facility	Appropriate University Official
Academic facilities	Academic Deans with jurisdiction over ~~that~~ *the* space
Baker Pattillo Student Center	Director, *Baker Pattillo* Student Center
Residence halls	Director, Residence Life
Library ~~carrels and seminar~~ rooms	Director, University Library
~~Johnson Coliseum and Homer Bryce Stadium~~*Athletic Facilities*	*Associate Athletics Director for Business Affairs*~~Coordinator of Athletic~~

Health and Physical Education Complex	Chair, Department of Kinesiology, or Director, Campus Recreation; as outlined in Policy 16.18, Norton HPE Complex
Student Recreation Center, intramural fields and other outside recreational facilities	Director, Campus Recreation
All other facilities	*Vice President for Finance and Administration*

Fees for Use: Fees for use by university groups are established at rates which will, at a minimum, ensure recovery of the operating cost of the facility that is attributable directly or indirectly to such use, including but not limited to the proposed facility and expected size of the audience, anticipated need for campus security, any necessary accommodations, and relevant history of compliance or noncompliance with university policies and procedures. Such fees may differ from the fee charged to an outside group. The current fee schedule will be available from the appropriate university official. An advance deposit (specified in the fee schedule) may be required for reservations for an event conducted by an outside group.

Income: Excess income over expenses, including the fee for use of the facility derived from an event sponsored by a university agency/group, may be retained by the university agency/group to further its activities and programs. Excess expenses over income of an event will be absorbed by the sponsoring university agency/group.

Reservations and Use by Outside Individuals and/or Groups

Application for use of university facilities by outside individuals and/or groups will be submitted to the *appropriate university official as stated above*.~~vice president for finance and administration, except for the coliseum, stadium, student recreation center, and student center, which will be submitted to the individual indicated above.~~

Usage: The university may establish additional procedures and/or policies for the reservation and use of each university facility. Consumption of food or beverages in ~~SFA~~ *university* academic buildings is permitted subject to the approval of the appropriate dean or designee, provided such permission does not conflict with other policies or applicable laws.

Identification of Sponsor: The user may not assign or delegate any control or responsibility to any other user or co-sponsor, agent, or third party without prior written approval of the appropriate university official. All users or co-sponsors of an event must be clearly identified prior to confirmation of a

reservation. Reservations for one event may not be modified for a different event without written approval by the appropriate university official.

Fees for Use: Fees for use by outside individuals and/or groups are established at rates which will, at a minimum, ensure recovery of the operating cost of the facility that is attributable directly or indirectly to such use, including but not limited to the proposed facility and expected size of the audience, anticipated need for campus security, any necessary accommodations, and relevant history of compliance or noncompliance with university policies and procedures. The current fee schedule will be available from the appropriate university official. An advance deposit (specified in the fee schedule) may be required for reservations for an event conducted by an outside group.

Income: If an outside individual and/or group (other than a public entity or summer camp) using a university facility charges those attending an event any admission or registration fee, or accepts donations from those in attendance, a complete accounting of all funds collected and of the actual cost of the event must be submitted upon request to the vice president for finance and administration within (30) days after the event. If the funds collected exceed the actual cost of the event, the user is required to remit such excess funds to Stephen F. Austin State University as an additional charge for use of the facility. The university reserves the right to audit all records pertaining to income and expenses, to prescribe methods of collection, and to participate in audits of funds at the point of receipt. Additional cost of maintenance and services, including standbys, custodial services, and utilities will be considered an expense of the event.

Bond and insurance: Outside individuals and/or groups using a university facility may be required to provide a contract performance bond as well as evidence of appropriate levels of liability insurance in amounts and under policies satisfactory to the vice president for finance and administration. Copies of such policies will be furnished to the vice president for finance and administration no later than thirty (30) days prior to the event and in all cases prior to announcement of the event.

Financial Policies Applicable to All Users

Payment for damages: All users and sponsors will be responsible for payment for damages to the university facility, its fixtures, and equipment, whether caused by the user or its patrons, with the exception of ordinary wear and tear.

Broadcast and recording rights: The university reserves all rights and privileges for radio and television broadcasts, whether live or transcribed for delayed transmission, and all visual or audio recordings originating from the university facility. Should the university grant to the user such privilege, the university has the right to require advance payment of any estimated related costs to the university, such as installation of equipment. Such permission must be granted in writing by the university president in advance of broadcast or recording.

General Policies Applicable to All Users

Any proposed use of a university facility must be appropriate and suited to the size, structure, purpose and operating costs of the facility. There must be good reason to expect that a proposed event will require features unique to the facility or which are otherwise unavailable in the community. All proposed events must be conducted in accordance with applicable state and federal laws and regulations, as well as the rules, regulations and policies of the university ~~Board of Regents~~. Users must demonstrate, to the satisfaction of the appropriate university official, that they have the staff, experience, contracting authority, financial status and other qualifications necessary for carrying out the proposed events in a satisfactory manner.

Review of contracts: All contracts related to the presentation of an event, including contracts between user and performers, speakers, sub-contractors, managers, and others, are subject to review and approval by the *office of the* general counsel and the appropriate vice president *or president's cabinet member*.

Hazards: If the university, in its sole discretion, determines that a proposed event poses a potential hazard to public safety, the event may be canceled or denied. No user may install or operate any equipment, fixture or device, nor operate or permit to be operated any engine, motor or other machinery, or use gas, electricity or flammable substances in the facility except with prior written approval of the appropriate university official, and then under such conditions and restrictions as the university official may specify. All electrical connections must be made by university personnel under direction of the staff of the appropriate university official and all house equipment must be operated by university personnel. No equipment, device or fixture may be used which, in the opinion of the university official, endangers the structural integrity of the facility.

Conflict with university activities: An event will not be permitted for any purpose which, although in accordance with the general purposes of the university, is of such character or occurs at such circumstances that they are likely to interfere or cause major conflict with any university activity, program or event, or are inimical to the interests of the university.

Management functions: Management functions are retained by the university and may be delegated to users or others only with the written permission of the appropriate vice president *or president's cabinet member*. The functions include, but are not limited to, all facets of ticketing and ticket policies, including scaling, acquisition, distribution, and sale; and all matters of staffing, crowd control, technical arrangements, promotions, and advertising.

Concessions and catering: Use of the university facility does not carry the right for the user to control

concessions. Sale and distribution of food, beverages, souvenirs, or other concession items are reserved for the university or its concessionaires.

Signs and displays: No signs, messages or other materials may be posted, displayed, distributed or announced in, on or adjacent to, the university facility by user or sponsor without prior written approval of the university official. Such materials may not be fastened to any part of the facility except in spaces provided for this purpose and may not be permitted to interfere with crowd movement and safety.

Religious organizations (Outside Group): A religious organization applying for use of a facility must submit written evidence to the appropriate university official from the Internal Revenue Service that the organization has been granted an exemption from taxation under Section 501(c)(3) of Title 26 of the United States code (Internal Revenue Code), and will be permitted to use the facility no more than one (1) time during a calendar year.

Political organizations (Outside Group): A political organization applying for use of the facility must present written evidence to the appropriate university official that the organization had candidates for either national, state, district or local offices listed on the ballot at the last general election, and will be permitted to use the facility no more than one (1) time during a calendar year.

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

Advertising: All press releases, handbills, advertisements, television and radio announcements, social media or other media utilized to inform the public of a non-university event to be held in a university facility must carry a disclaimer, approved by the *office of the* general counsel, to the effect that use of Stephen F. Austin State University facilities does not imply endorsement of the event or the sponsoring organization by the university.

Amplified Sound: Amplified sound may only be used at indoor campus facilities with prior authorization of the university. Use of these devices is restricted to specific areas. Decibel limits may be imposed on the use of amplified sound at any event. Any event exceeding these sound limits will be first asked to turn the volume down; if the problem persists, the university reserves the right to immediately terminate the event. Use of amplified sound on campus grounds is governed by policy 16.31, Use of Amplified Sound on Campus Grounds.

Penalty and Hearing

Suspension: If a user or sponsor violates the provisions of this policy, or the laws regulating the use of state property, the appropriate university official with the approval of the vice president *or president's cabinet member* to whom he/she reports may suspend the use of university facilities, or certain university facilities, by the user or sponsor for a specified period of time not to exceed one (1) year. Suspension will mean that reservation requests by the user or sponsor will be denied by the university during the specified period of time. *All suspension records will be maintained in the Dean of Students Office as a central location.*

Notice of Suspension: When a university official suspends a user or sponsor from the use of university facilities, the official will notify *in writing* the user or sponsor, ~~in writing and~~ the vice president *or president's cabinet member* responsible for space assignment, *and the Assistant Vice President of Students Affairs/Dean of Students* of the suspension. The written notice will contain all the following:

a. that the user or sponsor may not use university facilities, or certain designated university facilities, for a specified period of time, not to exceed one (1) year from receipt of the notice;
b. the name and title of the university official imposing the suspension, along with an address where the university official may be contacted during regular working hours;
c. a brief statement of the acts or omissions resulting in the suspension; and
d. notification that the suspended user or sponsor is entitled to a hearing on the suspension.

Request for Hearing: A suspended user or sponsor may submit a written request for a hearing on the suspension to the ~~appropriate university official~~*Dean of Students Office* within ~~fourteen~~ *ten* (1*0*~~4~~) *business* days from the date of receipt by the user or sponsor of the notice of suspension. The ~~university official~~*Assistant Vice President of Student Affairs/Dean of Students or their designee* will grant a hearing no~~t~~ later than ~~seven~~ *ten* (~~7~~*10*) *business* days from the date of receipt of the request and will immediately mail written notice of the time, place, and date of the hearing to the requester. The hearing will be held before a ~~discipline~~ committee reviewing the suspension in question. *This ~~discipline~~ committee will be ~~three individuals and~~ chaired by the Assistant Vice President of Student Affairs/Dean of Students who will appoint the other members. The suspended user or sponsor will be notified of the ~~discipline~~ committee's decision within three (3) business days of the hearing. There is no right to an appeal.*

Cross Reference: Course Scheduling *and Room Assignment* (4.1~~3~~*2*); Turner Auditorium (16.30); Norton HPE Complex (16.18); Kennedy Auditorium (16.14); Homer Bryce Stadium and William R. Johnson Coliseum (16.13); ~~Piney Woods Conservation Center (16.21);~~ The Ed and Gwen Cole Art Center and the Griffith Gallery (16.27); Austin Building Conference Rooms (16.5); Academic Facilities for Non-Academic Activities (16.1); Use of Amplified Sound on Campus Grounds (16.31); Tex. Educ. Code § 51.9315

Responsible for Implementation: President, Vice President for Finance and Administration, Vice President ~~for~~ *of* ~~University~~ *Student* Affairs, Provost and *Executive* Vice President for Academic Affairs

Contact for Revision: President

Forms: *Facilities Use Agreement*~~None~~

Board Committee Assignment: Building and Grounds

Revision History: July 23, 2019
January 26, 2016
January 29, 2013
January 25, 2010

Stephen F. Austin State University

Board of Regents

Building and Grounds Committee Tour

Monday, January 30, 2023

Schedule

10:30 a.m.	Walk from Austin Building to Griffith Fine Arts Building Construction Site
10:40 a.m.	Tour Construction Site
	Led by: John Branch, Interim Physical Plant Director
12:00 p.m.	Depart for Baker Pattillo Student Center
	Arrive at Baker Pattillo Student Center
12:05 p.m.	Adjourn Building and Grounds Committee Meeting
	Break for Lunch



Cadet Treavor Melton is a senior in SFA's Lumberjack Army ROTC Battalion and a Criminal Justice Major from Whitehouse, Texas. He is the son of Regan and Lynette Melton and a recipient of the Texas Armed Services Scholarship. Treavor was recently selected as the program's General Douglas MacArthur Leadership Award Recipient for 2023—an honor reserved for the #1 cadet in each ROTC program annually. Next month Treavor with represent SFA at the U.S. Army's MacArthur Leadership Seminar attended by the top-ranked cadets from each of the 265 ROTC programs across the nation. In May Cadet Melton will graduate with his Bachelor's degree and commission as a Second Lieutenant of Aviation. He will initially serve at Fort Rucker, Alabama for the Aviation Basic Officer Leadership Course and Flight Training.

ACADEMIC AFFAIRS – SPECIAL RECOGNITION

- Sharon Brewer
- Lysa Hagan
- Crystal Adams
- Ines Maxit
- Michael Tkacik

SFA CENTENNIAL COMMITTEE – SPECIAL RECOGNITION

- John Branch (Chair); Interim Director, Physical Plant
- Jill Still, Vice President for Advancement
- Craig Turnage; Executive Director, Alumni Association
- Dr. Chay Runnels, Professor and Director of Human Sciences
- Dr. Hollie Smith, Executive Director of Student Life
- Carrie Charley, Asst. Vice President for Student Affairs
- Dr. Gary Wurtz; Dean, Mickey Elliott College of Fine Arts
- Graham Garner, Chief Marketing Communications Officer
- Wally Crittenden, Assoc. Athletic Dir. for Business Development & Revenue Generation
- Jane Green, Community Member and All-Around Good Person
- Chris Cotton, University Archivist
- Karen Gantt; Chair, SFA Board of Regents (ex-officio)

PRESIDENTS AWARD RECIPIENTS – SPECIAL RECOGNITION

MINUTES OF OCTOBER 30-31, 2022 (358) BOARD OF REGENTS MEETING AND SPECIAL CALLED MEETING NOVEMBER 29, 2022 (359)

Explanation:

The minutes of the October 30-31, 2022 regular meeting of the Board of Regents (Meeting 358) and Special Called Board of Regents meeting minutes November 29, 2022 (Meeting 359) is included in this report.

Recommendation:

It is recommended by the administration that the minutes of the October 30-31, 2022 (Meeting 358) and November 29, 2022 (Meeting 359) be approved as presented.

Stephen F. Austin State University

MINUTES OF THE BOARD OF REGENTS

Nacogdoches, Texas
October 30-31, 2022
Volume 358

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Stephen F. Austin State University
Minutes of the Meeting of the Board of Regents
Nacogdoches, Texas
October 30-31, 2022
Austin Building, Room 307
Meeting 358

Sunday, October 30, 2022

The meeting of the Board of Regents was called to order in open session at 1:00 p.m. by chair Karen Gantt.

PRESENT:

Board Members:	Mrs. Karen Gantt, Chair
	Mr. Tom Mason, Vice Chair
	Mrs. Jennifer Winston, Secretary
	Mr. David Alders
	Mr. Robert Flores
	Mrs. Brigettee Henderson
	Mrs. Judy Olson
	Dr. Laura Rectenwald
	Ms. Nancy Windham
	Ms. Paige Vadnais, Student Regent
Interim President:	Dr. Steve Westbrook
General Counsel:	Mr. Damon Derrick
Chief Audit Exec.:	Mrs. Jane Ann Bridges
Cabinet Members:	Dr. Michara DeLaney-Fields
	Mr. Anthony Espinoza
	Dr. Brandon Frye
	Mr. Graham Garner
	Mrs. Rachele' Garrett
	Mr. Ryan Ivey
	Mrs. Gina Oglesbee
	Dr. Lorenzo Smith
	Mrs. Jill Still

Other SFA administrators and staff were in attendance. Student Regent Vadnais was introduced to the group by Chair Gantt.

The board listened to System Affiliation Evaluation Reports from the four designated groups: Student Government Association Report, presented by Ms. Madison Gartman, Student Body President; Staff Council Report, presented by Ms. Alison Reed, Staff Council Chair; the Academic Group Reports presented by Dr. Lorenzo Smith; and the Alumni Report presented by Ms. Erika Tolar, SFA Alumni Association President.

At 3:02 p.m., Chair Gantt called the meeting into Executive Session to discuss the following

items:

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

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

Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to reported complaints, EEOC charges, *Ann Wilder v. SFASU*; *Christin Evans v. Sydney Miley, et al; Tammy Wheeler v. Board of Regents of Stephen F. Austin State University, et al.* and *Sarah Evans v. Stephen F. Austin State University, et al.* (Texas Government Code, Section 551.071)

Consideration of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to the director of athletics, executive director for enrollment management, chief marketing communications officer, chief information officer, chief diversity officer, director of governmental relations, vice presidents and the interim president. (Texas Government Code, Section 551.074)

The executive session ended and the Board of Regents meeting returned to open session at 9:24 p.m.

The meeting was recessed by Chair Gantt at 9:25 p.m. to Monday, October 31 at 9:00 a.m.

Monday, July 25, 2022

The meeting of the Board of Regents was called to order in open session at 9:03 a.m. by chair Karen Gantt.

PRESENT:

Board Members:	Mrs. Karen Gantt, Chair
	Mr. Tom Mason, Vice Chair
	Mrs. Jennifer Winston, Secretary
	Mr. David Alders
	Mr. Robert Flores
	Mrs. Brigettee Henderson
	Mrs. Judy Olson
	Dr. Laura Rectenwald
	Ms. Nancy Windham
	Ms. Paige Vadnais, Student Regent
Interim President:	Dr. Steve Westbrook
General Counsel:	Mr. Damon Derrick
Chief Audit Exec.:	Mrs. Jane Ann Bridges
Cabinet Members:	Dr. Michara DeLaney-Fields
	Mr. Anthony Espinoza

Dr. Brandon Frye
Mr. Graham Garner
Mrs. Rachele' Garrett
Mr. Ryan Ivey
Mrs. Gina Oglesbee
Dr. Lorenzo Smith
Mrs. Jill Still

Other SFA administrators and staff were in attendance.

The board recessed to committee meetings.

The Academic and Student Affairs Committee was called to order by committee chair Laura Rectenwald at 9:05 a.m.

Committee Members: Dr. Laura Rectenwald, Chair
Mrs. Brigettee Henderson
Mrs. Jennifer Winston
Ms. Paige Vadnais, Student Regent
Mrs. Karen Gantt, ex officio

The committee members heard presentations, discussed and agreed to recommend the following agenda items.

6. Department Name Change for Department of Geology in the College of Sciences and Mathematics

7. Academic and Student Affairs Policy Revisions
Academic Unit Head –Responsibilities, Selection, and Evaluation 4.4
Accessibility of Electronic Information Resources 16.9
Continuing Education 5.3
Credit and Contact Hours 5.4
Designation of School Status 4.5
Discipline and Discharge 11.4
Emeritus 7.10
Faculty Search 7.12
Faculty Workload 7.13
Guest Lecturers 7.15
Library Faculty 7.17
Misconduct in Federally Funded Research 8.7
Moving Expenses 3.23
Performance Evaluation of Faculty 7.22
Performance Management Plan 11.20
Prohibition of Enrollment Inducement of Military Service Members 6.23
Public Health 13.16
Reasonable Workplace Accommodations for Disabilities 11.22
Regents Scholar 7.24

Reporting of Abuse, Exploitation or Neglect of Elderly Persons or Persons with Disabilities 13.18
Selection of Academic Deans 4.9
Staff Employment 11.5
Timely Warning 13.22
University Closure for Inclement Weather and Other Emergencies 13.12

The meeting of the Building and Grounds Committee was called to order in open session at 9:07 a.m. by committee chair, David Alders.

Committee Members: Mr. David Alders, Chair
Mrs. Jennifer Winston
Ms. Nancy Windham
Mrs. Karen Gantt, ex officio

The committee members heard presentations, discussed and agreed to recommend the following agenda item.

John Branch provided the Construction Report to the committee.

8. Oncor Transfer of Equipment and Facilities Bill of Sale and Assignment and Assumption Agreement

The Building and Grounds Committee recessed at 9:44 a.m.

The Finance and Audit Committee Meeting was called to order by committee chair Tom Mason at 9:44 a.m.

Committee Members: Mr. Tom Mason, Chair
Mr. Robert Flores
Mrs. Judy Olson
Mrs. Karen Gantt, ex officio

The committee members heard presentations, discussed and agreed to recommend the following agenda items.

9. Acknowledge Receipt of Audit Services Report
Endowment Audit
Higher Education Emergency Relief Funds Audit
Annual Inventory
Internal Projects / Investigations
Update on Audit Plan

10. Annual Audit Report and Audit Charter

11. Ratification of the 2024-25 LAR Submission

12. Amendment to KDW Contract for Demolition of Hall 16

13. Acknowledge Receipt of Contract Monitoring Report

14. College of Fine Arts Expansion Project Budget Increase and GMP Amendment

15. Campus Space Realignment and Renovation Project Budget – Steen Library Renovations

Gina Oglesbee provided the HEF Status Report Fiscal Year 2022-2023.

16. Grant Awards

17. Finance and Audit Policy Revisions
    Contracting Authority 1.3
    Food Purchases 17.6
    Institutional Reserves 3.19
    Procurement of Electronic and Information Resources 17.16
    Working Hours and Holidays 12.24

The Finance and Audit Committee adjourned at 10:30 a.m. and the Building and Grounds Committee reconvened.

The board toured the Art Buildings located on Wilson Drive.

The Building and Grounds Committee adjourned at 12:15 p.m. and Committee Meetings recessed. The board broke for lunch at 12:15 p.m.

At 1:32 p.m. The invocation was provided by Regent Alders and the pledges were led by ROTC Cadet, Hannah Perry.

SPECIAL RECOGNITION

Dr. Lorenzo Smith recognized the Office of Research and Graduate Programs. The Arthur Temple College of Forestry and Agriculture presented the board with a published book that will have the proceeds support the Forestry. Dr. Michara DeLaney-Fields introduced the Diversity Ambassadors to the board. The University Police Department was recognized for a recent award. Athletic Director, Ryan Ivey introduced the Bowling Team, and Ms. Nissi Kabongo for her accomplishments with Ladyjack Track and Field.

MINUTES

Board Order 22-71
Upon motion by Regent Olson, seconded by Regent Flores, with all members voting aye, it was ordered that the minutes of Meeting 357, July 24-26, 2022. be approved as presented.

PERSONNEL

Board Order 22-72
Upon motion by Regent Mason, seconded by Regent Henderson Alders, with all members voting aye, it was ordered that the following personnel items be approved as listed in Appendix 1.

FACULTY AND STAFF APPOINTMENTS

Faculty appointments are recommended by the department chair and approved by the appropriate dean, provost/vice president for academic affairs and the president. Each appointment states salary and percentage of time employed, designates the semester or academic year (September through May) and states the effective date of employment. In addition, last degree and granting institution are included for first-time appointments.

Staff appointments are recommended by the department chair or director and approved by the appropriate dean (if applicable), vice president and/or president. Each appointment states salary, percentage of time employed, and designates the effective date of employment.

CHANGES OF STATUS

Changes of status include changes in appointment, percentage of time, salary or semesters. These changes are initiated by the department chair or director and routed through administrative channels for approval.

FACULTY TENURE

Tenure is awarded by the Board of Regents to those faculty members who are recommended by the president. Applications of individuals recommended for tenure are reviewed by departmental and college committees and by a department chair, dean and provost/vice president of academic affairs, prior to recommendation to the president.

RETIREMENTS

Retirements include the listing of personnel that have selected to retire from SFA.

ACADEMIC AND STUDENT AFFAIRS COMMITTEE

Board Order 22-73
Upon motion by Regent Winston, seconded by Regent Olson, with all members voting aye, it was ordered that the following academic and student affairs items be approved.

DEPARTMENT NAME CHANGE FOR DEPARTMENT OF GEOLOGY IN THE COLLEGE OF SCIENCES AND MATHEMATICS

WHEREAS, the board members considered: The College of Sciences and Mathematics recommends a name change for the Department of Geology to the Department of Earth Sciences and Geological Resources. The department believes this name change will better reflect the

disciplines within that department and bring the department more in line with current professional and academic trends impacting those disciplines.

THEREFORE, it was ordered that the name change from Department of Geology to Department of Earth Sciences and Geological Resources for the College of Sciences and Mathematics.

Board Order 22-74
Upon motion by Regent Mason, seconded by Regent Windham, with all members voting aye, it was ordered that the following academic and student affairs items be approved.

ACADEMIC AND STUDENT AFFAIRS POLICY REVISIONS

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

Academic Unit Head –Responsibilities, Selection, and Evaluation 4.4
Accessibility of Electronic Information Resources 16.9
Continuing Education 5.3
Credit and Contact Hours 5.4
Designation of School Status 4.5
Discipline and Discharge 11.4
Emeritus 7.10
Faculty Search 7.12
Faculty Workload 7.13
Guest Lecturers 7.15
Library Faculty 7.17
Misconduct in Federally Funded Research 8.7
Moving Expenses 3.23
Performance Evaluation of Faculty 7.22
Performance Management Plan 11.20
Prohibition of Enrollment Inducement of Military Service Members 6.23
Public Health 13.16
Reasonable Workplace Accommodations for Disabilities 11.22
Regents Scholar 7.24
Reporting of Abuse, Exploitation or Neglect of Elderly Persons or Persons with Disabilities 13.18
Selection of Academic Deans 4.9
Staff Employment 11.5
Timely Warning 13.22
University Closure for Inclement Weather and Other Emergencies 13.12

BUILDING AND GROUNDS COMMITTEE

Board Order 22-75
Upon motion by Regent Alders, seconded by Regent Windham, with all members voting aye, it was ordered that the following building and grounds item be approved.

ONCOR TRANSFER OF EQUIPMENT AND FACILITIES BILL OF SALE AND ASSIGNMENT AND ASSUMPTION AGREEMENT

WHEREAS, the board members considered: Oncor Electric Delivery Company, LLC currently owns and maintains a portion of an electrical substation on the SFA campus ("SFA Substation"), located on East College Street adjacent to the Physical Plant Department and the SFA Arboretum. Within the confines of the substation, SFA currently owns three (3) breakers which feed electricity to the majority of the SFA main campus. The SFA Physical Plant Department is responsible for the maintenance, repair and replacement of the three breakers.

SFA seeks to transfer sole ownership of the equipment, fixtures, facilities, and all associated appurtenances to Oncor Electric Delivery, which would result in future maintenance and cost savings.

THEREFORE, it was ordered that the resolution that provides authorization to transfer equipment and facilities located at SFA Substation and designates the vice president for finance and administration as the authorized signatory on all associated contracts and documents be approved as presented.

FINANCE AND AUDIT COMMITTEE

Board Order 22-76
Upon motion by Regent Mason, seconded by Regent Henderson, with all members voting aye, it was ordered that the following finance and audit items be approved.

ACKNOWLEDGE RECEIPT OF AUDIT SERVICES REPORT

The Board of Regents acknowledge receipt of the audit services report as presented including the following:

Endowment Audit
Higher Education Emergency Relief Funds Audit
Annual Inventory
Internal Projects / Investigations
Update on Audit Plan

ANNUAL AUDIT REPORT AND AUDIT CHARTER

WHEREAS, the board members considered the following: According to the Rules and Regulations of the Board of Regents, the chief audit executive shall submit an annual report as required by Art. 6252-5d, V.T.C.S., recodified at Government Code, Chapter 2101. The annual report shall be submitted to the president and the board for review prior to public dissemination. In addition, the Institute of Internal Auditors (IIA) International Standards for the Professional Practice of Internal Auditing (the standards) require the internal audit charter to be approved periodically. The internal audit charter provides the purpose, authority, responsibility, and position of the internal audit department. The charter is included in the annual audit report.

THEREFORE, it was ordered that the annual audit report and audit charter be approved as presented.

Board Order 22-77
Upon motion by Regent Mason, seconded by Regent Flores, with all members voting aye, it was ordered that the following finance and audit item be approved.

RATIFICATION OF THE 2024-25 LAR SUBMISSION

WHEREAS, the board members considered the following: The 88th Legislative session will begin in January 2023 to determine appropriations for the 2024-2025 biennium. Agencies and institutions of higher education submitted a Legislative Appropriations Request (LAR) to the Legislative Budget Board (LBB) in August and a revision in October 2022 to request appropriated funds for fiscal years 2024 and 2025.

The revised LAR contained the following exceptional item requests: $130 million for Campus Capital Renewal & Modernization; $23.4 million for additional Institutional Enhancement funds for Salary Equity; $2 million for First-Generation Student Support; $1.7 million for STEM Teacher Preparation Program; and $1.07 million for the SFA Center for Entrepreneurship.

In addition to the exceptional item requests, the university requested continued funding of non-formula support items, including debt service.
The LAR is posted on the SFA Budget Office website.

THEREFORE, it was ordered the ratification of the 2024-25 Legislative Appropriations Request as submitted.

Board Order 22-78
Upon motion by Regent Mason, seconded by Regent Alders, with all members voting aye, it was ordered that the following finance and audit item be approved.

AMENDMENT TO KDW CONTRACT FOR DEMOLITION OF HALL 16

WHEREAS, the board members considered the following: In October 2018 Board Order 19-07, the Board of Regents selected Kingham Dalton Wilson (KDW) as the construction manager-at-risk (CMR) for the construction of a new dining hall, residence hall, and other projects. The university entered into a master agreement to provide these services. In July 2022, the Board of Regents authorized approval of the Residence Halls and Auxiliary Deferred Maintenance and Improvements project budget in the amount of $20,401,518.35. Utilizing funds from the project budget, the administration seeks approval to amend KDW's master agreement to a not-to-exceed total of $1,123,291 for asbestos abatement and demolition of Residence Hall 16, including debris removal and site preparations to make way for a new campus dining hall.

THEREFORE, it was ordered that the amendment to the master agreement with KDW for an amendment amount not to exceed $1,123,291 that includes asbestos abatement, demolition of Residence Hall 16, debris removal and site preparations to make way for a new campus dining hall, be approved. The president has authorization to sign associated purchase orders, contracts and amendments as necessary, in accordance with policy 1.4, Items Requiring Board of Regents Approval.

Board Order 22-79

Upon motion by Regent Mason, seconded by Regent Olson, with all members voting aye, it was ordered that the following finance and audit items be approved.

ACKNOWLEDGE RECEIPT OF CONTRACT MONITORING REPORT

WHEREAS, the board members considered the following: In accordance with Texas Government Code 2261.253-255, the following contract monitoring report includes information on identified contracts that require enhanced contract or performance monitoring for reporting to the Board of Regents.

The contract monitoring report as presented includes the following contracts:

Netsync Network Solutions, Inc.-Switch support
Netsync Network Solutions, Inc.-Wireless access points
Direct Energy Business, LLC

Board Order 22-80
Upon motion by Regent Mason, seconded by Regent Windham, with all members voting aye, it was ordered that the following finance and audit item be approved.

COLLEGE OF FINE ARTS EXPANSION PROJECT BUDGET INCREASE AND GMP AMENDMENT

WHEREAS, the board members considered the following: In October 2019 Board Order 20-09, the Board of Regents approved combining the gross bond proceeds of $13 million for the Welcome Center with the gross bond proceeds of $27 million for the Fine Arts Expansion resulting in a revised Fine Arts Expansion project budget of $50,000,000.

Since the project was originally budgeted in 2019, cost escalation due to inflation has affected the Fixtures, Furniture and Equipment (FF&E) budget by an increase of approximately 40%. An additional $1,300,000 is needed for FF&E, along with a contingency of $857,271 to complete the project. Furthermore, changes in on-site field conditions have resulted in the need for a roof replacement of the existing building; additional floor repair throughout the renovated spaces; mechanical, electrical, and plumbing (MEP) adjustments; a patron drop-off on East College Street; alterations to the rigging system in Turner Auditorium; and other on-site modifications and user changes. An increase in the Guaranteed Maximum Price (GMP) by $842,729 is needed for these changes. The FF&E increase, contingency, and GMP increase result in an additional project budget need of $3,000,000.

In July 2021 Board Order 21-77, the Board of Regents ratified a total GMP of $41,956,925 for the College of Fine Arts Expansion project. The increase in GMP of $842,729 results in a revised College of Fine Arts Expansion project GMP of $42,799,654. The increase in the GMP will result in an amendment to the construction manager at risk (CMR) contract with Kingham Dalton Wilson.

The administration seeks to fund the project budget increase of $3,000,000 through interest earnings and Higher Education Funds (HEF).

During the term of the project, bond proceeds were invested. Using current interest rates, total interest earnings are expected to be approximately $2,022,303.45 through August 31, 2023. In addition, $115,018.55 of interest earnings net of expenditures from the closed Welcome Center project is available. Thus, the administration seeks to utilize the projected interest earnings $2,022,303.45 plus the transfer of $115,018.55 from the closed Welcome Center project for a total of $2,137,322 of interest earnings.

In July 2018 Board Order 18-32, the Board of Regents approved the fiscal year 2018-19 Capital Plan that allocated Higher Education Funds (HEF) for Campus Space Realignment and Renovations to be prioritized based on institutional need and available resources. The administration seeks to utilize, if needed, up to $862,678 in Campus Realignment and Renovation HEF to fund the project budget.

These changes result in a revised overall College of Fine Arts Expansion Project Budget of $53,000,000.

THEREFORE, it was ordered the approval of increasing the overall College of Fine Arts Expansion project budget to $53,000,000 by utilizing interest earnings of $2,137,322 and Campus Realignment and Renovation HEF of $862,678. The amendment is approved to the GMP for CMR services for Kingham Dalton Wilson by a total of $842,729 resulting in a new GMP to $42,799,654. The president has authorization to sign associated purchase orders, contracts and amendments as necessary, in accordance with policy 1.4, Items Requiring Board of Regents Approval.

Board Order 22-81
Upon motion by Regent Mason, seconded by Regent Alders, with all members voting aye, it was ordered that the following finance and audit item be approved.

CAMPUS SPACE REALIGNMENT AND RENOVATION PROJECT BUDGET – STEEN LIBRARY RENOVATIONS

WHEREAS, the board members considered the following: In July 2018 Board Order 18-32, the Board of Regents approved the fiscal year 2018-19 Capital Plan that allocated Higher Education Funds (HEF) for Campus Space Realignment and Renovations to be prioritized based on institutional need and available resources.

To advance experiential learning and academic support initiatives, the administration wishes to renovate specific portions of the first floor of Steen Library to 1) create a dedicated makerspace that provides for the open, safe use of maker technologies (e.g. 3d printers, laser cutters, etc.); 2) relocate the Office of International Programs from the fourth floor of Liberal Arts North to the first floor of the Library; 3) complete the relocation of the Student Success Center from the second floor of the Library to the first floor; and 4) purchase new physical and digital signage to direct students to resources within the Library.

The administration seeks to use Campus Space Realignment and Renovation HEF to renovate and equip the spaces. The project budget is $1,500,000 which requires Board of Regents approval.

THEREFORE, it was ordered the approval to renovate and equip portions of the first floor of Steen Library for academic support initiatives and establish a project budget of $1,500,000 using funds

from the Campus Space Realignment and Renovation HEF. The president has authorization to sign associated purchase orders, contracts and amendments as necessary, in accordance with policy 1.4, Items Requiring Board of Regents Approval.

Board Order 22-82
Upon motion by Regent Mason, seconded by Regent Rectenwald, with all members voting aye, it was ordered that the following finance and audit item be approved.

GRANT AWARDS

WHEREAS, the board members considered the following: In fiscal year 2022, the University received multi-year grant awards totaling $83,308,293. Of that total, grants awarded allocable to fiscal year 2022 were $28,801,699, an increase of $172,312 since the last report.

For fiscal year 2023, the multi-year grant award total is currently $41,284,982. Of this total, grant awards allocable to fiscal year 2023 are currently $6,533,749.

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, it was ordered that approval and ratification of the additional fiscal year 2022 grant awards that total $172,312 and grant awards for fiscal year 2023 that total $6,533,749. The grant awards are detailed in Appendix 3.

Board Order 22-83
Upon motion by Regent Mason, seconded by Regent Alders, with all members voting aye, it was ordered that the following finance and audit items be approved.

FINANCE AND AUDIT POLICY REVISIONS

The Board of Regents adopted the following policy revisions as presented in Appendix 3.

Contracting Authority 1.3
Food Purchases 17.6
Institutional Reserves 3.19
Procurement of Electronic and Information Resources 17.16
Working Hours and Holidays 12.24

REPORTS

Faculty Senate Chair, Chris McKenna reported on the following topics.
Review of current Faculty Senate Focal Points

Staff Council Chair, Megan Weatherly presented on the following topics.

- Review of Staff Council Purpose and Recently Completed Tasks
- Upcoming Staff Council Initiatives

Student Government Association President, Madison Gartman discussed the following topics.

- Tailgating Wars
- Mental Health Awareness Week
- Student Leader Advisory Board (SLAB)
- SGA presence at Faculty Senate and Alumni Association Meetings
- Academic Calendar

President Report

- Faculty/Staff Picnic
- Thanksgiving Holidays
- Big Dip
- December Commencement
- Centennial
- Spring Semester
- Legislative Session
- SFA Gala

Chair Gantt announced the Nominating Committee to consist of Regent Alders to serve as chair, along with Regent Henderson and Regent Olson.

The meeting of the Board of Regents adjourned by Chair Gantt at 3:03 p.m.

FACULTY AND STAFF APPOINTMENTS

Appendix 1

Type (Faculty/ Staff)	Employee Name	New Department and Title	New Salary, term length and FTE	Effective Date
Staff	Evan Hoefelmeyer	Agriculture - Beef Farm Supervisor	$44,498/Annual - 100%	8/1/2022
Staff	Eric Stephens	Athletics - Football Assistant Coach	$55,000/Annual - 100%	6/1/2022
Staff	Kwajual Jones	Athletics - Men's Basketball Operations Coordinator	$50,000/Annual - 100%	6/13/2022
Staff	Allison Ray	Athletics - Women's Basketball Operations Coordinator	$44,000/Annual - 100%	6/27/2022
Staff	Christine Wakefield	Athletics - Women's Soccer Assistant Coach	$35,000/Annual - 100%	7/1/2022
Staff	Brynn Baca	Athletics - Softball Assistant Coach	$35,000/Annual - 100%	8/8/2022
Staff	Richard Bruister	Athletics - Softball Head Coach	$75,000/Annual - 100%	7/1/2022
Staff	Christina May	Athletics - Softball Assistant Coach	$50,000/Annual - 100%	7/11/2022
Staff	Hunter Overholt	Athletics - Social Digital Media Program Director	$36,000/Annual - 100%	7/23/2022
Staff	Amanda Paver	Athletics - Strategic Communications Assistant Director	$36,000/Annual - 100%	7/1/2022
Staff	Mary Ann Rojas	Center for Applied Research & Rural Innovation - Executive Director	$121,000/Annual - 100%	7/1/2022
Staff	Tyler Tucker	Charter School - Teacher	$44,500/10 months - 100%	8/5/2022
Staff	Dustin Knepp	College of Liberal and Applied Arts - Dean	$170,000/Annual - 100%	8/1/2022
Staff	Rachel McCorry	Counseling Services - Counselor	$55,400/Annual - 100%	6/1/2022
Staff	Heather Jones	Disability Services - Assistant Director	$50,000/Annual - 100%	7/25/2022
Staff	Morgan Pulliam	Office of Student Engagement - Assistant Director	$45,000/Annual - 100%	7/18/2022
Staff	Dakota Steele	Residence Life - Area Coordinator	$45,000/Annual - 100%	8/1/2022
Staff	Corina Rivera	STEM Research and Learning Center - Outreach Coordinator	$55,400/Annual - 100%	6/1/2022
Staff	Gregory Condon	Theatre - Technical Director	$45,000/Annual - 100%	7/1/2022
Faculty	Jannah Nerren	Education Studies - Chair/Professor	$135,000/Annual - 100%	7/1/2022
Faculty	Brittany McCreary	Human Services and Educational Leadership - Clinical Instructor/Training Director School of Psychology	$72,000/11 months - 100%	6/17/2022
Faculty	Rickey McDaniel	Physics, Engineering and Astronomy - Chair/Professor	$130,000/Annual - 100%	6/13/2022

Time Period Reporting: 6/1/22 - 8/31/22

CHANGE OF STATUS - FACULTY AND STAFF

Appendix 1

Type (Faculty/ Staff)	Employee Name	Previous Department and Title	Previous SFA Salary, Term Length (Academic/Annual), and FTE	New Department and Title	New SFA Salary, Term Length (Academic/Annual), and FTE	Effective Date
Staff	H. Rachele Garrett	Office of Financial Aid and Scholarships - Director	$95,920/Annual - 100%	Admissions - Enrollment Management - Interim Executive Director	$95,920/Annual - 100% with monthly stipend of $2,000.00/month/12 months	6/1/2022
Staff	Hadrien Choukroun	Athletics - Track & Field - Assistant Coach	$62,000/Annual - 100%	Athletics - Track & Field/Cross Country - Co-Head Coach	$80,000/Annual - 100%	8/1/2022
Staff	John Faulkner	Athletics - Compliance Coordinator	$42,000/Annual - 100%	Athletics - Compliance & Risk Mitigation - Program Director	$42,000/Annual - 100%	6/1/2022
Staff	Robert Hansen	Athletics - Cross Country - Head Coach	$63,000/Annual - 100%	Athletics - Track & Field/Cross Country - Co-Head Coach	$80,000/Annual - 100%	8/1/2022
Staff	April Place	Center for Career and Professional Development - Coordinator	$36,000/Annual - 100%	Center for Career and Professional Development - Assistant Director	$45,000/Annual - 100%	6/1/2022
Staff	Andrew Campbell	ITS - Telecommunication & Networking - Private-Branch Exchange Technician	$35,568/Annual - 49%	ITS - Academic Support - Private-Branch Exchange (PBX) Technician	$57,000/Annual - 100%	6/1/2022
Staff	Toni Wagar	ITS - Telecommunication & Networking - Technology Support Specialist II	$45,200/Annual - 100%	ITS - Telecommunication & Networking - Systems Programmer I	$50,000/Annual - 100%	7/1/2022
Staff	Veronica Beavers	Multicultural Affairs - Director	$73,027/Annual - 100%	Office of Diversity, Equity and Inclusion - Deputy Chief Diversity Officer	$78,527/Annual - 100%	8/1/2022
Staff	Rebekah Raney	International Programs - Admissions Coordinator	$36,500/Annual - 100%	Office of Research and Graduate Studies - Compliance Coordinator	$58,799/Annual - 100%	6/6/2022
Staff	Susan Morris	Charter School - Secretary	$27,000/11 months - 100%	Procurement & Business Services - Interior Designer	$55,400/Annual - 100%	6/6/2022
Staff	Kimberly Lee	Student Center - Events Services Coordinator	$45,000/Annual - 100%	Student Center - Conferences & Events - Assistant Director	$51,500/Annual - 100%	8/1/2022
Faculty	Leslie Cecil	Anthropology, Geography and Sociology - Professor	$79,074/Academic - 100%	Office of Research and Graduate Studies - Interim Associate Dean	$79,074/Academic - 100% with monthly stipend of $2,965.25/month/12 months	8/1/2022
Faculty	Sheryll Jerez	Forestry -Professor	$78,743/Academic - 100%	Office of Research and Graduate Studies - Interim Dean	$78,743/Academic - 100% with monthly stipend of $4,265.25/month/12 months	8/1/2022
Faculty	Matthew Beauregard	Mathematics & Statistics - Professor	$78,424/Academic - 100%	Computer Science - Chair	$140,000/Annual - 100%	6/1/2022
Faculty	Alyssa Landreneaux	Charter School - Teacher	$46,450/10 months - 100%	Education Studies - Lecturer/Assessment Coordinator	$56,000/Annual - 100%	8/15/2022
Faculty	Nathan Nabb	School of Music - Professor	$73,968/Academic - 100%	School of Music - Director	$125,000/Annual - 100%	7/1/2022
Faculty	Chay Runnels	Human Sciences - Professor	$78,075/Academic - 100%	Human Sciences - Chair	$135,000/Annual - 100%	6/1/2022

Time Period Reporting: 6/1/22 - 8/31/22

CHANGE OF STATUS - STAFF

Appendix 1

Employee Name	
Ryan Ivey	Director of Athletics The president is authorized to negotiate and execute the Athletic Director Employment Contract, upon review from legal form and sufficiency by the Office of the General Counsel.

Appendix 1

FACULTY TENURE

Explanation:

Tenure is awarded by the Board of Regents to those faculty members who are recommended by the president. Applications of individuals recommended for tenure are reviewed by departmental and college committees and by a department chair, dean and provost/vice president of academic affairs, prior to recommendation to the president.

Recommendation:

It is recommended by the administration that academic tenure be awarded to the following individuals, effective immediately.

Dr. Jannah Nerren, College of Education

Dr. Rickey McDaniel, College of Sciences and Mathematics

Dr. Dustin Knepp, College of Liberal and Applied Arts

Appendix 1

RETIREMENTS

Type (Faculty/Staff)	Employee Name	Current Department	Current Title	Effective Date	Years of Service at SFA
Staff	Deborah Allen	Library	Business Manager	8/31/2022	23
Faculty	Sara Bishop	School of Nursing	Associate Professor	8/31/2022	27
Faculty	Sylvia Middlebrook	Psychology	Associate Professor	8/31/2022	9

Time Period Reporting: 6/1/22 - 8/31/22

Appendix 2

Policy Name	Policy Number	Page
Academic Unit Head--Responsibilities, Selection, and Evaluation	4.4.	1
Accessibility of Electronic Information Resources	16.9.	6
Continuing Education	5.3.	10
Contracting Authority	1.3.	14
Credit and Contact Hours	5.4.	17
Designation of School Status	4.5.	20
Discipline and Discharge	11.4.	23
Emeritus	7.10.	31
Faculty Search	7.12.	34
Faculty Workload	7.13.	37
Food Purchases	17.6.	43
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Institutional Reserves	3.19.	48
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Misconduct in Federally Funded Research	8.7.	56
Moving Expenses	3.23.	76
Performance Evaluation of Faculty	7.22.	79
Performance Management Plan	11.20.	85
Prohibition of Enrollment Inducement of Military Service Members	6.23.	88
Public Health	13.16.	91
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Reasonable Workplace Accommodations	11.22.	98
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Selection of Academic Deans	4.9.	109
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Appendix 2

Policy Name	Policy Number	Page
University Closure for Inclement Weather and Other Emergencies	13.12.	121
Working Hours and Holidays	12.24.	124

POLICY SUMMARY FORM

Policy Name: Academic Unit Head-Responsibilites, Selection, and Evaluation

Policy Number: 4.4

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy outlines the roles of the unit head of the academic department/division/school.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Text clarification and minor updates.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Affair Policy Committee
Faculty Senate
Chairs Forum
Deans Council
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Academic Unit Head—Responsibilities, Selection, and Evaluation

Original Implementation: March 7, 1978
Last Revision: ~~October 28, 2019~~*October 31, 2022*

Purpose

The purpose of this policy is to outline the roles of the unit head of an academic department/division/school.

Definition

The unit head is the chief executive of an academic department/division/school (hereafter referred to as "academic unit" or "unit").

Responsibilities of the Unit Head

The primary responsibilities of the unit head are to establish and maintain a climate conducive to the pursuit of knowledge. The decisions of the unit head should be made and implemented in the context of collegiality and regular communication. More specifically, the administrative responsibilities of a unit head include, but are not limited to, the following:

- Provide leadership in the establishment of a visionary direction and the maintenance of standards for the academic unit, consistent with college and university missions;
- Serve as the principal advocate for the unit and as an advocate for the college and university missions;
- Ensure quality through evaluation, modification, and development of academic programs;
- Respond to the needs of students, faculty, administration, the public, and others;
- *Develop~~s~~ and manage~~s~~ course schedules for each semester/parts of term;*
- *Assign~~s~~ and manage~~s~~ faculty workload*
- Manage and allocate fiscal and physical resources of the unit;
- Establish, maintain, and communicate effective personnel management procedures and processes; and
- Promote the academic unit externally.

Selection of the Academic Unit Head

A search and screening committee will be used in each search for an academic unit head. The dean of the college will meet with the faculty of the academic unit prior to the selection of the screening committee and will determine whether a search should be open or closed to outside candidates.

1. The committee will be formed by the dean of the college in consultation with the faculty of the academic unit and with the approval of the provost and *executive* vice president for academic affairs. The committee will have an odd number of members, with at least five

members. The committee may be larger depending on the size and complexity of the unit's programs.

2. Every committee will have representation from outside the academic unit and at least one member with appropriate administrative experience. Outside representatives will be appointed by the dean after considering recommendations by the faculty.
3. Once the size of the committee is established, the faculty will elect its specified number of representatives to the committee. Faculty members eligible to vote will hold faculty rank of instructor, assistant professor, associate professor, professor, or librarian I-IV in the academic unit. When possible, all tenure-track ranks will be represented on the committee. In all cases, the faculty will elect a majority of the committee. *Changes to the composition of the search committee may be considered with the approval of the dean and the provost and executive vice president.*
4. The dean will convene the committee for its organizational meeting at which time the committee will elect its chair and other officers. *Guidelines for the logistics of the search will be provided by the dean, in accordance with any requirements of the Department of Human Resources.* The committee chair will inform the faculty of the names of the committee members.
5. Candidates ~~-~~invited to campus for interviews will be provided ample opportunity to meet faculty, students, *the* dean of the college, *the* provost and *executive* vice-president for academic affairs and the committee, *as well as other individuals and groups, as appropriate*.
6. Following the interviews, the committee will invite comments from all faculty, staff, ~~and~~ students, *and other individuals and groups, as appropriate*, who were involved in the campus visits. The committee will forward *strengths and concerns for each finalist and/or* a recommendation to the dean along with a summary of comments. The dean, in turn, will forward *strengths and concerns and/or* a recommendation to the provost and *executive* vice president for academic affairs that is accompanied by all previous recommendations and summaries.
7. The provost and *executive* vice president for academic affairs, *or designee,* will make the appointment for an indeterminate term, subject to approval by the president and the Board of Regents.

Academic Unit Head Appointments

Academic unit heads may be hired under either an eleven-month or twelve-month contract.

Academic unit heads under an eleven-month contract are expected to be on duty each workday within the contract period when classes are in session. It is the responsibility of academic unit heads to ensure that ongoing academic unit obligations are met during their absence. Vacation time is not accrued under an eleven-month appointment. Sick leave is earned according to the schedule for Texas state employees. Academic unit heads under an eleven-month contract are also subject to being called upon to address a task or issue outside the normal workday when it is determined by the dean to be in the best interest of the university. Academic unit heads who are appointed for eleven months should have no university duties during the equivalent of one calendar month (twenty-one workdays throughout the year). The twenty-one days will be logged in the academic unit office and approved by the respective dean prior to *unit heads* taking leave from duties.

Academic unit heads under a twelve-month contract are expected to be on duty each workday. Vacation and sick leave are earned according to the schedule for Texas state employees. Academic unit heads are subject to being called upon to address a task or issue outside the normal workday when it is determined by the dean to be in the best interest of the university.

Evaluation of the Academic Unit Head

The evaluation of the academic unit heads is designed to promote academic excellence throughout the university. This process takes two forms: periodic reviews by the academic unit faculty, and annual *administrative evaluation* ~~reviews~~ by the dean. The annual *administrative evaluation* ~~review~~ provides the basis upon which to award merit to unit heads.

1. The unit head will be evaluated annually by the dean of the college. In making an evaluation, the dean will consider the responsibilities of the unit head as stated above, while any additional criteria will be communicated to the unit heads in advance of the evaluation period.
2. ~~After the completion of the first year and at least once every three years thereafter~~*After the completion of the first year and every third year thereafter,* the ~~unit head's performance will be evaluated by the faculty of the academic unit~~*faculty of the academic unit will evaluate the unit head's performance*. A summation of the faculty's evaluations of the unit head will be included as a component of the final evaluation report. Following the faculty's evaluation, the dean will meet with the unit *faculty* to discuss the unit head's performance. *In the event the dean does not provide feedback in a timely fashion, the unit faculty may request a meeting regarding the matter.*
3. The evaluation of a unit head may be initiated at any time by a majority of ~~the~~ *all full-time* faculty or at the call of the unit head, dean, provost and *executive* vice president of academic affairs, or president. Comments which may have been received relative to the unit head's performance and the advisability of retention should be carefully weighed for both the annual and triennial reviews. Exceptions to the evaluation timeline require approval of the dean in consultation with the provost and executive vice president of academic affairs *and would reset the triennial cycle*.
4. The dean will review with the unit head the results of each evaluation. A report of the evaluation and any recommendations will be submitted to the provost and *executive* vice president for academic affairs.
5. The unit head will have ten (10) working days from the date of the review to submit to the provost and *executive* vice president for academic affairs a written response to the dean's report.

Merit for Academic Unit Heads

Merit pay for unit heads will be based on the annual ~~performance~~*administrative* evaluation conducted by the dean. The dean will submit a recommendation on each unit head in the college to the provost and *executive* vice president for academic affairs for merit consideration.

Teaching Load for Academic Unit Heads

The teaching load of academic unit heads is determined annually by the college dean in consultation with the academic unit head based on the changing needs and objectives of the unit. Factors such as number of faculty (full-time equivalent [FTE]), number of majors, and complexity of the unit are considered in determining the teaching load of the unit head for the full contract year (September 1 through August 31).

Cross Reference: Faculty Handbook, Faculty Merit Pay (7.6); Faculty Workload (7.13); Sick Leave (12.18)

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

Contact for Revision: Provost and Vice President for Academic Affairs

Forms: Department Chair Administrative Effectiveness Appraisal

Board Committee Assignment: Academic and Student Affairs

Revision History: October 28, 2019
January 31, 2017
July 29, 2014
July 20, 2010

POLICY SUMMARY FORM

Policy Name: Accessibility of Electronic Information Resources

Policy Number: 16.9

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/26/2022

Unit(s) Responsible for Policy Implementation: Chief Information Officer

Purpose of Policy (what does it do): Establishes standards for electronic and information resources (EIR) including: software applications and operating systems; telecommunication products; video and multimedia products; self-contained closed products; desktop and portable computers; and procurement of these products as required by DIR.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☐ Response to audit finding

☒ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Revised to allow for a designee to approve Electronic Accessibility Exception Request Forms on behalf of the President. Additional Information and Resources will be referenced on accessibility website and updated as needed.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Anthony Espinoza, Chief Information Officer
Damon Derrick, General Counsel

Accessibility of Electronic Information Resources

Original Implementation: October 18, 2010

Last Revision: ~~July 26,~~*October 31,* 2022

Stephen F. Austin State University is committed to making electronic information resources accessible to all users. Chapter 213 of the Texas Administrative Code (TAC) establishes standards for electronic and information resources (EIR) *developed, procured, or changed* including: software applications and operating systems; telecommunication products; video and multimedia products; self-contained closed products; desktop and portable computers.~~; and procurement of these products.~~

In order for EIR products or service to be considered accessible, the product should offer an alternate format or method for providing information, including product documentation, to people with disabilities. Additionally, it should work with assistive technology commonly used to increase, maintain, or improve functional capabilities for individuals with disabilities.

Electronic Accessibility Coordinator (EAC)

The university president or university information resource manager (IRM) shall designate an Electronic Accessibility Coordinator to develop, support, and maintain EIR accessibility rules, standards, and procedures, and assist university personnel with relevant training information for EIR accessibility. The coordinator will chair the Electronic Accessibility Team (EAT) and may be contacted at accessibility@sfasu.edu. The IRM may appoint a temporary Electronic Accessibility Coordinator in the event the Electronic Accessibility Coordinator vacates the role until a permanent Electronic Accessibility Coordinator is appointed. The temporary appointment may not exceed 30 days.

Compliance

For compliance review purposes, all EIR vendors/companies must provide accessibility information in accordance with state law.

Web Accessibility

All official and affiliated university Web pages intended for public viewing shall be accessible to, and usable by, all users and compliant with TAC Chapter 206.70, unless an exception is approved by the president, *or his/her designee,* or an exemption has been made.

Web developers shall follow guidelines established by Chapter 206 of the TAC, Section 508 of the Rehabilitation Act, as amended, to the extent required under law, and criteria established by university procedures to improve the accessibility of all university websites.

Web Accessibility Link

Each university website that provides entry to members of the public must contain a "Web Accessibility" link to the Electronic Accessibility Site. This site contains the university's Web accessibility policy and contact information for the university's EAC.

Suggestions and Concerns

Existing website compliance issues can be addressed to the EAC by sending name, contact information, the nature of the accessibility problem, and the website address or specific Web page of concern to accessibility@sfasu.edu.

Grievances

If a user has a complaint about the accessibility of Stephen F. Austin State University websites, or access to other electronic equipment, he/she should notify the EAC at accessibility@sfasu.edu. The EAC, or designee, will contact the complainant regarding the issue and attempt to resolve the complaint. The complainant is expected to cooperate with the EAC and appropriate university personnel in the process of determining a resolution. The EAC will make recommendations to the relevant university departments and officials responsible for making electronic and information resources accessible.

~~**Additional Information and Resources**~~

~~Additional information about accessibility programs in Texas is available from the Governor's Committee on People with Disabilities, Information Technology Industry Council (ITI).~~

~~EIR Category~~	~~Technical Accessibility Standards~~
~~Software Applications and Operating Systems~~	~~1 TAC §213.30~~
~~Websites~~	~~1 TAC §206.70 Web Content Accessibility Guidelines (WCAG) 2.0, Level AA~~
~~Telecommunications Products~~	~~1 TAC §213.31~~
~~Video and Multimedia Products~~	~~1 TAC §213.32~~
~~Hardware~~	~~1 TAC §213.33~~
~~Functional Performance Criteria~~	~~1 TAC §213.35~~
~~Support Documentation and Services~~	~~1 TAC §213.36~~
~~Compliance Exceptions and Exemptions~~	~~1 TAC §213.37~~
~~Procurements~~	~~1 TAC §213.38~~
~~Accessibility Training and Technical Assistance~~	~~1 TAC §213.39~~
~~Accessibility Survey and Reporting Requirements~~	~~1 TAC §213.40~~
~~EIR Accessibility Policy and Coordinator~~	~~1 TAC §213.41~~

Cross Reference: Procurement of Electronic and Information Resources (17.16); University Website (15.10); 1 Tex. Admin. Code ~~§§~~ 206~~.1 .2, .70 .75~~; 1 Tex. Admin. Code ~~§§~~ 213~~.1 .2, .30 .41~~; Tex. Gov't Code §§ 2054.451-.465; Section 508 of the Rehabilitation Act, as amended, 29 U.S.C. § 794d; 36 C.F.R. 1194

Responsible for Implementation: Chief Information Officer

Contact for Revision: Electronic Accessibility Coordinator

Forms: Electronic Accessibility Exception Request Form, Voluntary Product Accessibility Template (VPAT ®)

Board Committee Assignment: Academic and Student Affairs

Revision History: July 26, 2022
July 23, 2019
July 26, 2016
October 21, 2013

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Continuing Education

Policy Number: 5.3

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/29/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): Supports the public service and outreach responsibilities of SFA.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Minor edits

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Affairs Policy Committeent
Student Affairs Policy Committee
Brandon Frye, Vice President Student Affairs
Gina Oglesbee, Vice President for Finance and Administration
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Continuing Education

Original Implementation: March 9, 1978
Last Revision: ~~January 29, 2019~~*October 31, 2022*

Purpose

~~The purpose of c~~*C*ontinuing education and community/public service activities ~~is to~~ support the public service and outreach responsibilities of Stephen F. Austin State University.

Definitions

Continuing education activities are defined as organized public activities sponsored by the university, or a constituent unit of the university, that provide participants some type of non-academic credit, continuing education credit or certification. Continuing education activities may include short courses, seminars, workshops, training sessions, conferences~~,~~ or institutes. *University facilities policies may apply (16.33).*

Community/public service activities are organized public educational activities, sponsored by the university or a constituent unit of the university, that do not offer any type of credit or certification. Community/public service activities may include camps, speaker series, travel experiences, or leisure learning.

Class projects/assignments, internships/practicums, class guest lectures, individual faculty presentations for community organizations, student activity programs, or student organization service projects are not covered by this policy.

Responsibility

Units offering continuing education and community/public service activities will have administrative, assessment and programming responsibilities. All activities must be submitted by the administrator to the appropriate *continuing education* supervisor for approval and must include appropriate documentation from the *pertinent* oversight agency allowing/accepting the non-academic credits when relevant.

A reasonable fee may be charged for continuing education and community/public service activities.

To bear the name of the university or any of its units, fees must be received and accounted for in accordance with university accounting procedures as outlined in Receipts and Deposits (3.26).

Facilities for continuing education and community/public service activities must be reserved in

accordance with university policies covering Use of University Facilities (16.33) and Academic Facilities for Non-Academic Activities (16.1). Academic programs will always be given priority for ~~the~~ use of university facilities.

Oversight

Direct oversight of continuing education and community/public service activities is the responsibility of the units offering the activity. Deans/non-academic directors must approve continuing education and community/public service activities before these activities are conducted. The Continuing Education and Community/Public Service Activities Approval form is posted at the Academic Affairs website; this form should be submitted to the appropriate dean or non-academic director's office at least two weeks *prior to*~~before~~ the activity ~~occurs~~. Deans/non-academic directors are responsible for collecting copies of the records of continuing education and community/public service activities offered within their areas of responsibility and for submitting these records annually to the office of the vice president to whom they report. The appropriate vice president will ensure ~~that~~ all ongoing continuing education and community/public service activities are assessed on a regular basis and ~~that~~ assessment results are used to improve the programs.

Awarding Continuing Education Units

When activities result in the awarding of non-academic credit, such as Continuing Education Units, it is the responsibility of the unit offering the continuing education activity to meet the guidelines established by the Texas Higher Education Coordinating Board *(THECB)* and the Southern Association of Colleges and Schools *Commission on Colleges (SACSCOC)*. It is the responsibility of the unit awarding the non-~~-~~academic credit to establish a transcript and *maintain*~~keep the~~ records ~~on file~~.

Cross Reference: Use of University Facilities (16.33); Academic Facilities for Non-Academic Activities (16.1); Receipts and Deposits (3.26); Tex. Educ. Code § 54.545

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

Contact for Revision: Provost and *Executive* Vice President for Academic Affairs; Vice President of *Student Affairs* ~~for University Affairs~~; Vice President for Finance and Administration

Forms: Continuing Education and Community/Public Service Activities Approval

Board Committee Assignment: Academic and Student Affairs

Revision History: January 29, 2019
November 2, 2015
October 22, 2012
April 19, 2011

POLICY SUMMARY FORM

Policy Name: Contracting Authority

Policy Number: 1.3

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 2/22/2021

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy governs the authority to enter and make contracts, purchases, and agreements of any character on behalf of Stephen F. Austin State University.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☐ Response to audit finding

☒ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Amount increased to one million.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Gina Oglesbee, Vice President for Finance and Administration
Steve Westbrook, Interim President
Damon Derrick, General Counsel

Contracting Authority

Original Implementation: July 18, 1988
Last Revision: ~~February 2, 2021~~ *October 31, 2022*

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 or member's family directly or indirectly has pecuniary or substantial 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.
   a. Contracts, purchases, or agreements in the amount of $*1,0*~~5~~00,000 or more, whether the amount is income or expenditure, for items identified in Section A of Policy 1.4, 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 $*1,0*~~5~~00,000, or amounts over $*1,0*~~5~~00,000 to the extent authorized in Section B of Policy 1.4, 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 $*1,0*~~5~~00,000 may be submitted to the Board of Regents for approval.

IV. The general counsel's office shall review all contracts and agreements prior to signature, except those that the general counsel has exempted from legal review.

V. 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 *executive* vice president for academic affairs, vice president for finance and administration, vice president for ~~university~~ *student* affairs, *associate vice president for finance and administration*, associate vice president for academic affairs. All other delegations must be specific

and in writing to be effective.

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.

VI. The department responsible for originating the contract is responsible for maintaining it for the applicable records retention period, either in their own files or by ensuring it has been loaded in the university's contract management system.

Cross Reference: Items Requiring Board of Regents Approval (1.4)

Responsible for Implementation: President

Contact for Revision: President

Forms: None

Board Committee Assignment: Finance and Audit Committee

Revision History: February 2, 2021
July 23, 2019
October 29, 2018
July 28, 2015
July 16, 2013
July 20, 2010

Appendix 2

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Credit and Contact Hours

Policy Number: 5.4

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: President, Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides the expectations on the credit and contact hours for all courses at all levels.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Minor Revisions

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Credit and Contact Hours

Original Implementation: February 4, 1986
Last Revision: ~~October 28, 2019~~*October 31, 2022*

This policy applies to all courses at all levels (undergraduate and graduate) that award academic credit (i.e., any course that appears on an official transcript issued by the university) regardless of the mode of delivery, including but not limited to, self-paced, online, hybrid, lecture, seminar, and laboratory. Academic units are responsible for ensuring that credit hours are awarded only for work that meets the requirements outlined in this policy.

Contact hours of courses offered for degree credit will conform to the rules of the Texas Higher Education Coordinating Board. The university adheres to the Carnegie unit for contact time (750 minutes for each credit awarded).

The expectation of contact time is the same in all formats of a course whether delivered fully online, hybrid, or face-to-face. Courses that have less structured classroom schedules, such as seminars, independent studies, internships, practica, studio work, or any other academic work leading to the award of credit hours, at a minimum, should state comparable learning objectives, expected outcomes, and workload expectations.

Permission to offer a course in a shortened format is required by the academic unit head, academic dean, and the *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs. The instruction and content of the material must be appropriate for a shortened duration, and the quality of learning must be at least equal to a course offered in a regular format. Students enrolled in a shortened course must meet the university's regular admission requirements.

Credit Hour

The federal definition of a credit hour is an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates:

1. Not less than one hour of classroom or direct faculty instruction and a minimum of two hours out-of-class student work each week for approximately fifteen weeks for one semester or trimester hour of credit, or 10 to 12 weeks for one quarter hour of credit, or the equivalent amount of work over a different amount of time, or;

2. At least an equivalent amount of work as outlined in item 1 above for other academic activities as established by the institution including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours.

Cross Reference: 19 Tex. Admin. Code § 4.6 (2003); 34 CFR § 600.2; Southern Association of Colleges and Schools, "Credit Hours Policy Statement"

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 31, 2017
April 15, 2014
October 18, 2010

POLICY SUMMARY FORM

Policy Name: Designation of School Status

Policy Number: 4.5

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for a program to switch to school status.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Designation of School Status

Original Implementation: February 3, 2005
Last Revision: ~~October 28, 2019~~ *October 31, 2022*

I. Introduction

Stephen F. Austin State University is subdivided into colleges for the purpose of accommodating broad program areas with common academic interests. The colleges are further subdivided into academic units designated as departments or divisions to enable smaller scholarly communities to devote attention to specific degree programs.

An academic unit seeking school status will be evaluated using the following guidelines:

- The unit should offer primarily professional programs and degrees;
- The programs of the unit should have professional accreditation;
- The unit should have a total enrollment of at least 150 students majoring in its programs;
- The unit may have been the recipient of a substantial endowment or gift.

II. Proposal Review and Approval

An academic unit seeking "school" status should develop a proposal that provides qualitative and quantitative justifications for acquiring the designation. The proposal, endorsed by a two-thirds vote of tenured and tenure-track faculty members within the unit, should include the elements listed below.

- A concise statement should outline the rationale for the request. This statement should address the distinctiveness of the discipline and the advantages of school status to future graduates of the program. A clear discussion should demonstrate how the request addresses the university's guidelines for awarding designation as a school.
- The impact of the change on staffing (faculty and administrative) and resources should be examined in detail. If available, peer programs at other universities should be presented for comparison purposes. Recommendations and/or letters of support from professionals or practitioners in the field should be attached and referenced in the discussion.
- A quality enhancement plan should describe how school status will be leveraged over the next five-year period to improve academic programs.
- A discipline-specific self-study completed within the last five years (with appropriate updates) should accompany the proposal. Copies of visitors' reports and annual assessment documents should be included, if available.

Upon endorsement by the faculty of the academic unit, the proposal will be forwarded to the college's dean. If recommended by the dean, the proposal will be reviewed by the Deans Council and the *P*~~p~~provost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs. If recommended, the proposal will be forwarded to the ~~p~~*P*resident, who may present it to the Board of Regents for consideration. ~~For final approval, a~~*A* request will be forwarded to the Texas Higher Education Coordinating Board *for approval*.

Cross Reference: None

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 31, 2017
January 28, 2014
October 18, 2010

Appendix 2

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Discipline and Discharge

Policy Number: 11.4

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/31/2019

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes the requirements for disciplining and discharging staff employees.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

John Wyatt, Interim Human Resources Director
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Discipline and Discharge

Original Implementation: December 6, 1983
Last Revision: October ~~28~~*31*, 20~~19~~*22*

Purpose

This policy establishes the requirements for disciplining and discharging staff employees.

Definitions

Minor Rule Violations may have little or no effect on the continuity, efficiency, and safety of university work, but will not be tolerated. The following are examples of minor rule violations, which may result in either oral or written warnings for entry into an employee's record. Continual violations may result in stronger disciplinary action up to and including discharge. Minor rule violations include but are not limited to:

1. Unauthorized, unexplained, or inexcusable absence or tardiness.
2. Failure to notify supervisor of absence at the earliest practical time.
3. Failure to observe assigned work schedules (starting time, quitting time, rest and meal periods).
4. 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.
5. Unsatisfactory work performance.
6. Loafing or other abuse of time during assigned working hours.
7. Interfering with any employee's work performance or duties by talking or by other distractions.
8. Circulating or distributing written or printed matter on university premises in violation of the university policy on petitions and handbills.
9. Leaving regularly assigned work location without notifying immediate supervisor.
10. Performing unauthorized personal work on university time.
11. Defacing bulletin boards or notices posted thereon.
12. Minor violations of safety rules.
13. Failure to use the time clock system as instructed.
14. Discourteous treatment of the public or of other employees.
15. Improper *on-campus* political activity of a minor nature.
16. Minor violation of an internal department work rule or university policy or procedure.
17. Engaging in excessive visiting, personal conversations, or use of the telephone for personal use.
18. Failure to follow any reasonable instructions issued by supervisor related to performing job tasks and/or job duties.
19. Abusive or unruly conduct of a minor nature.

Major Rule Violations are any act or omissions in violation of university policies or rules to such a degree that further employment of the offending individual may not be desirable for the university. The following are examples of some offenses which subject an employee to a written warning, suspension, or discharge. Major rule violations include but are not limited to:

1. Any act which might endanger the safety or lives of others.
2. Refusal to properly perform work assigned by a supervisor.
3. Violation of university safety rules.
4. Falsifying any university records.
5. Clocking in or out for another employee or allowing one's time to be entered by another employee.
6. Leaving university premises during working hours without permission from the supervisor.
7. Abusing, destroying, damaging, or defacing university property, tools, equipment, or the property of others on university premises.
8. Gambling on university premises.
9. Delaying or restricting work, or inciting others to delay or restrict work.
10. Fighting on university premises.
11. Carrying firearms or other dangerous weapons on university premises in violation of law or university policy.
12. Failure to return to work on expiration of vacation or leave of absence, or when called back after a layoff.
13. Disclosure of confidential university information to unauthorized persons.
14. Theft, misappropriation or unauthorized use of university funds or property, or other dishonest actions.
15. Continued unsatisfactory work performance.
16. Unauthorized, unexplained, or inexcusable leave for three or more days.
17. Excessive absences or tardiness.
~~18. Physical, mental or emotional inabilityto perform the job satisfactorily.~~
~~19.~~*18.* Major violation of an internal department work rule or university policy or procedure.
~~20.~~*19.* Insubordination.
~~21.~~*20.* Abusive or unruly conduct.
~~22.~~*21.* Unprofessional conduct; that is, behavior that a reasonable person in a professional office setting would find inappropriate, rude, disorderly, or offensive, and that is persistent, destructive and/or intimidating.
~~23.~~*22.* Indecent or obscene conduct.
~~24.~~*23.* Conviction of a felony or of a misdemeanor involving moral turpitude by a trial court.
~~25.~~*24.* Flagrant or repeated minor rule violations.
~~26.~~*25.* Sexual misconduct or sexual harassment of any person by an employee.
~~27.~~*26.* Unlawful discrimination.
~~28.~~*27.* Bringing or consuming any liquor, marijuana, or narcotics on university premises,

in violation of applicable university policy (this rule applies to any habit-forming or disabling substance not prescribed by a physician).

~~29.~~*28.* Reporting for duty under the influence of liquor, marijuana, or narcotics (applies to any habit forming or disabling substance not prescribed by a physician).

~~30.~~*29.* Accepting any gifts or favors, which influence or tend to influence the performance of duties or the granting of service or favors to other university personnel, applicants, clients, or other persons.

~~31.~~*30.* Refusal to attend state and university mandated trainings within the appropriate timeframe including but not limited to EEO training and Performance Management Plan training.

~~32.~~*31.* Any act that would unduly interfere with the expressive activities of others on campus.

32. Failure to report information that the employee witnesses or receives regarding the occurrence of an incident that the employee reasonably believes constitutes sexual harassment, sexual assault, dating violence or stalking that is alleged to have been committed by a student or an employee.

General

This policy shall apply to all regular non-academic employees including both exempt and non-exempt staff. The non-renewal of non-academic employees with contracts, temporary employees, at-will employees, or dismissal during the probationary period are not covered by this policy. The probationary period of an employee is one hundred eighty (180) calendar days.

Supervisory efforts should be concentrated on preventing serious personnel concerns rather than on disciplining employees for misconduct. However, supervisors have the right to discipline or summarily discharge an employee for cause. It is essential that each concern be investigated, *and documentation of performance required,* so that the facts of the situation are known before the discipline measures have been determined.

An employee being disciplined should be told what they have done wrong and should be clearly instructed on what is expected of them. Any discharge must first be reviewed by the director of human resources.

Except in cases of discharge, the employee should be given a reasonable period of time to improve their performance or correct their actions or attitude. An employee may be discharged when reasonably corrective or rehabilitative methods have failed or when the serious nature of a violation or the accumulation of violations warrants separation.

Corrective Disciplinary Actions

For repeated but relatively minor incidents of substandard performance, misconduct, or rule

violations, discipline should be progressive. The normal sequence of action is: (1) Oral Warning; (2) Written Reprimand; (3) Disciplinary probation (4) Suspension; (5) Demotion; (6) Discharge. Depending on the severity of the case, the action may begin at any of these steps. *Any action above the level of oral warning must first be reviewed by the director of human resources, or their designee, for EEO and policy compliance.* Any action involving suspension, demotion, or discharge must have prior review from the director of human resources.

Any corrective disciplinary action should be recorded on the Employee Counseling/Discipline Record form (available in Human Resources). The corrective action should include a section which documents specific, job related, and measurable actions identified to increase job knowledge, improve skills, or correct performance difficulties. Timetables shall be established for follow-ups and improvement or non-improvement and will be documented on all Employee Counseling/Discipline Record forms.

Oral Warning: Normally, initial disciplinary action should be in the form of an oral discussion and warning, especially for minor rule violations. If it appears that an employee has failed to perform their work or conduct themselves according to job requirements, the supervisor should first talk to the employee about the matter and informally inquire further into the situation. If facts indicate that the employee may have been at fault, the supervisor should discuss the matter with him/her. The supervisor may call on another person (preferably another supervisor) to be present as a witness. The employee should clearly be instructed of the gravity of the action and should be told that the warning is disciplinary in nature. Supervisors should maintain a complete and accurate written notation of the warning on an Employee Counseling/Discipline Record form.

Written Reprimand: Reprimand involves both a formal interview with the employee and an official memorandum emphasizing the negative effect of the employee's conduct or work performance on their record and opportunities for advancement. If the immediate supervisor does not have the authority to discharge the employee, then the interview should be conducted by the department official who does have discharge authority. A written reprimand should include: the names of everyone involved, dates, a description of the incident or unsatisfactory performance, witnesses (if any), and the action taken. Use the Employee Counseling/Discipline Record for this purpose.

Reference should also be made to the dates and results of prior oral warning(s), or other written reprimand(s). It should also bear the employee's comments, if any, and the employee's signature. The employee should be informed that their signature indicates they have received a copy of the reprimand, but not necessarily that they agree with its contents. If the employee refuses to sign the reprimand, a witness, preferably another supervisor, should verify that the employee has read the reprimand and refused to sign an acknowledgement. A copy of the reprimand should be sent to the director of human resources to be filed in the employee's permanent file.

Disciplinary Probation: This disciplinary action places an employee on a probation period, up to six months, in 30-day increments, to improve inadequate performance and/or conduct before additional disciplinary action is taken. Disciplinary probation may also be used in conjunction with other disciplinary actions. During the probationary period, the employee will receive a specific performance improvement plan and/or instructions to improve his or her behavior and/or performance. To place an employee on disciplinary probation, the supervisor should:

- present the employee with a completed Employee Counseling/Discipline Record indicating disciplinary probation, the period of disciplinary probation, the reasons for the disciplinary probation and attach a performance improvement plan and/or instructions to improve their behavior and/or performance, and;

- forward a copy of the Employee Counseling/Discipline Record to Human Resources for inclusion in the employee's permanent file.

Suspension: Suspension is a disciplinary action or an interruption (with or without pay) of the active employment of an employee pending an investigation and decision by the director of human resources, with advice and counsel from the general counsel, as appropriate. Suspension for a period of longer than three (3) days must be approved by the appropriate vice president *or cabinet level administrator*. To suspend an employee from the payroll, the supervisor should:

- present the employee with a completed Employee Counseling/Discipline Record indicating suspension, the period of suspension, and the reasons for the suspension;
- forward a copy of the Employee Counseling/Discipline Record to Human Resources for inclusion in the employee's permanent file. The department will then complete a Leave Without Pay form, removing the employee form the payroll if the suspension is for any period of time that the employee is to be without pay.

The supervisory official will conduct a conference with the employee at the beginning of the shift on the day the employee is to return to work. A discussion should occur with the employee recapping the reason for suspension, what is expected of the employee and the next step to be taken if improvement does not occur.

Demotion: The supervisory official with the authority to discharge an employee also has the authority to demote an employee. An employee who cannot or will not carry out efficiently and effectively the duties of the job for which they are hired or promoted, may be demoted to a job more commensurate with their abilities, skills, and experience or job performance. The immediate supervisor recommending demotion will first review the demotion with the director of human resources. The director of human resources will ensure that the employee has received proper

counseling and an adequate trial period for improvement of performance prior to the approval of any recommendation for demotion. Demotion should be considered a last alternative in lieu of termination and may only be considered when a lower job assignment is available in the department in which the employee works.

Discharge: In cases other than serious offenses, discharge from employment should be used as a last resort. The supervisor who has 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 immediate superior, the director of human resources, and, in unusual circumstances, the general counsel. This review will assure that the case for dismissal has been objectively investigated and is both justified and properly documented. The appropriate vice president *or cabinet level administrator* must approve each discharge. If the discharge is in order, an employee should be presented with a completed Employee Counseling/Discipline Record indicating discharge, the reasons for the discharge, and the date of the discharge. Since discharge requires prior consultation and approval, it should not be done "on-the-spot". However, if the supervisor believes it is improper to leave the employee on duty until such approval can be obtained, the supervisor should, with review from the director of human resources, immediately place the employee on suspension for a period not to exceed three (3) days. This action also allows time for any investigation which may be necessary.

Other Actions: In extremely serious cases involving unruly behavior, violence or imminent threat to personal safety or property, the supervisor and/or University Police Department may determine the need for immediate arrest or removal from university property of an employee. This action should be considered an immediate suspension and may warrant proceeding with the discharge process. Also, an interim suspension with pay may be used as a non-disciplinary action for situations that warrant investigation while the employee does not return to duty. The director of human resources must approve an interim suspension with pay.

Alternative Disciplinary Actions: Other forms of disciplinary action may be appropriate in some cases. These may include making up lost time, docking, withholding salary increases, transfer to more suitable work, or compensating the university for damage. With the exception of making up lost time, these alternative disciplinary actions require the prior review of the director of human resources.

Involuntary Terminations Other Than Discharge: It is not the intent of this policy to prohibit, or in any way restrict, the university and its administrative officials from the right to terminate any employee for any non-disciplinary reason if it is in the best interest of the university to do so. An employee so terminated shall not have recourse through this policy or the Grievance and Appeals procedure. Examples of termination for non-disciplinary reasons include, but are not limited to, terminations due to lack of work or funds (reduction in force), the redesigning of jobs, the

termination of grant funding which eliminates positions, termination of a temporary position, and changes in the organizational structure in compliance with university policies and rules, i.e., retirement, nepotism, etc.

Employees who are terminated for non-disciplinary reasons may appeal through the supervisory chain up to the vice president *or cabinet level administrator* for the area involved only on grounds of alleged constitutional violations or other legal rights which may have been abridged.

Cross Reference: Performance Management Plan; U.S. Const. amend. V, XIV; Tex. Const. art. I, § 19.

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Human Resources

Forms: Employee counseling/discipline form (available in Human Resources); Notice of Suspension (available in Human Resources); Notice of Discharge (available in Human Resources); Leave Without Pay form (available on-line)

Board Committee Assignment: Academic and Student Affairs

Revision History: October 28, 2019
July 24, 2018
July 25, 2017
January 27, 2015
January 31, 2012

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Emeritus

Policy Number: 7.10

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/23/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for emeritus appointments for faculty and librarians

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Minor Revisions

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Emeritus

Original Implementation: Unpublished
Last Revision: ~~July 23, 2019~~*October 31, 2022*

The title of *E*~~e~~meritus is a position of great honor conferred only on retirees who have a record of distinguished service to Stephen F. Austin State University (SFA). The title is not automatic upon retirement.

Emeritus Appointments for Faculty and Librarians

A. Eligibility

To be eligible for an appointment as emeritus, an individual will meet the following requirements:

1. Provide extended service, generally at least 10 years of employment at SFA;
2. Earn a rank of associate professor, professor, librarian III, or librarian IV;
3. Demonstrate distinction in teaching, research/scholarly/creative accomplishments, and service to the university and the profession. Distinguished service could include honors such as Regents *Scholar* ~~Professor~~, SFA Alumni Distinguished Professor Award, SFASU Foundation Faculty Achievement Awards, SFA Teaching Excellence Award, *an award for grantsmanship,* or comparable state and/or national professional recognition and/*or* distinction related to external funding.

B. Procedure

A tenured member of the academic unit may submit a letter of nomination to the academic unit head supporting the candidate's eligibility. The nominated faculty member or librarian will submit evidence supporting eligibility per academic unit procedures, such as providing a current curriculum vitae. Although the emeritus title is an honor, not a promotion, the process will follow unit promotion procedures, but may occur at any time. The appropriate dean will then forward a recommendation to the provost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs who will, in turn, submit a recommendation to the university's president. The Board of Regents confers emeritus status.

C. Privileges and Responsibilities

An emeritus professor will have the following privileges and responsibilities:

1. Name listed as an emeritus in the university's General Bulletin.
2. Recognition at the commencement ceremony following the granting of the emeritus title.
3. A place of honor in any academic procession.

4. Right to use the title of emeritus in professional endeavors.
5. Opportunity to audit courses with fees waived, subject to the availability of space and with the consent of the instructor.
6. Office space, laboratory space, a telephone, and a computer, subject to available space and approval of the academic unit head, the dean, and *Executive P*~~p~~rovost and *V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs.
7. Email privileges, a faculty I.D. card, and university business cards.
8. Use of the Ralph W. Steen Library.
9. Access to university parking, and health and wellness privileges.
10. Opportunity to represent the university at community or professional meetings and serve on committees, upon university request.

Administrative Official Eligibility

The title *E*~~e~~meritus may be given by the *P*~~p~~resident to a retired administrative official to recognize meritorious service. Privileges and qualifications that accompany the title shall be determined by the *P*~~p~~resident. The conferring of this title is not automatic upon retirement.

Cross Reference: None

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 26, 2016
April 23, 2013
July 19, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Faculty Search

Policy Number: 7.12

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides the procedures and responsibilities for the selection of full-time faculty with continuing appointments

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Minor Revisions

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
John Wyatt, Interim Human Resources Director
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Faculty Search

Original Implementation: Unpublished
Last Revision: ~~October 28, 2019~~*October 31, 2022*

This policy outlines search procedures and responsibilities for the selection of full-time faculty with continuing appointments.

All hiring decisions are made based on lawful, job-related, and non-discriminatory criteria and in keeping with Policy 2.11, Nondiscrimination, which prohibits unlawful discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, age, disability, genetic information, citizenship, and veteran status.

Position Request: The academic unit head will submit a position request with justification to the appropriate dean. Upon the dean's approval of the request, it will be forwarded to the ~~p~~*P*rovost and *Executive V*~~v~~ice *P*~~p~~resident of *A*~~a~~cademic *A*~~a~~ffairs for consideration. Once fully approved, the academic unit head posts the position on the human resources website, and a formal search may begin.

Selection of the Search Committee: The academic unit head guides the search process by establishing a search committee and ensuring that committee activities adhere to university policy and procedures. The appointment of search committees may vary among academic units. The committee will contact human resources for mandatory training and for assistance as needed.

Search Committee Responsibilities: The search committee coordinates the recruitment process while working with the academic unit head. The committee is responsible for developing a position description, advertising the position, screening candidates, ~~and~~ arranging candidate interviews*, and submitting the search file to human resources for an EEO compliance review prior to making* ~~*offering*~~ *a conditional employment offer to the selected candidate.* ~~*.*~~*Additionally, there are resources for developing selection matrices, interview questions, and hiring files in the hiring manager's toolkit on the human resources website.*

Funds for Recruitment: Expenses incurred during the search are generally borne by the academic unit conducting the search with possible additional funds from other sources.

Cross Reference: Human Resources Selection Procedures for Faculty and Staff; Employee Affirmative Action/Recruitment Plan (11.9); Affirmative Action (11.1)*; Hiring Manager's Toolkit*

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

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

Forms: See Human Resources for Selection Procedures for Faculty and Staff

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 31, 2017
July 29, 2014
April 19, 2011

POLICY SUMMARY FORM

Policy Name: Faculty Workload

Policy Number: 7.13

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 11/2/2015

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): Policy is meant to help balance interests across campus in an equitable manner.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: clarified language; explicitly stated the basic workload policy and the option for college-specific guidelines with approval from the provost; removed the workload example table from policy and recommend placing it on the provost website and/or Institutional Research website; faculty senate and chairs forum reviewed

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Faculty Workload

Original Implementation: November 4, 1977
Last Revision: ~~November 2, 2015~~*October 31, 2022*

I. General Policy

The faculty workload policy is intended to balance student, institutional, and professional interests in an equitable manner. Stephen F. Austin State University (SFA) is, above all, focused on teaching excellence. Individual workload responsibilities should be designed to support this priority. The workload policy applies to all full-time university personnel who hold faculty rank, *except the librarians,* and whose positions are listed in the annual budget. The sam*e*~~e~~ workload allocation shall also apply to part-time instructional personnel.

The normal faculty workload assumes the performance of teaching, research/scholarly/creative, and service activities. The distribution of effort among these three categories is reviewed on an annual basis by the ~~department~~*academic unit* ~~/school/division (hereafter referred to as "departmentacademic unit") chair/director (hereafter referred to as "chair")~~*head*. In all cases, student instructional needs shall be the determining factor in arranging workload~~schedules~~. Faculty must fulfill ~~department~~*academic unit*~~al~~ expectations in all categories.

Each college faculty, in consultation with the dean, ~~will~~*may develop and adopt a college workload* ~~*policy*~~*procedure, as a supplement to this policy, in order to provide guidance on matters best defined at the college level. A college's workload policy must be approved by the provost and executive vice president for academic affairs. In the event of conflict, this policy* ~~*controls*~~*supersedes*. The provost and *executive* vice president for academic affairs may allow departures from workload standards when in the interest of the university. *Approved college workload procedures must be posted and should be reviewed periodically.*

II. Workload Allocations

A. The standard full-time teaching load is 24 Teaching Load Credits (TLC) for the combined fall and spring semesters. ~~*The 24 TLC workload will be the equivalent of four three- SCH course per fall/spring semester teaching load.*~~ Additionally, faculty members are expected to engage in research/scholarly/creative and service activities at levels ~~that are~~ appropriate to their rank and ~~department~~*academic unit*~~al~~ tenure/merit criteria. ~~By agreement with *the* chair*academic unit head* and dean, non-tenure-track faculty members may add 3 TLCs per semester in lieu of research/scholarly/creative activities.~~ *The standard full-time teaching load for non-tenure track faculty members is 30 TLCs. By agreement with the academic unit head and dean, research/scholarly/creative activities or significant service commitments may reduce the teaching load of non-tenure track faculty by 3 TLCs per semester.*

When summer teaching load assignments are made (see university policy 7.28, Summer Teaching Appointments), the standard summer full-time teaching load is typically 6 TLC for

one term or 12 TLC for both summer terms combined. Variation from this standard will be made under the same guidelines that apply to fall and spring terms.

B. Within reasonable limits, certain ~~supplemental~~ instructional activities ~~— such as independent studies, supervision of internships advising, and thesis/dissertation supervision —~~are also considered part of ~~a regular~~ *the* workload *and generate TLCs* or equivalents. *When applicable, teaching load credits will be defined in each college's workload ~~policy~~procedure regarding: ~~–~~1) Lecture, S~~s~~eminar, and L~~l~~aboratory courses, 2) Practicum and Internship courses, 3) Private Lessons, 4) Thesis and D~~d~~issertations, 5) Variable credit courses, 6) Cross-listed or composite courses, and 7) Independent study courses.~~, 8) Other college-specific instructional activities.~~*

C. Faculty members are ~~also~~required to maintain at least five office hours per week, during which they will be available for meetings with students. ~~and faculty and staff colleagues. For faculty members whose teaching assignment includes online delivery, o~~*O*ffice hours may be adjusted appropriately by agreement with *the* ~~chair~~*academic unit head* and dean.

~~A. *D.*~~

~~B.~~

~~—~~Any work that substantially exceeds normal expectations in the categories of

~~C.~~ research/scholarly/creative accomplishment and service constitutes an opportunity to request a course load reassignment *from*~~with~~ the ~~department chair~~*academic unit head*. Reassignment is not automatic, but depends upon student,~~ and~~ ~~departmental~~*academic unit, and college* needs. Each reassignment, whether for a single semester or an academic year, must be approved by the appropriate dean and the provost and *executive* vice president for academic affairs. The written request for reassignment must identify the work that shall be produced and demonstrate ~~that~~ an amount of work equivalent to the instruction of ~~a three~~*the number of* credit hours *requested* ~~courses~~hall be performed. A faculty member is not limited to a single reassignment request per semester if adequate justification exists.

~~D.~~

D. A dean may also propose a ~~reduction in teaching load~~*course load reassignment* for a faculty member in other circumstances~~, including: *when approved by the provost and executive vice president for academic affairs.*~~.

~~▪ for chairing an academic department or division;~~

~~▪ for performing administrative duties in support of a department/college/university;~~

~~▪ for preparing course material during the first semester and/or year when included as part of the initial tenure-track contract.~~

~~All teaching load reductions must be approved by the provost and vice president for academic affairs.~~

E. The instruction of a course overload for the academic year, when at the ~~invitation~~ *request* of a*n* ~~department~~*academic unit*~~/division~~ ~~chair~~*head*, may qualify a faculty member for additional compensation~~ if the overload is equivalent to at least 0.25 FTE~~ ~~–~~during a semester. An

individual who accepts an overload assignment will fulfill the responsibility beyond normal contractual workload.

~~III.~~ **~~Teaching Load Credit Equivalencies~~**

~~A. Lecture, seminar, and laboratory course types~~

~~When the semester credit hour (SCH) value of the course is equal to or more than the contact hour value, undergraduate courses generate 1 TLC per SCH; 500- level courses generate 1.5 TLC per SCH; and 600- level courses generate 2 TLC per SCH.~~

~~When the contact hour value of the course exceeds the SCH value, contact hours are used for the calculation of TLC. Undergraduate lecture or seminar courses in this category generate .667 TLC per contact hour; graduate lecture or seminar courses generate 1 TLC per contact hour. Laboratory courses generate 1 TLC per contact hour.~~

~~In undergraduate courses where the student enrollment is over 100, a rate of 1.5 TLC per SCH will be used.~~

~~B. Practicum course types~~

~~Music, art, nursing, and forestry field station practicum courses generate 1 TLC per contact hour value. Undergraduate and graduate rates are the same.~~

~~Supervision of student teaching and teaching internships is based on the number of students enrolled. Undergraduate and graduate courses generate 0.5 TLC per student. Each student will count only once per semester under each supervising faculty member.~~

~~Other practicum courses generate 0.5 TLC per undergraduate course contact hour and 0.75 TLC per graduate course contact hour.~~

~~The maximum value for these types of courses is 6 TLC per course.~~

~~C. Private lesson course types~~

~~Private lesson course types use a combination contact hours and student enrollment of the generation of TLC. For each course, the contact hours (at a rate of 0.667 per contact hour) are multiplied by the number of students enrolled to equal the TLC generated. Faculty teaching private lessons are required to meet an additional hour each week in studio class. Therefore, an additional 0.667 TLC will supplement the total teaching workload of each faculty member teaching these course types.~~

~~D. Thesis and dissertation course types~~

~~Masters' level thesis courses generate TLC at a rate of 0.667 TLC per student enrolled. The maximum TLC for these course types is 3 TLC per semester. For a specific masters~~

~~requirement, a single student may count no more than twice (one time in two separate enrollment periods) toward a faculty member's teaching load. Undergraduate thesis courses generate TLC at the rate of .333 TLC per student enrolled.~~

~~Dissertation courses in forestry generate 0.667 TLC per student. A student enrolled in dissertation courses may be counted no more than six times (once in each of six different enrollment periods).~~

~~Because of the rate of generation of TLCs in doctoral courses in education, dissertation courses in education do not generate TLCs.~~

~~E. Variable credit courses~~

~~TLCs for variable credit courses will be counted once per semester course assignment using the maximum credit hour for which a student has enrolled.~~

~~F. Cross-listed or composite courses~~

~~Courses approved for cross-listing will count as a single course generating TLC. In cases where differing TLC are generated per course listing, proportional weight will be calculated using enrollments by listing and reported as a weighted TLC value per course.~~

~~Courses assigned to multiple instructors will generate TLC proportional to the percent of assigned responsibility for each instructor.~~

~~G. Independent study~~

~~Independent study courses should be approved by the chair/director and dean prior to student registration.~~

~~Independent study courses generate TLC based on the course SCH and the number of students enrolled. If the course meets the minimum class size requirement (ten students for an undergraduate course and five students for a graduate course), the TLC is equal to the SCH value for the course. In courses where the minimum class size is not met, no TLC is generated. Faculty providing independent study instruction must be assigned as the faculty of record in order to receive TLC for the course.~~

~~H. Summer teaching~~

~~When summer teaching load assignments are made (see university policy 7.28, Summer Teaching Appointments), the standard summer full time teaching load is typically two organized classes generating 6 TLC for one term or four organized classes generating 12 TLC for both summer terms combined. Variation from this standard will be made under the same guidelines that apply to fall and spring terms (see section II, B and C, above).~~

~~IV.~~*III.* Compliance

A. ~~Department~~*Academic unit heads* ~~chairs~~ are responsible for assigning faculty workloads according to student instructional needs and for verifying the accuracy of workload reports for each faculty member in the ~~department~~*academic unit*.~~SEP~~

B. Deans monitor and approve faculty workloads under their authority and review workload reports submitted by ~~chair~~*academic unit head*s, and may require ~~department~~*academic unit* offices to input and update faculty workload data in the university's administrative software system.

C. The provost and *executive* vice president for academic affairs supervises and approves faculty workload. If the ~~department chair~~*academic unit head* and dean cannot resolve a dispute over the equity of a workload issue, faculty members may appeal to the provost and *executive* vice president for academic affairs for a final decision.

D. A workload report summary is submitted as required by ~~*See*~~ *Tex. Educ. Code § 51.402(c).*

Cross Reference: Tex. Educ. Code § 51.402; Summer Teaching Appointments (7.28); Academic Unit Head ~~Appointments~~ *Responsibilities, Selection, and Evaluation* (4.~~2~~4); ~~and Salary Supplements; Stipends and~~ Additional Compensation (12.16)*; Teaching Load Credit Calculation Reference*

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: November 2, 2015
January 27, 2015
April 21, 2009

Appendix 2

POLICY SUMMARY FORM

Policy Name: Food Purchases

Policy Number: 17.6

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy pertains to all food and beverage purchases other than business meals and travel. Business meal limits and restrictions are outlined in the Guidelines for Expenditures from University Funds, and food purchases related to travel are addressed in the Travel Guidelines. Both of these documents are on the office of financial reporting's website.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Addition of exceptions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Judith Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Food Purchases

Original Implementation: April 13, 1988
Last Revision: ~~*November 7*~~ *October 31, 2022*~~October 28, 2019~~

Purpose

This policy pertains to ~~all~~*all* ~~-~~food and beverage purchases *by officers and employees, except for the president and board of regents who are excluded.*~~ other than business meals and travel.~~ Business meal limits and restrictions are outlined in the Guidelines for Expenditures from University Funds, and food purchases related to travel are addressed in the Travel Guidelines. ~~Both of these documents are on the controller~~'s *financial reporting* office*'s* ~~website.~~

General

Only Auxiliary, Designated, or Restricted Funds may be used for food and/or beverage purchases. Funds generated from gifts or grants may be used if specifically allowed by the donor or granting agency. Food and/or beverage purchases from all these funds must serve a legitimate public purpose or must further the mission of the university.

Payments for food and/or beverages can be made on a university Procurement Card (P-Card),~~ or with~~ a Purchase Requisition*, or through the employee reimbursement process.*~~.~~ Refer to the P-Card Program Guide or Procurement Manual for the proper procedures to be followed when purchasing food and/or beverages, including alcohol.

All purchases of alcoholic beverages must be made from discretionary funds. State statute and the general appropriations act will guide the eligibility of alcoholic beverage purchases with funds under the control of the intercollegiate athletics department. Any purchase of alcoholic beverages must *have* ~~*written*~~ *documented approval* ~~be approved~~ in advance *of the purchase or event* by the appropriate vice president or president.

Food and beverages catered on campus must be prepared by the university's food service contractor. The requirement to use the university's food service contractor does not apply to food and beverages provided by persons or groups for their own consumption on the university campus. This also does not apply to food and beverages dispensed from vending machines, food served at locations away from the main university campus, concessions served at athletic events or the student center theater or food served at retail locations on campus. In instances when the university's food service contractor is used, the charge is normally paid by the department through an interdepartmental transfer (IDT).

Regardless of the method of purchase, documentation is required to support the business nature of all food and/or beverage expenses. Documentation requirements are listed in the Guidelines for Expenditures from University Funds. The department must keep this supporting documentation in accordance with university record retention requirements.

Exceptions and Limitations

Any expenditure~~s that do not comply with~~ exceptions to this policy or supporting guidelines and procedures, regardless of funding source, must have ~~written~~documented approval from the Vice President for Finance and Administration or designee. Approval documentation must be submitted along with the requisition for vendor payment, reimbursement, P-card reconciliation, and/or travel expense report.

Cross Reference: ~~Purchase Requisition (17.19);~~ Procurement Card (17.11); Records Management (2.9); *Direct Pay Disbursements (17.20);* Guidelines for Expenditures from University Funds; Travel Guidelines

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: *Director of Financial Reporting*~~Controller~~, *Executive* Director of *Finance and Administrative Services*~~Procurement and Property Services/HUB Coordinator~~

Forms: None

Board Committee Assignment: Finance and Audit

Revision History: October 28, 2019
November 7, 2016
October 21, 2013
October 18, 2010

POLICY SUMMARY FORM

Policy Name: Guest Lecturers

Policy Number: 7.15

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for faculty who bring guest lecturers on campus.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Guest Lecturers

Original Implementation: October 1, 1980
Last Revision: ~~October 28, 2019~~ *October 31, 2022*

When guest lecturers are utilized in a course, the instructor-of-record will ensure that the principles of academic responsibility are upheld. Except when officially absent from class, the instructor-of-record will be present during the delivery of a guest lecture.

Cross Reference: ~~Faculty Handbook;~~ Academic Freedom and Responsibility (7.3)

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 31, 2017
January 28, 2014
January 25, 2011

POLICY SUMMARY FORM

Policy Name: Institutional Reserves

Policy Number: 3.19

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/31/2022

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes guidelines for the university's institutional reserves. Appropriate institutional reserves help maintain financial strength, provide the foundation for debt management and issuance, protect against volatility in revenue and expenditures, and allow flexibility in planning for the needs of the university.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☒ Change in law ☐ Response to audit finding

☒ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: n/a

Specific rationale for <u>each</u> substantive revision: Revision to correct and appropriately reflect the calculation of the primary reserve ratio using the actual operating expenditures in the annual financial report, not the operating expenses in the budget.

Specific rationale for deletion of policy: n/a

Additional Comments:

Reviewers:

Judith Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Institutional Reserves

Original Implementation: July 13, 2006
Last Revision: *October* ~~April 3~~1, 2022

Purpose

This policy establishes guidelines for the university's institutional reserves. Appropriate institutional reserves help maintain financial strength, provide the foundation for debt management and issuance, protect against volatility in revenue and expenditures, and allow flexibility in planning for the needs of the university.

Definitions

Institutional reserves ~~refers to~~*are* resources that *are* ~~are not allocated to any specific unit of the university, but are~~ held centrally within the university's financial system. Additions to institutional reserves include revenues that exceed expenditures. Deductions include the use of reserves to fund items not included in the operating budget; planned uses of reserves for the operating budget; and unanticipated institutional requirements. Institutional reserves are represented in the Statement of Net Position as Unrestricted Net Position (UNP).

General

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

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

Institutional Reserves Budgeting

The university may augment institutional reserves as a budget practice during periods of revenue growth and stability. During periods when revenue support is needed, the university may utilize institutional reserves.

Institutional Reserves Target

The university utilizes the primary reserve ratio to target the amount of reserves that should be

maintained. The ratio is calculated according to higher education industry standards and the target benchmark is 40% of its annual operating ~~budget~~*expenditures as reflected in the university's annual financial report*, thus providing approximately five months of operational capacity.

At the end of each fiscal year, the primary reserve ratio calculation will be used to evaluate the institutional reserves, and information will be reported to the Board of Regents with the Annual Financial Report.

Cross Reference: None

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

Revision History: April 11, 2022
April 30, 2019
July 24, 2018
July 28, 2015
July 17, 2012
July 21, 2009

POLICY SUMMARY FORM

Policy Name: Library Faculty

Policy Number: 7.17

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): Guidelines for library faculty rank, criteria for appointment, promotion eligiblity, annual evaluation and compensation, work load, rights and responsibilities; and Library Academic Advisory Council

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Signification revisions with the reorganization of the library, this policy required substantial revisions to reflect the new vision of the library.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Jonathan Helmke, Library Director
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Appendix 2

Library Faculty

Original Implementation: 1970
Last Revision: ~~January 31, 2017~~*October 31, 2022*

Purpose

This policy provides guidelines for library faculty rank, criteria for appointment, promotion eligibility, annual evaluation and compensation, workload, rights and responsibilities, and Library Academic Advisory Council.

~~Stephen F. Austin State University (SFA) provides for advancement based on a librarian's or an archivist's academic credentials and experience, job performance, professional engagement, and service to the university, profession, and the general community, as appropriate.~~

General

Members of the SFA faculty holding the rank of librarian I, II, III, or IV are considered part of the library faculty. Library faculty have the same rights and responsibilities as all other SFA faculty, and all SFA policies that reference faculty apply equally to the library faculty, excluding the exceptions specified in this policy.

~~**Rank**~~

~~The ranks consist of Librarian I, II, III, and IV, and Archivist I, II, III, and IV, with IV being the highest. These ranks do not apply to administrative positions.~~

~~**Criteria for Appointment**~~

~~A master's degree in library science from a school accredited by the American Library Association is required for appointment as a librarian. The Master of Library Science and Master of Library Information Science are the terminal degrees for librarians.~~

~~A master's degree in library science from a school accredited by the American Library Association with specialization in archival studies or a master's degree in public history with specialization in archival studies is required for appointment as an archivist.~~

Promotion Eligibility

~~ns and archivists are both eligible for promotion; however, only librarians are eligible for tenure (see policy 7.29).~~

~~To be promoted to the rank of Librarian II or Archivist II, an individual must have a proven record of effective and productive performance. Individuals can apply for the rank of Librarian II or Archivist II without being at the rank of Librarian I or Archivist I for a specified period of time.~~

~~To be promoted to the rank of Librarian III or Archivist III, an individual must have a proven record~~

~~of effective and productive performance. The individual must also have significant professional contributions to the academic and general communities through presentations at professional meetings, professional publications, or service to organizations. A Librarian II or Archivist II must hold that rank for at least three years before applying for promotion. Exceptions must be approved by the library director and the provost and vice president for academic affairs. The circumstances warranting early application must be exceptional.~~

~~To be promoted to the rank of Librarian IV or Archivist IV, an individual must have a proven record of substantial contributions to the profession recognized at the state and national levels. A Librarian III or Archivist III must hold that rank for at least five years before applying for promotion. Additionally, to be promoted to Archivist IV the individual must have successfully passed the Academy of Certified Archivist Examination. Exceptions must be approved by the library director and the provost and vice president for academic affairs. The circumstances warranting early application must be exceptional.~~

Academic promotion is awarded to library faculty in accordance with the general provisions, promotion policy principles, and procedures established in policy 7.4, Academic Promotion of Full-Time Faculty.

Promotion eligibility requirements for the librarian I, II, III, and IV ranks (policy 7.2, Academic Appointments and Titles) are established as follows.

I. *Candidates for Librarian II will meet or exceed the standards for teaching, research/scholarly/creative accomplishments, and service established by the library. Application for Librarian II may occur without holding the rank of Librarian I for a specified period of time. The promotion review portfolio will document all years in service at SFA at the rank of Librarian I.*

II. *Candidates for Librarian III will meet or exceed the standards for teaching, research/scholarly/creative accomplishments, and service established by the library. Generally, application for Librarian III may occur after holding the rank of Librarian II for at least three years. Exceptions must be approved by the library director* and *the provost and executive vice president~~, and vice president for academic affairs~~. The circumstances warranting early application must be exceptional. The promotion review portfolio will document all years in service at SFA at the rank of Librarian II.*

III. *Candidates for Librarian IV will exceed the standards for teaching, research/scholarly/creative accomplishments, and service established by the library. Application for Librarian IV may occur after holding the rank of Librarian III for at least five years. Exceptions must be approved by the library director* and *the provost and executive vice president~~, and vice president for academic affairs~~. The circumstances warranting early application must be exceptional. The promotion review portfolio will document all years in service at SFA at the rank of Librarian III.*

~~Annual Evaluation and Compensation~~

~~Librarians and archivists will be evaluated annually according to university policies and procedures. These evaluations will constitute the basis for merit pay consideration, when available. Librarians and archivists accrue vacation and compensatory time.~~

Work Load

Librarians ~~and archivists~~ receive twelve-month contracts. *Exceptions may be negotiated with individual faculty members at the discretion of the provost and executive vice president.*

Library faculty workload expectations will be established by the library and, when applicable their external supervisor, and assignments will be reviewed annually by the library director, in consultation with their external designated supervisor.

Salary and Compensation

Though members of the SFA faculty, library faculty on twelve-month contracts accrue vacation leave and may accumulate compensatory time (policy 12.14, Overtime and Compensatory Time).

The Institutional Base Salary will be established according to policy 12.6, Faculty Compensation.

The base salary period for library faculty appointments is the fiscal year. Summer months and periods of time during the academic year when the university is not in session, e.g., weekends, holidays, semester breaks, are included in the base salary period ~~(policy 12.16)~~.

Compensation from grants paid to library faculty as a portion of their institutional base salary (IBS) will be proportional to the effort expended during their twelve-month contract (policy 12.1, *Compensation from Grants, Contracts and Other Sponsored Agreements*). Any special allowances for summer assignments do not apply to library faculty.

~~**Library Academic Advisory Council**~~

~~The Library Academic Advisory Council (LAAC) advises the director of libraries on matters regarding librarians and archivists. The LAAC is composed of five librarians/archivists, each with at least two years of service at SFA. Members are elected in September by all librarians and archivists and serve two-year staggered terms. The individual serving as the Faculty Senate representative is an ex officio member of the LAAC if not an elected member. The LAAC elects a chair who is responsible for calling at least one meeting each regular semester.~~

~~**Rights and Responsibilities**~~

~~Librarians and archivists have the same rights and responsibilities as academic faculty. They are eligible for service on the Faculty Senate and university committees and are eligible for faculty development leave. Librarians and archivists may also apply for grants, fellowships, and research funds.~~

Cross Reference: ~~Faculty Handbook;~~ Academic Promotion *of Full-Time Faculty* (7.4); Tenure and Continued Employment (7.29); ~~Performance Review of Officers Reporting to the Provost and Vice President for Academic Affairs (4.8);~~ Academic Appointments and Titles (7.2) *; Faculty Workload (7.13); Compensation from Grants, Contracts and Other Sponsored Agreements (12.1); Faculty Compensation (12.6); Overtime and Compensatory Time (12.14); Additional Compensation (12.16)*

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: January 28, 2020
January 31, 2017
July 29, 2014
April 19, 2011

Appendix 2

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Misconduct in Federally Funded Research

Policy Number: 8.7

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 4/30/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Acacdemic Affairs

Purpose of Policy (what does it do): Explanation of ethical standards at SFA for scientific research.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Text clarification; revised section on Research Integrity Officer to reflect current practice.

Specific rationale for deletion of policy:

Additional Comments:

Reviewed with 7.19

Reviewers:

Academic Affairs Policy Committee
Office of Research and Graduate Studies
Lorenzo Smith, Provost and Executive Vice President for Acacdemic Affairs
Damon Derrick, General Counsel

Misconduct in Federally Funded Research

Original Implementation: April 27, 1994
Last Revision: ~~April 30, 2019~~*October 31, 2022*

I. Introduction

1. Policy Statement

Stephen F. Austin ~~F. Austin~~ State University (SFA) strives to create a climate that promotes faithful adherence to high ethical standards in the conduct of scientific research without inhibiting the productivity and creativity of the academic community.

Misconduct in research is a major breach of the relationship between a faculty or staff member and the university and is defined as the fabrication, falsification or plagiarism in proposing, performing or reviewing research, or in reporting research results. Fabrication is making up data or results and recording or reporting them. Falsification is manipulating research materials, equipment or processes, or changing or omitting data or results such that the research is not accurately represented in the research records. Plagiarism is the appropriation of another person's ideas, processes, results or words without giving appropriate credit.

A finding of research misconduct requires three criteria to be met:
1. a significant departure from accepted practices of the relevant research community;
2. intentional, knowing or reckless misconduct; and
3. proof by a preponderance of the evidence.

Research misconduct does not include honest error or differences of opinion.

This policy applies to any person paid by and/or subject to the rules and policies of SFA, including faculty, research scientists, trainees, technicians and other staff members, students and visiting professors.

In order to maintain the integrity of research projects, every investigator should keep an auditable record of experimental protocols, data, and findings. Co-principal investigators and/or co-authors on research reports of any type must have a bona fide role in the research and must accept responsibility for the quality of the work reported.

Any inquiry or investigation of allegations of misconduct in research must proceed promptly and with due regard for the reputation and rights of all involved. The university will take all reasonable steps to assure ~~that~~ the persons involved in the evaluation of the allegations and evidence have appropriate expertise and that no person involved in the procedures is either biased against the accused person(s) or has a conflict of interest.

Allegations of misconduct based on events that occurred six or more years ~~ago~~*previous* are not subject to review under this policy, unless otherwise determined by the deciding official (DO) as defined in Section III.D.

2. Scope

This policy applies to all federally funded research conducted at the university. Procedures set forth in this policy address the Requirements for Institutional Policies and Procedures as detailed in 42 C.F.R. § 93.304 for Public Health Service (PHS) supported research, which includes agencies such as the National Institutes of Health, the Centers for Disease Control and Prevention, the Food and Drug Administration and the Health Resources and Services Administration.

The university hereby exercises the option to adopt internal standards of conduct that differ from the PHS standards; therefore, the policy identifies PHS provisions that may apply, in whole or in part, only to PHS supported research. When an allegation falls within PHS definitions and jurisdiction, the university will conduct an institutional inquiry pursuant to the PHS regulations. Additionally, the university will comply with applicable regulations of other federal agencies for the investigation of allegations of misconduct in research that they support.

This policy and its procedures will apply when a university official receives an allegation of possible misconduct in federally funded research. Circumstances in individual cases may require variation from normal procedure to meet the best interest of the university or the sponsor.

Deviation from the normal procedures must ensure fair treatment of the subject of the allegation. Any significant variation should be approved in advance by the university's research integrity officer (RIO), *who is the dean of research and graduate studies unless otherwise assigned by the president*, and for PHS supported research, the Office of Research Integrity (ORI) of the U.S. Department of Health and Human Services~~.~~ *(see III.A below).*

Possible scholarly misconduct not specifically covered by this policy may be covered by other university policies and procedures, including Misconduct in Scholarly or Creative Activities (7.19).

II. Definitions

A. Allegation: disclosure through any means of communication of possible research misconduct.

~~B.~~ Complainant: a person who in good faith makes an allegation of research misconduct.

~~C.~~

~~D.~~ Good faith: having a belief in the truth of one's allegation or testimony that a reasonable person in the complainant's or witness's position could have, based on the information known to the complainant or witness at the time. An allegation or cooperation with a research or scholarly misconduct proceeding is not in good faith if it is made with knowing or reckless disregard for information that would negate the allegation or testimony. For PHS supported research, good faith as applied to a committee member means cooperating with the purpose of helping an institution meet its responsibilities under 42 C.F.R. Part 93. A committee member does not act in good faith if his/her acts or omissions on the committee

~~E.~~*B.* are dishonest or influenced by personal, professional or financial conflicts of interest with those involved in the misconduct proceeding.

~~F.~~*C.* Inquiry: preliminary information gathering and preliminary fact-finding.

~~G.~~*D.* Investigation: formal development of a factual record and the examination of that record leading to a decision. The decision may be to not make a finding of research misconduct or to recommend a finding of research misconduct.

~~H.~~*E.* Preponderance of the evidence: proof by information that leads to the conclusion that the fact at issue is more probably true than not.

~~I.~~*F.* PHS support: PHS funding, or applications or proposals for biomedical or behavioral research, biomedical or behavioral research training, or activities related to that research or training, that may be provided through: PHS grants, cooperative agreements, or contracts or subgrants or subcontracts under those PHS funding instrument, or salary or other payments under PHS grants, cooperative agreements or contracts.

~~J.~~*G.* Records of research misconduct proceedings (records): research records and other evidence secured for the misconduct proceeding pursuant to this policy and applicable federal regulations, except to the extent the RIO determines and documents that those records are not relevant to the proceeding or that the records duplicate other records that have been retained; the inquiry report and final documents produced in the course of preparing that report, including the documentation of any decision not to investigate, as required by 42 C.F.R. § 93.309(c) for PHS supported research misconduct; the investigation report and all records in support of the report, including the recordings or transcripts of each interview conducted; and the complete record of any appeal to university officials from the finding of misconduct.

~~K.~~*H.* Research record: the record of data or results that embody the facts resulting from scholarly activity and scientific inquiry, including but not limited to: research proposals, laboratory records~~,~~ *(*physical and electronic*)*, progress reports, abstracts, theses, oral presentations, internal reports, journal articles or other forms of scholarly works, reports or publications and any documents and materials provided to a federal agency or a university official by a respondent in the course of the research misconduct proceeding.

~~L.~~*I.* Respondent: the person against whom an allegation of research misconduct is directed or who is the subject of a misconduct proceeding.

~~M.~~*J.* Retaliation: an adverse action taken against a complainant, witness, committee member, the RIO or DO by the university or one of its employees in response to: (1) a good faith allegation or research or scholarly misconduct; or (2) good faith cooperation with a misconduct proceeding.

III. Rights and Responsibilities

A. Research Integrity Officer (RIO)

The research integrity officer (RIO) is the institutional official responsible for assessing allegations of federally funded research misconduct and overseeing inquiries and investigations. ~~The RIO for the university is the *Dean* director of research and *graduate studies*sponsored programs unless otherwise assigned by the president.~~ Responsibilities of the RIO include the following duties related to research misconduct proceedings:

- Consult confidentially with persons uncertain about whether to submit an allegation of research misconduct and provide confidentiality to those involved in the research misconduct proceeding as required by 42 C.F.R. § 93.108, other applicable law and institutional policy.
- Receive allegations of research misconduct.
- Inform the university's general counsel of allegations of research misconduct and seek advice at appropriate junctures in the process.
- Assess each allegation of research misconduct in accordance with Section V.A of this policy to determine whether it falls within the definition of research misconduct and warrants an inquiry.
- Determine if the research in question was supported by a PHS sponsor and, as necessary, take interim action and notify the ORI of special circumstances with regard to PHS supported research, in accordance with Section IV.F of this policy.
- Sequester research data and evidence pertinent to the allegation of research misconduct in accordance with Section V.C of this policy and maintain it securely in accordance with this policy and applicable law and regulation.
- Notify the respondent and provide opportunities for him/her to *r*~~r~~eview/comment/respond to allegations, evidence, and committee reports in accordance with Section III.C of this policy.
- Inform respondents, complainants, and witnesses of the procedural steps in the research misconduct proceeding.
- Appoint the chair and members of the inquiry and investigation committees, ensure that those committees are properly staffed and that there is expertise appropriate to carry out a thorough and authoritative evaluation of the evidence.
- Determine whether each person involved in handling an allegation of research misconduct has an unresolved personal, professional or financial conflict of interest and take appropriate action, including recusal, to ensure that no person with such conflict is involved in the research misconduct proceeding.
- In cooperation with other institutional officials, take all reasonable and practical steps to protect or restore the positions and reputations of good faith complainants, witnesses and committee members and counter potential or actual retaliation against them by respondents or other institutional members.
- Keep the DO and others who need to know apprised of the progress of the review of the allegation of research misconduct.
- For PHS supported research, notify and make reports to the ORI as required by 42 C.F.R. Part 93.
- Ensure that administrative actions taken by the institution and the ORI, as applicable to PHS supported research, are enforced and take appropriate action to notify other involved parties, such as sponsors, law enforcement agencies, professional societies and licensing boards of those actions.

- Maintain records of the research misconduct proceeding and for PHS supported research, make them available to the ORI in accordance with Section VIII.F of this policy.

B. Complainant

The complainant is responsible for making allegations in good faith, maintaining confidentiality, and cooperating with the inquiry and investigation. As a matter of good practice, the complainant should be interviewed at the inquiry stage and given the transcript or recording of the interview for correction. The complainant must be interviewed during an investigation and be given the transcript or recording of the interview for correction.

C. Respondent

The respondent is responsible for maintaining confidentiality and cooperating with the conduct of an inquiry and investigation. The respondent is entitled to:

- a good faith effort from the RIO to notify the respondent in writing at the time or before beginning an inquiry;
- an opportunity to comment on the inquiry report and have comments attached to the report;
- notification of the outcome of the inquiry and receipt of a copy of the inquiry report that includes a copy of, or refers to, 42 C.F.R. Part 93 (if applicable to PHS supported research) and the institution's policies and procedures on research misconduct;
- notification in writing of the allegations to be investigated within a reasonable time after the determination that an investigation is warranted, but before the investigation begins (within 30 calendar days after the university decides to begin an investigation), and notification in writing of any new allegations not addressed in the inquiry or in the initial notice of investigation within a reasonable time after the determination to pursue those allegations;
- an interview during the investigation, an opportunity to correct the recording or transcript and inclusion of the corrected recording or transcript in the record of the investigation;
- an opportunity during the investigation to interview any witness who has been reasonably identified by the respondent as having information on relevant aspects of the investigation, to have the recording or transcript provided to the witness for correction and to have the corrected recording or transcript included in the record of investigation; and
- receipt of a copy of the draft investigation report and, concurrently, a copy of, or supervised access to, the evidence on which the report is based, and notification that any comments must be submitted within thirty (30) calendar days of the date on which the copy was received and that the comments will be considered by the university and addressed in the final report.

- The respondent will be given the opportunity to admit that the research misconduct occurred. With the advice of the RIO and the university's general counsel, the DO may terminate the institution's review of an allegation that has been admitted if the institution's acceptance of the admission and any proposed settlement is approved by the ORI as applicable for PHS supported research misconduct.

Additionally, the respondent will have the opportunity to request an institutional appeal in accordance with Section VIII.D of this policy.

D. Deciding Official

The deciding official (DO) is an institutional official who makes final determinations on allegations of research misconduct and any institutional administrative actions. The DO for the university is the provost and vice president for academic affairs. For any matter involving a vice president, the president will be the DO. In any matter involving the president or other staff reporting to the regents, the chair of the Board of Regents will be the DO.

The DO will receive the inquiry report and after consulting with the RIO, decide whether an investigation is warranted for research misconduct, and for PHS supported research, whether an investigation is warranted under the criteria in 42 C.F.R. § 93.307(d). Any finding that an investigation is warranted must be made in writing by the DO and for PHS supported research must also be provided to the ORI, together with a copy of the inquiry report meeting the requirements of 42 C.F.R. § 93.309, within thirty (30) calendar days of the finding.

The DO will receive the investigation report and, after consulting with the RIO and other appropriate officials, decide the extent to which the university accepts the findings of the investigation and, if research misconduct is found, decide what, if any, institutional administrative actions are appropriate. The DO will ensure that the final investigation report, the findings of the DO and a description of any pending or completed administrative action are provided to the ORI for PHS supported research, as required by 42 C.F.R. § 93.315.

~~III.~~*IV.* General Policies and Principles

A. Responsibilities to Report Misconduct

All university employees will report observed, suspected or apparent research misconduct with federal funds to the RIO, and any official who receives an allegation of research misconduct must report it immediately to the RIO. If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she may meet with or contact the RIO to discuss the suspected misconduct informally, which may include discussing it anonymously and/or hypothetically. If the circumstances described by the individual do not meet the definition of research misconduct, the RIO will refer the

individual or allegation to other university offices or officials with responsibility for resolving the problem.

At any time, a university employee may have confidential discussions and consultations about concerns of possible misconduct with the RIO and will be counseled about appropriate procedures for reporting allegations.

B. Cooperation with Misconduct Proceedings

University employees will cooperate with the RIO and other university officials in the review of allegations and the conduct of inquiries and investigations. Employees, including respondents, have an obligation to provide evidence relevant to misconduct allegations to the RIO or other university officials.

C. Confidentiality

The RIO will, as required by university policy and 42 C.F.R. § 93.108: (1) limit disclosure of the identity of respondents, complainants and witnesses to those who need to know in order to carry out a thorough, competent, objective and fair misconduct proceeding; and (2) except as otherwise prescribed by law, limit the disclosure of any records or evidence from which research subjects might be identified to those who need to know in order to carry out a research misconduct proceeding. The RIO will use written confidentiality agreements or other mechanisms to ensure confidentiality.

D. Protecting Complainants, Witnesses and Committee Members

University employees may not retaliate in any way against complainants, witnesses or inquiry committee members. Employees should immediately report any alleged or apparent retaliation against complainants, witnesses or committee members to the RIO who will review the matter and, as necessary, make all reasonable and practical efforts to counter any potential or actual retaliation and protect and restore the position and reputation of the person against whom the retaliation is directed.

E. Protecting the Respondent

As ~~requested~~*requested*, and as appropriate, the RIO and other university officials will make all reasonable and practical efforts to protect or restore the reputation of persons alleged to have engaged in research or scholarly misconduct when no finding of misconduct is made.

During the misconduct proceeding, the RIO is responsible for ensuring that respondents receive all the notices and opportunities provided for in 42 C.F.R. Part 93, as applicable to PHS supported research and the policies and procedures of the university. Respondents may consult with legal counsel or a non-lawyer personal adviser (who is not a principal or witness in the case) to seek advice and may bring the counsel or personal adviser to interviews or meetings on the case for personal advisement. University counsel must be present in any meeting where other counsel is present.

F. Interim Administrative Actions and Notifying the ORI of Special Circumstances

Throughout research misconduct proceedings, the RIO will review the situation to determine if there is any threat of harm to public health, federal funds and equipment, or the integrity of the research process, and, for PHS supported research, will notify the ORI immediately of such threats.

In the event of such threats, the RIO, ~~will,~~ in consultation with other university officials and the ORI as appropriate, *will* take appropriate interim action including additional monitoring of the research process and the handling of federal funds and equipment, reassignment of personnel or the responsibility for the handling of federal funds and equipment, additional review of research data and results or delaying publication.

Such potential threats where interim action should be taken include:

- Health or safety of the public is at risk, including an immediate need to protect human or animal subjects.
- Public resources or interests are threatened.
- Research activities should be suspended.
- There is a reasonable indication of possible violations of civil or criminal law.
- Federal action is required to protect the interests of those involved in the research misconduct proceeding.
- The research misconduct proceeding may be made public prematurely and HHS action may be necessary to safeguard evidence and protect the rights of those involved.
- The research community or public should be informed.

~~IV.~~*V.* Stage 1 – Conducting the Assessment and Inquiry

A. Assessment of Allegations

Upon receiving an allegation of misconduct in research with federal funds, the RIO will immediately assess the allegation to determine whether it is sufficiently credible and specific so that potential evidence of misconduct may be identified and whether it is within the jurisdictional criteria of 42 C.F.R. § 93.102(b) and 93.103. An inquiry must be conducted if the required criteria for research misconduct are met.

The assessment period should be concluded within five (5) working days of receipt of an allegation. In conducting the assessment, the RIO need not interview the complainant, respondent or other witnesses, or gather data beyond any that may have been submitted with the allegation, except as necessary to determine whether the allegation is sufficiently credible and specific so that potential evidence of misconduct may be identified. The RIO will, on or before the date on which the respondent is notified of the allegation, obtain custody of, inventory, and sequester all records and evidence needed to conduct the misconduct proceeding, as provided in paragraph C of this section.

~~B.~~

~~C.~~*B.* Initiation and Purpose of the Inquiry

If the RIO determines ~~that~~ the criteria for an inquiry are met, the inquiry process will be immediately initiated. The purpose of the inquiry is to conduct an initial review of the available evidence to determine whether to ~~conduct an investigation~~*investigate*. An inquiry does not require a full review of all the evidence related to the allegation.

~~D.~~*C.* Notice to Respondent; Sequestration of Research Records

At the time of or before beginning an inquiry, the RIO must make a good faith effort to notify the respondent in writing, if the respondent is known. If the inquiry subsequently identifies additional respondents, a good faith effort must be made to notify them in writing. On or before the date on which the respondent is notified or the inquiry begins, whichever is earlier, the RIO must take all reasonable and practical steps to obtain custody of all the records and evidence needed to conduct the misconduct proceeding, inventory the records and evidence, and sequester them in a secure manner, except ~~that~~ where the research records or evidence encompass*es* scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments. For PHS supported research, the RIO may consult with the ORI for advice and assistance in this regard.

~~E.~~*D.* Appointment of the Inquiry Committee

The RIO, in consultation with other university officials as appropriate, will appoint an inquiry committee and committee chair within ten (10) working days of the initiation of the inquiry or as soon thereafter as practical. The inquiry committee must consist of individuals who do not have unresolved personal, professional or financial conflicts of interest with those involved with the inquiry and should include individuals with the appropriate expertise to evaluate the evidence and issues related to the allegation, interview the principals and key witnesses, and conduct the inquiry.

The RIO will prepare a written charge for the inquiry committee that:

- sets forth the time for completion of the inquiry, unless extenuating circumstances require an extension of time;
- describes the allegations and any related issues identified during the allegation assessment;
- states that the purpose of the inquiry is to conduct an initial review of the evidence, including the testimony of the respondent, complainant and key witnesses, to determine whether an investigation is warranted, not to determine whether research misconduct definitely occurred or who was responsible;
- states that an investigation is warranted if the committee determines if the allegation may have substance based on the committee's review and, in the case of PHS supported research, there is a reasonable basis for concluding that the allegation falls within the definition of research misconduct and is within the jurisdictional criteria of 42 C.F.R. § 102(b); and
- informs the inquiry committee that they are responsible for preparing or directing the preparation of a written report of the inquiry that, in the case of PHS supported research

misconduct, meets the requirements of this policy and 42 C.F.R. § 93.309(a).

At the committee's first meeting, the RIO will review the charge, discuss the allegation and any related issues, the appropriate procedures for conducting the inquiry, assist with organizing plans for the inquiry, and answer any questions. The RIO will be available throughout the inquiry to advise the committee as needed.

~~F.~~*E.* Inquiry Process

The inquiry committee will normally interview the complainant, the respondent and key witnesses, as well as examin~~e~~*e*~~ing~~ relevant research records and materials. Then, ~~the~~ the inquiry committee will evaluate the evidence, including the testimony obtained during the inquiry. After consultation with the RIO, the committee members will decide whether an investigation is warranted based on the criteria in this policy and 42 C.F.R. § 93.307(d), as applicable to the allegation. The scope of the inquiry is not required to include, and does not normally include, deciding whether misconduct definitely occurred, determining definitely who committed the misconduct or conducting exhaustive interviews and analyses.
However, if a legally sufficient admission of misconduct is made by the respondent, misconduct may be determined at the inquiry stage if all relevant issues are resolved. In that case, for instances of PHS supported research misconduct, the university will promptly consult with the ORI to determine the next steps that should be taken.

~~G.~~*F*. Time for Completion

The inquiry, including preparation of the final inquiry report and the decision of the DO on whether an investigation is warranted, must be completed within sixty (60) calendar days of initiation of the inquiry, unless *the RIO*, at his/her discretion, ~~the RIO~~ determines ~~that~~ circumstances clearly warrant a longer period. In the case of an extension, the inquiry record must include documentation of the reasons for exceeding the ~~60 day~~*60-day* period.

~~V.~~*VI.* The Inquiry Report

A. Elements of the Inquiry Report

A written inquiry report must be prepared that includes the following information, as applicable to the allegation: (1) the name and position of the respondent; (2) a description of the allegations of research misconduct; (3) the federal support including, for example, grant numbers, grant applications, contracts and publications listing federal support; (4) the basis for recommending or not recommending that the allegations warrant an investigation; and
(5) any comments on the draft report by the respondent or complainant.

The university's general counsel will review the report for legal sufficiency. Modifications should be made as appropriate in consultation with the RIO and the inquiry committee. The inquiry report will include: (1) the names and titles of the committee members and experts

who conducted the inquiry; (2) a summary of the inquiry process used; (3) a list of the research records reviewed; (4) summaries of any interviews; and (5) any other actions that should be taken if an investigation is not recommended.

B. Notification and Opportunity to Comment

The RIO will notify both the respondent and the complainant within ten (10) working days of completion of the draft inquiry report whether the inquiry found an investigation to be warranted, provide a copy of the draft report for comment and the university's policies and procedures on misconduct, and for PHS supported research, a copy of or reference to 42 C.F.R. Part 93. A confidentiality agreement will be a condition for access to the report by the respondent and complainant.

Any comments that are submitted will be attached to the final inquiry report. Based on the comments, the inquiry committee may revise the draft report as appropriate and prepare it in final form. The committee will deliver the final report to the RIO.

C. Institutional Decision and Notification

1. Decision by Deciding Official

The RIO will transmit the final inquiry report and any comments to the DO, who will determine in writing whether an investigation is warranted. The inquiry is completed when the DO makes this determination.

2. Notification to the ORI

For allegations of research misconduct with PHS funded research, within thirty (30) calendar days of the DO's decision that an investigation is warranted, the RIO will provide the ORI with the DO's written decision and a copy of the inquiry report. The RIO will also notify those university officials who need to know of the DO's decision. The RIO must provide the following information to the ORI upon request: (1) the institutional policies and procedures under which the inquiry was conducted; (2) the research records and evidence reviewed, transcripts or recordings of any interviews and copies of all relevant documents; and (3) the charges to be considered in the investigation.

3. Documentation of Decision Not to Investigate

If it is found ~~that~~ an investigation is not warranted, the DO and the RIO will ensure for PHS supported research that detailed documentation of the inquiry is retained as detailed in Section VIII.F.

~~VI.~~*VII.* Stage 2 – Conducting the Investigation

A. Initiation and Purpose

The investigation must begin within thirty (30) calendar days after the determination by the DO that an investigation is warranted. The purpose of the investigation is to develop a factual record by exploring the allegations in detail and examining the evidence in depth, leading to ~~recommended~~ *a determination of* finding*s* on whether misconduct has been committed, by whom and to what extent. The investigation will also determine whether there are additional instances of possible misconduct that would justify broadening the scope beyond the initial allegations. This is particularly important where the alleged research misconduct involves potential harm to human subjects or the general public, or if it affects research that forms the basis for public policy, clinical practice, or public health practice. The findings of the investigation will be set forth in an investigation report.

B. Notifying the ORI and Respondent; Sequestration of Research Records

The RIO must notify the respondent in writing of the allegations to be investigated and give the respondent written notice of any new allegations of misconduct within a reasonable amount of time of deciding to pursue allegations not addressed during the inquiry or in the initial notice of the investigation.

For allegations of research misconduct with PHS funded research, on or before the date on which the investigation into research misconduct begins, the RIO must notify the ORI director of the decision to begin the investigation and provide the ORI a copy of the inquiry report.

In all instances, the RIO, ~~will,~~ prior to notifying the respondent of the allegations, *will* take all reasonable and practical steps to obtain custody of and sequester in a secure manner all scholarly records, research records and evidence needed to conduct the misconduct proceeding that were not previously sequestered during the assessment inquiry. Where the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments. The need for additional sequestration of records for the investigation may occur for any number of reasons, including the institution's decision to investigate additional allegations not considered during the assessment inquiry stage or the identification of records during the inquiry process that had not been previously secured. The procedures to be followed for sequestration during the investigation are the same procedures that apply during the inquiry.

C. Appointment of the Investigation Committee

The RIO, in consultation with other university officials, as appropriate, will appoint an investigation committee and committee chair within ten (10) working days of the beginning of the investigation or as soon thereafter as practical. The investigation committee must consist of individuals who do not have unresolved personal, professional or financial conflicts of interest with those involved with the investigation and should include individuals with the appropriate expertise to evaluate the evidence and issues related to the allegation, interview the respondent and complainant and conduct the investigation.

Individuals appointed to the investigation committee may also have served on the inquiry committee.

D. Charge to the Committee and the First Meeting

1. Charge to the Committee

The RIO will define the subject matter of the investigation in a written charge to the committee that:

- describes the allegations and related issues identified during the inquiry;
- identifies the respondent;
- informs the committee that it must conduct the investigation as prescribed in paragraph E of this section;
- defines research misconduct;
- informs the committee that it must evaluate the evidence and testimony to determine whether, based on a preponderance of the evidence, misconduct occurred and, if so, the type and extent of it and who was responsible;
- informs the committee that in order to determine that the respondent committed misconduct it must find a preponderance of the evidence establishes that: (1) misconduct, as defined in this policy, occurred (the respondent has the burden of proving by a preponderance of the evidence any affirmative defenses raised, including honest error or a difference of opinion); (2) there is a significant departure from accepted practices of the relevant research/scholarly community; and (3) the respondent committed the misconduct intentionally and/or knowingly or recklessly; and,
- informs the committee that it must prepare or direct the preparation of a written investigation report that meets the requirements of this policy and
- 42 C.F.R. § 93.313, as applicable to the allegation.

2. First Meeting

The RIO will convene the first meeting of the investigation committee to review the charge, the inquiry report, and the prescribed procedures and standards for the conduct of the investigation, including the necessity for confidentiality and for developing a specific investigation plan. The investigation committee will be provided with a copy of this policy and, for allegation of misconduct with PHS supported research, with a copy of 42 C.F.R. Part 93. The RIO will be present or available throughout the investigation to advise the committee as needed.

E. Investigation Process

The investigation committee and the RIO must:

- *use* to ensure that the investigation is thorough and sufficiently documented and includes examination of all records and evidence relevant to reaching a decision on the merits of each allegation;

- take reasonable steps to ensure an impartial and unbiased investigation to the maximum extent practical;
- interview each respondent, complainant and any other available person who has been reasonably identified as having infor*m*~~m~~ation regarding any relevant aspects of the investigation, including witnesses identified by the respondent, and record or transcribe each interview, provide the recording or transcript to the interviewee for correction, and include the recording or transcript in the record of investigation; and
- pursue diligently all significant issues and leads discovered that are determined relevant to the investigation, including any evidence of any additional instances of possible misconduct, and continue the investigation to completion.

F. Time for Completion

This investigative stage is to be completed within 120 calendar days, including conducting the investigation, preparing the report of findings, providing the draft report for comment and sending the final report to the ORI as required for PHS supported research. However, if the RIO determines that the research misconduct investigation will not be completed within this 120-day period, a written request for an extension will be submitted to the ORI or other federal agencies as applicable, setting forth the reasons for the delay. If the ORI grants an extension, it may direct the filing of periodic progress reports (42 C.F.R. § 93.314).

~~VII.~~*VIII.* The Investigation Report

A. Elements of the Investigation Report

The investigation committee and the RIO are responsible for preparing a written draft report of the investigation that:

- describes the nature of the allegation of misconduct, including identification of the respondent;
- describes and documents the federal support, including, for example, the numbers of any grants that are involved, grant applications, contracts and publications listing federal support;
- describes the specific allegations of misconduct considered in the investigation;
- includes the institutional policies and procedures under which the investigation was conducted, unless, in the case of research misconduct proceedings for allegations of research in PHS supported research, those policies and procedures were provided to the ORI previously;
- identifies and summarizes the records and evidence reviewed and identifies any evidence taken into custody but not reviewed; and,
- includes a statement of findings for each allegation of misconduct identified during the investigation. Each statement of findings of misconduct must: (1) identify whether the misconduct was falsification, fabrication or plagiarism and whether it was committed

- intentionally, knowingly or recklessly; (2) summarize the facts and the analysis that support the conclusion and consider the merits of any reasonable explanation by the respondent, including any effort by the respondent to establish a preponderance of the evidence that he or she did not engage in misconduct because of honest error or a difference of opinion; (3) identify the specific federal support; (4) identify whether any publications need correction or retraction; (5) identify and the person(s) responsible for the misconduct; and (6) list any current support or known applications or proposals for support that the respondent has pending with federal agencies.

B. Comments on the Draft Report and Access to Evidence

1. Respondent

The RIO must give the respondent a copy of the draft investigation report for comment and concurrently a copy of, or supervised access to, the evidence on which the report is based. The respondent will be allowed thirty (30) calendar days from the date the draft report is received to submit comments to the RIO. The respondent's comments must be included and considered in the final report.

2. Complainant

On a case-by-case basis within the university's discretion, the university may provide the complainant a copy of the draft investigation report, or relevant portions of it, for comment. The complaint's comments must be submitted within thirty (30) calendar days of the date on which the draft report is received, and the comments must be included and considered in the final report. For allegations of misconduct for PHS supported research, see §§ 93.312(b) and 93.313(g).

C. Decision by Deciding Official

The RIO will assist the investigation committee in finalizing the draft investigation report, including ensuring that the respondent's and complainant's comments are included and considered, and transmit the final investigation report to the DO, who will determine in writing whether the university accepts the investigation report, its findings and any recommended institutional actions in response to accepted findings of research misconduct. If the determination by the DO varies from the findings of the investigation committee, the DO will, as part of the written determination, explain in detail the basis for rendering a decision different from the findings of the investigation committee. The DO may return the report to the investigation committee with a request for further fact- finding or analysis.

When a final decision on the case has been reached, the RIO will notify both the respondent and the complainant in writing. In the case of PHS supported research, the DO will inform the ORI. The DO will determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work,

or other relevant parties should be notified of the outcome of the case. The RIO is responsible for ensuring compliance with all notification requirements of other sponsoring federal agencies.

D. Appeals

Respondents and complainants may submit a written appeal on the judgment of the investigating committee, the DO and/or the sanction to the DO within thirty (30) calendar days of written notification of the sanctions. The DO will forward the appeal to the president for consideration. For matters concerning the vice president for academic affairs, the appeal will be forwarded to the chair of the Board of Regents. In any matter involving the president or other staff reporting to the regents, the chair of the Board of Regents will also serve as the appeal officer. Grounds for appeal include, but are not limited to, previously unconsidered material evidence, sanctions not commensurate with the finding, and failure to follow the prescribed process. Upon receipt of the appeal, the appeal officer will evaluate the evidence and make a determination. The appeal officer may consult with the DO, RIO or other individuals as appropriate. The appeal officer will reopen the investigation if the previously unconsidered material evidence so warrants and may reopen the investigation if circumstances so dictate. The appeal officer's decision will be conveyed to all involved in a timely ~~fashion, but~~*fashion but* must be conveyed within thirty (30) calendar days. In the case of termination, the appropriate university policies on termination for cause will be followed.

Unless an extension has been granted, the appeal process must be completed within 120 calendar days of its filing. Similarly, but without external review, an extension of time may be granted for good cause by the university or as directed by the sponsoring agency for completion of the appeal process in non-PHS supported research misconduct cases.

E. Notice to the ORI of Institutional Findings and Actions

For cases involving PHS supported research, unless an extension has been granted by ORI, the RIO must, within the 120-day period for completing the investigation or the 120-day period for completion of any appeal, submit the following to ORI: (1) a copy of the final investigation report with all attachments and any appeal; (2) a statement of whether the institution accepts the findings of the investigation report or the outcome of the appeal; (3) a statement of whether the institution found misconduct and, if so, who committed the misconduct; and (4) a description of any pending or completed administrative actions against the respondent.

F. Maintaining Records for Review by the ORI

For cases involving PHS supported research, the RIO must maintain and provide to the ORI upon request "records of research misconduct proceedings" as defined by 42 C.F.R. § 93.317. The RIO is also responsible for providing any information,

documentation, research records, evidence or clarification requested by ORI to carry out its review of an allegation of research misconduct or of the institution's handling of such an allegation.

Unless custody has been transferred to HHS or the ORI has advised in writing that the records no longer need to be retained, records of research misconduct proceedings will be retained in a secure manner for seven (7) years after completion of the proceeding or the completion of any PHS proceeding involving the research misconduct allegation.

~~VIII.~~*IX.* Completion of Cases: Reporting Premature Closures to the ORI

Generally, all inquiries and investigations will be carried through to completion and all significant issues will be pursued diligently. For cases involving PHS supported research, the RIO must notify the ORI in advance if there are plans to close a case at the inquiry, investigation or appeal stage on the basis that respondent has admitted guilt, a settlement with the respondent has been reached, or for any other reason, except

(1) closing of a case at the inquiry stage on the basis that an investigation is not warranted; or

~~(1)~~*(2)* ~~(2)~~ a finding of no misconduct at the investigation stage, which must be reported to the ORI as prescribed in this policy and 42 C.F.R. § 93.315.

~~IX.~~*X.* Institutional Administrative Actions

If the DO determines that research misconduct is substantiated by the evidence, he/she will decide on the appropriate actions to be taken, after consultation with the RIO. The administrative actions may include:

- withdrawal or correction of all pending or published abstracts and papers emanating from the research where misconduct was found;
- removal of the responsible person from the particular project, letter of reprimand, special monitoring of future work, probation, suspension, salary reduction or initiation of steps leading to possible rank reduction or termination of employment;
- restitution of funds to the grantor agency as appropriate; and
- other action appropriate to the misconduct.

~~X.~~*XI.* Other Considerations

A. Termination or Resignation Prior to Completing Inquiry or Investigation

The termination of the respondent's institutional employment, by resignation or otherwise, before or after an allegation of possible research misconduct has been reported, will not preclude or terminate the research misconduct proceeding or otherwise limit any of the institution's responsibilities, including those under 42 C.F.R. Part 93 for cases involving PHS supported research.

If the respondent, without admitting to research misconduct, elects to resign after the institution receives an allegation of research misconduct, the assessment of the allegation will proceed, as well as the inquiry and investigation as appropriate, based on the outcome of

the preceding steps. If the respondent refuses to participate in the process after resignation, the RIO and any inquiry or investigation committee will use their best efforts to reach a conclusion concerning the allegations, noting in the report the respondent's failure to cooperate and the effect on the evidence.

B. Restoration of the Respondent's Reputation

Following a final finding of no research misconduct, including the ORI concurrence if required by 42 C.F.R. Part 93, the RIO will, at the request of the respondent, undertake all reasonable and practical efforts to restore the respondent's reputation. Depending on the particular circumstances and the views of the respondent, the RIO should consider (1) notifying those individuals aware of or involved in the investigation of the final outcome, (2) publicizing the final outcome in any forum in which the allegation of misconduct was previously publicized, and (3) expunging all reference to the misconduct allegation from the respondent's personnel file (to the extent permitted by law). Any institutional actions to restore the respondent's reputation should first be approved by the DO.

C. Protection of the Complainant, Witnesses and Committee Members

During the misconduct proceeding and upon its completion, regardless of whether the institution or the ORI determines that research misconduct occurred, the RIO will undertake all reasonable and practical efforts to protect the position and reputation of, or to counter potential or actual retaliation against, any complainant who made allegations of misconduct in good faith and of any witnesses and committee members who cooperate in good faith with the misconduct proceeding. The DO will determine, after consulting with the RIO, and with the complainant, witnesses or committee members, respectively, what steps, if any, are needed to restore their respective positions or reputations or to counter potential or actual retaliation against them. The RIO is responsible for implementing any steps that the DO approves.

D. Allegations Not Made in Good Faith

If relevant, the DO will determine whether the complainant's allegations of misconduct were made in good faith, or whether a witness or committee members acted in good faith. If the DO determines ~~that~~ there was an absence of good faith, he/she will determine whether any administrative action should be taken against the person who failed to act in good faith.

Cross Reference: 42 C.F.R. Part 93; Misconduct in Scholarly or Creative Activities (7.19)

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

Contact for Revision: Director, Office of Research and Sponsored Programs

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: April 30, 2019
July 28, 2015
July 17, 2012
July 21, 2009

Appendix 2

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Moving Expenses

Policy Number: 3.23

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 11/1/2021

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes the guidelines whereby Stephen F. Austin State University may pay moving expenses for a newly hired faculty or staff member.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Text clarification.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Moving Expenses

Original Implementation: December 1988
Last Revision: ~~November 1, 2021~~*October 31, 2022*

Purpose

This policy establishes the guidelines whereby Stephen F. Austin State University may pay moving expenses for a newly hired faculty or staff member.

General

The university may pay reasonable moving expenses for a newly hired faculty or staff member. However, payment of moving expenses is not an entitlement. It is an option, with terms to be agreed upon between the university and the prospective employee in advance. Prior approval of the vice president *for finance and administration and the* ~~or~~ head of the division (cabinet level) as appropriate is required.

Moving related expenses are those incurred between the employee's prior home location and his or her new home location. These expenses will be treated as taxable income to the employee. Common moving expenses include:

- *transportation of household goods*
- airfare *or mileage*
- *lodging*
- *meals*
- *pre-move house hunting*
- *temporary housing*
- *short-term storage*

Other moving expenses are less common, but can still be paid as taxable if approved in advance.

Departments may negotiate with the new employee to pay full or partial moving expenses. Payments must be made from non-appropriated funds, provided the funds are available in the department's budget. *Moving expense payments will be treated as taxable income to the employee for the actual moving expense less applicable tax withholdings.* Moving expenses can be paid by either of two methods:

- Direct payment to vendor (preferred method; requires an approved purchase order and invoice)
- Reimbursement to new employee (Receipts documenting moving expenses must be attached

to the Moving Expenses Payment/Reimbursement Form and submitted to the payroll office. Only actual documented expenses will be reimbursed.)

~~The~~ *Payroll Services and/or Procurement and Business Services* ~~controller's office~~ will coordinate all payments for moving expenses, and the required information must be submitted before any moving expense can be processed for payment. The taxability of moving expenses will be determined by Internal Revenue Service (IRS) guidelines. Any taxable amount, whether paid directly to the vendor or reimbursed to the employee, will be included in taxable wages on the employee's Form W-2 and subject to federal income tax and FICA (social security) withholdings. Any mileage reimbursements will be paid at the IRS rate in effect for moving expenses on the date of the move unless a lower rate is negotiated by the department.

Cross Reference: Electronic Personnel Action Form (11.8); Internal Revenue Service website

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: ~~Controller~~ *Director of Financial Reporting; Executive Director of Finance and Administrative Services*

Forms: Electronic Personnel Action Form (EPAF) (available through Self Service Banner); Moving Expenses Payment/Reimbursement Form (available online)

Board Committee Assignment: Academic and Student Affairs

Revision History: November 1, 2021
April 30, 2019
January 29, 2019
January 26, 2016
April 15, 2014
April 19, 2011

Appendix 2

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Performance Evaluation of Faculty

Policy Number: 7.22

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Acacdemic Affairs

Purpose of Policy (what does it do):

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Text clarification.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Acacdemic Affairs
Damon Derrick, General Counsel

Performance Evaluation of Faculty

Original Implementation: August 26, 1997
Last Revision: October ~~28, 2019~~*31, 2022*

To ensure continued excellence in faculty performance and pursuant to Section 51.942 of the Texas Education Code, Stephen F. Austin State University (SFA) regularly evaluates the performance of faculty. The evaluation process focuses on improving faculty performance and incorporates commonly recognized academic due process rights, including notice of the manner of scope of the evaluation and the opportunity to provide documentation during the evaluation process.

The process of evaluating faculty at SFA includes several basic components:

a. an annual administration evaluation of faculty performance;
b. a comprehensive performance evaluation of all tenured faculty at least once every six years; and,
c. a plan for assisted faculty development prompted by deficiencies identified in the annual administrative evaluation or comprehensive performance evaluation.

STANDARDS FOR PERFORMANCE EVALUATION OF FACULTY

Rigorous standards to determine what constitutes appropriate minimum performance must be developed by members of the academic unit holding faculty rank. These standards will ~~be in keeping with~~*align with* the mission of the university, the mission and goals of the college, and the mission and goals of the academic unit. They are to be based on, but need not be limited to, the professional responsibilities of the faculty member in teaching, scholarship, research and creative activity, and service. “Rigorous standards” are ~~a set of~~ verifiable standards ~~that are~~ developed by tenured faculty in the academic unit. The standards should recognize the need to allow for legitimate variation in the development of faculty careers. A copy of these standards will be forwarded to the college dean and the provost and executive vice president for academic affairs for review and approval.

The standards will be subject to periodic review by the academic unit at least every five years, unless requested earlier by the academic unit head or dean. Any modifications are subject to review and approval by the appropriate academic dean and by the provost and *executive* vice president for academic affairs.

THE ANNUAL ADMINISTRATIVE EVALUATION

Each faculty member will prepare and submit to the academic unit head an annual report of the professional activities and performance during the previous calendar year. As part of this report, academic units may require a self-evaluation that includes statements identifying an individual’s strengths and weaknesses and specifying plans for the upcoming academic year aimed at strengthening the faculty member’s performance. The college dean may meet with the academic

unit head to review faculty evaluations prior to or following a face-to-face evaluation meeting. During a face-to-face evaluation meeting with the faculty member, the academic unit head will provide the written administrative evaluation of faculty performance. Upon receipt from the academic unit head, the dean will forward the administrative evaluation and any supporting documentation to the provost and *executive* vice president for academic affairs. Faculty who receive two unsatisfactory annual evaluations in any three-year period will be subject to~~the~~ procedures outlined in the plan for assisted development (PAD).

THE PERIODIC COMPREHENSIVE PERFORMANCE EVALUATION OF TENURED FACULTY

Every tenured faculty member with less than a 0.5 FTE administrative appointment will undergo a comprehensive performance evaluation every sixth year after receiving tenure, returning to a faculty position following an administrative assignment, or after a previous comprehensive performance evaluation (including promotion or successful completion of a plan for assisted faculty development). Failure to submit a post-tenure review portfolio automatically leads to a plan for assisted development.

~~With approval from the dean and the provost and *executive* vice president for academic affairs,~~ *T*~~t~~he post-tenure review clock is suspended for faculty holding administrative positions within the academic unit (e.g., academic unit heads) or holding at least a 0.5 FTE administrative position. *Post-tenure review is due in the sixth year upon return to a faculty position of greater than 0.5 FTE.*

Each college and its academic units will establish a post-tenure review process that is approved by the dean and the provost and *executive* vice president for academic affairs. The approved process will include the following:

a. Each tenured faculty member will be reviewed by the tenured faculty in his/her academic unit, the academic unit head, and the dean.
b. Academic unit review committees must be comprised of a minimum of three tenured faculty members. In academic units with three or fewer tenured faculty, the dean of the college, in consultation with the academic unit head, will appoint tenured faculty members from other academic units.
c. Academic unit heads and deans with supervisory authority for faculty under review cannot be included in the academic unit review committee.
d. Recommendations and decisions on the comprehensive performance evaluation will not discriminate on any basis prohibited by law or policy.
e. The review committee must consistently follow the comprehensive performance evaluation procedures when evaluating all tenured faculty within an academic unit.
f. This review will make use of annual administrative evaluations of the faculty activities and performance for the five most recent years.
g. Each critical area—teaching, research/scholarly/creative accomplishment, and service—must be evaluated and rated separately and will include criteria addressing collegiality. An overall comprehensive performance evaluation rating must also be provided.

h. At a minimum, the rating system must include two levels—satisfactory/meets expectations and unsatisfactory/does not meet expectations.
i. Within the academic unit review, a simple majority of the voting faculty will determine the tenured faculty committee recommendation that the faculty member meets or does not meet the adopted standards of the unit.
j. Academic unit heads and deans may consider other pertinent information during the review process.
k. Each faculty member will be notified in writing within five (5) class days after the academic unit head completes all recommendations regarding the comprehensive performance evaluation. Within five (5) class days of reviewing the written recommendations and supporting comments, the tenured faculty members may attach a letter of response addressing errors of fact in the decision. Such a notification and any subsequent response by the tenured faculty will become part of the faculty's periodic comprehensive evaluation materials.
l. Each faculty member will be notified in writing within five (5) class days after the dean completes all recommendations regarding the comprehensive performance evaluation.
m. Each faculty member determined as meeting standards at the academic unit and at the dean's level will require no further action.
n. Each faculty member determined as not meeting standards at the academic unit or dean's level will be subject to the procedures outlined in the plan for assisted development.

PLAN FOR ASSISTED DEVELOPMENT

The plan for assisted development (PAD) will incorporate a significant peer component and will have as its main intention professional growth, personal reflection, and performance improvement.

a. A committee will be appointed by the academic unit head in consultation with the faculty member and subject to approval by the dean. ~~It is T~~*T*~~t~~he task of this committee, in consultation with the academic unit head and the faculty member, *is* to formulate a PAD to remediate any performance deficiencies identified in the comprehensive performance evaluation. A timeline for remediation not to exceed 24 calendar months with tangible benchmarks of progress will be established at this time.
b. The annual evaluation process is suspended while a faculty member is under a PAD.
c. The PAD will be signed by the faculty member, the academic unit head, and the dean to indicate their agreement with the terms of the plan. If the academic unit head, faculty member, and peer evaluation committee members are unable to come to agreement on a suitable PAD, then the faculty member will be required to adhere to the PAD as formulated by the dean, academic head, and committee. A copy of the plan will be sent to the provost and *executive* vice president for academic affairs.
d. After the PAD has been created, the peer committee will remain in place and will meet at appropriate intervals with the academic unit head to review progress in meeting benchmark goals. The academic unit head will then hold meetings with the faculty member to assess progress. Failure to meet benchmark goals may result in an immediate determination that the faculty member has failed to satisfy the PAD, regardless of how

much time remains in the PAD timeline.

e. Upon completion of the PAD term, there are three possible outcomes:
   (1) When, with the recommendation of the peer committee and in the determination of the academic unit head, the faculty member has succeeded in restoring his/her performance to an acceptable level by meeting the goals of the PAD in a timely manner, the academic unit head will notify in writing the faculty member, peer committee, and the dean.
   (2) The academic unit head may recommend extending the time for completion of the PAD for a maximum of one academic year. The dean of the college will choose to allow or deny the extension and will communicate this decision in writing to the academic unit head and faculty member within seven (7) calendar days of receiving the recommendation.
   (3) If, after seeking the opinions of the faculty peer committee, it is the judgment of the academic unit head that the faculty member has failed to satisfy the PAD, then the academic unit head will so inform the dean, the peer committee, and the affected faculty member in writing.

Upon receipt of the determination from the academic unit head, the dean will review the report of the academic unit head. The dean will personally confer with the faculty member regarding his/her performance under the PAD, with the appropriate academic unit head, and, if necessary, with the peer evaluation committee members. Following the review, the dean will forward a recommendation to the provost and *executive* vice president for academic affairs. The dean may recommend to the provost and *executive* vice president of academic affairs any of several actions, including, but not limited to:

a. restoring the faculty member to ~~a~~ regular status (the faculty member then becomes subject to the standard periodic comprehensive performance evaluation process);
b. requiring another PAD be formulated, with a different peer committee; or
c. instituting dismissal proceedings or other appropriate action in accordance with SFA policy. A faculty member subject to dismissal on the basis of evaluations conducted under this policy will receive specific written reasons for the dismissal and have the opportunity for referral of the matter to a non-binding alternative dispute resolution process as described in Chapter 154, Civil Practices and Remedies Code. The opportunity for non-binding alternative dispute resolution will be available only after all internal procedures are exhausted.

Cross Reference: Tex. Educ. Code § 51.942; Tex. Civ. Prac. & Rem. Code Ch. 154; Faculty Handbook; Academic Freedom and Responsibility (7.3); Academic Appointments and Titles (7.2); and Tenure and Continued Employment (7.29).

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: October 28, 2019
July 23, 2019
July 26, 2016
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Performance Management Plan

Policy Number: 11.20

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 4/20/2020

Unit(s) Responsible for Policy Implementation: Director of Human Resources

Purpose of Policy (what does it do): This policy establishes that the university will utilize a performance management plan to evaluate employee work efforts annually for non-faculty employees.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

John Wyatt, Interim Human Resources Director
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Performance Management Plan

Original Implementation: July 14, 1998
Last Revision: *October*~~April~~ *31*~~20~~, 20*22*~~21~~

Purpose

This policy establishes that the university will utilize a performance management plan to evaluate employee work efforts annually.

This policy applies to all non-faculty employees at Stephen F. Austin State University that have completed their initial employment probation prior to the beginning of the annual evaluation period. Positions that are excluded include academic department chairs, deans, library director, charter school teachers, ~~and~~ all coaches, *and positions reporting directly to the Board of Regents*. However, all categories listed as an exemption shall have some form of evaluation system, but are not governed by this policy. This policy also does not apply to positions which require student status, casual employees, or employees working less than 50% FTE.

General

The goal of the performance management plan is to maximize employee work efforts to achieve university, organizational and individual objectives through active participation in the goal-setting process; to ensure that all employees receive a timely and objective review of their job performance each year; to identify employees whose job-related performance and conduct does not meet established objectives or contribute effectively to the university; and to ensure that job performance is measured effectively for compensation purposes.

Human Resources (HR) oversees the performance management plan ~~to~~ includ*ing*~~e~~ development of applicable forms, retention of completed evaluation plans and establishing guidelines for evaluating employees' performance.

Documentation

The review plan for each employee should be free from discrimination including race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, age, disability, genetic information, citizenship, or veteran status. Supervisors may not consider the employee's use of federally protected leaves, such as Family Medical Leave, against the employee during the evaluation. For further clarification, please contact human resources. Each supervisor will be held responsible for ensuring the review is fair, objective, accurate, and honest and discussed with the employee. Supervisors are also responsible for ensuring consistency of application within their

departments. Reviewing supervisors are responsible for ensuring compliance with EEO law. *The reviewing supervisor should complete their review prior to the supervisor meeting with the employee being reviewed.*

Compensation Actions

Employees must be evaluated to be eligible for merit increases. Merit pay increases, general pay increases, and all other compensation actions are to be consistent with the level of an employee's actual job performance. Merit increases are to be withheld for employees who had an overall rating of less than acceptable and therefore are not fully effective in their job performance. Administrative leave is to be withheld for employees who receive a rating of less than acceptable in any evaluation factor.

Cross Reference: None

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Human Resources

Forms: Performance Management Plan and Review (Available on the Internet)

Board Committee Assignment: Academic and Student Affairs

Revision History: April 20, 2021
January 30, 2018
January 27, 2015
July 17, 2012
April 20, 2010

Appendix 2

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Prohibition of Enrollment Inducement of Students Utilizing Military Benefits

Policy Number: 6.23

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/23/2019

Unit(s) Responsible for Policy Implementation: Executive Director of Enrollment Management

Purpose of Policy (what does it do): Policy to explain military benefits at SFA.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Minor edits.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Rachele' Garrett, Interim Executive Director of Enrollment Management
Damon Derrick, General Counsel

Prohibition of Enrollment Inducement of ~~Military Service Members~~*Students Utilizing Military Benefits*

Original Implementation: July 16, 2013
Last Revision: ~~July 23, 2019~~*October 31, 2022*

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) *with the exception of scholarships, grants and tuition reductions provided by the educational institution* 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~~ *students using any form of Veterans Administration (VA) education benefits or tuition assistance (TA) funds*. This includes:

- Refraining from ~~high pressure~~ *deceptive or persistent* recruitment ~~tactics~~ *techniques, ~~including on~~including on military installations that may include* ~~such as~~ *misrepresentation or payment of incentive compensation, ~~making three~~making three or more unsolicited contacts to ~~a covered~~such an individual during a 1-month period (including contacts by phone, email or in-person) or engaging in same day recruitment and registration.*~~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 *Executive* Vice President for Academic Affairs~~*Executive Director of Enrollment Management*

Contact for Revision: ~~Provost and *Executive* Vice President for Academic Affairs~~*Executive Director of Enrollment Management*

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: July 23, 2019
January 26, 2016

Appendix 2

POLICY SUMMARY FORM

Policy Name: Public Health

Policy Number: 13.16

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/21/2020

Unit(s) Responsible for Policy Implementation: Vice President for Student Affairs

Purpose of Policy (what does it do): Outlines the university's response to public health emergencies.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☐ Response to audit finding

☒ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Student Affairs Policy Committee
Brandon Frye, Vice President of Student Affairs
Damon Derrick, General Counsel

Public Health

Original Implementation: February 29, 1988
Last Revision: ~~July 21, 2020~~*October 31, 2022*

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

When circumstances arise that require review, the vice president *of*~~for~~ ~~university~~ *student* affairs *or their designee* will convene a Public~~/Student~~ Health Committee, consisting of appropriate faculty and staff members. This committee will assist the vice president in coordinating the university's efforts to fulfill its responsibility concerning public health. In carrying out its tasks, the committee will review the guidelines of recognized authorities including the *World Health Organization, the* National Centers for Disease Control, and the Texas Department of *State* Health Services.

Based on the severity of the public health issue being addressed, the Public Health Committee may make recommendations to the president that certain policies, *plans, and/or protocols* be initiated, suspended or modified on an emergency basis, as needed.

In the event of public inquiry concerning university policy on public health or health-related matters at SFA, the ~~executive director~~*chief marketing and communications officer* ~~of university marketing communications~~, or their designee, will serve as the official spokesperson for the university. Medical records of individuals shall remain confidential, but public information will be disclosed upon request in accordance with the Texas Public Information Act and the Family Educational Rights and Privacy Act. Requests for such information should be referred to the university's general counsel.

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

Cross Reference: Tex. Health & Safety Code Ch. 81, 181; Tex. Gov't Code Ch. 552; Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g

Responsible for Implementation: Vice President *of*~~for~~ ~~University~~ *Student* Affairs

Contact for Revision: Vice President ~~for~~ *of* ~~University~~ *Student* Affairs

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: July 21, 2020
April 25, 2017
July 29, 2014
July 19, 2011

Appendix 2

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Procurement of Electronic and Information Resources

Policy Number: 17.16

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 2/2/2021

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy affirms that electronic and information resources (EIR) developed, procured, or changed by the university shall comply with the standards and specifications of Chapter 206 and/or Chapter 213 of Title 1 of the Texas Administrative Code (TAC), Part 10 unless an exception is approved by the university president in accordance with Section 213.37.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☐ Response to audit finding

☒ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Revised to allow for a designee to approve Electronic Accessibility Exception Request Forms on behalf of the President.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Kay Johnson, Director of Procurement and Property Services/HUB Coordinator
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Procurement of Electronic and Information Resources

Original Implementation: July 21, 2009
Last Revision: ~~February 2, 2021~~*October 31, 2022*

Purpose

This policy establishes guidelines for university purchases and contracts in its compliance with accessibility rules in accordance with Texas Administrative Code (TAC), Title 1, Chapters 206 and Chapter 213. This policy sets forth guidance with regard to the accessibility of all electronic and information resources (EIR) developed, procured, or changed by users including but not limited to:

- Software applications and operating systems
- Telecommunications products
- Video and multimedia products
- Self-contained closed products
- Desktop and portable computers

~~The specific technical standards for each of the above categories of EIR are referenced in Accessibility of Electronic Information Resources (16.9).~~

Definitions

Electronic and information resources (EIR) as used in this policy refers to the definition in 1 TAC 213.1(9) and includes software applications and operating systems, telecommunications products, video and multimedia products, self-contained closed products, and desktop and portable computers described in 1 TAC 213.30 through 213.33. The term does not include equipment that contains embedded information technology that is used as an integral part of the product, but the principal function of which is not the acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information, such as thermostats or temperature control devices, and medical equipment where information technology is integral to its operation.

Legacy EIR - Any component or portion of existing EIR that complies with an earlier standard issued pursuant to Chapter 206 or Chapter 213, and the user interface has not been altered on or after April 18, 2020.

General

All EIR products developed, procured, or materially changed through a procured services contract, and all EIR services provided through hosted or managed services contracts, shall comply with the provisions of Chapter 206, State Websites, and Chapter 213, Electronic and Information Resources, of the TAC, as applicable unless such requirement imposes significant difficulty or expense, as determined and exempted by the university in accordance with Texas Government Code 2054.460

and 1 TAC 213.37.

The procurement of any EIR shall include the requirement to secure documentation as required by 1 TAC 213.38(b) from the vendor providing accessibility information and/or credible evidence of the vendor's capability or ability to produce accessible EIR products or services, where applicable, under consideration using one of the following methods:

- Voluntary Product Accessibility Template (VPAT);
- Other electronic documents/forms that addresses the same accessibility criteria in substantively the same format as the VPAT. Such evidence may include, but not limited to, a vendor's internal accessibility policy documents, accessibility testing documents.
- URL to a web page which explains how to request a completed VPAT for any products under contract; or
- If credible accessibility documentation cannot be provided, then EIR shall be considered noncompliant.

Additionally, for purchases with development costs exceeding $500,000, accessibility testing may be required.

The degree of the accessibility of a given product should be determined by the procuring department. The Electronic Accessibility Coordinator (EAC) is available to assist departments and areas in making this determination.

Departments shall coordinate purchases of EIR with Procurement and the EAC to ensure compliance with the TAC and this policy.

If a vendor cannot provide the required documentation and no other vendor is available to provide the EIR, and the department has a need that cannot be met with a different EIR, or alternative EIR can only be acquired with significant difficulty or expense, upon the review and approval by the EAC an Electronic Accessibility Exception Request Form can be requested and approved by the President, *or his/her designee*. Reference Accessibility of Electronic Information Resources (16.9). Any approved exception will contain the information required in 1 TAC § 213.37(3) and processed by the EAC.

Cross Reference: Tex. Gov't Code §§ 2054.451-465; 1 Tex. Admin. Code Ch. 206; 1 Tex. Admin. Code Ch. 213; Accessibility of Electronic Information Resources (16.9)

Responsible for Implementation: Chief Information Officer

Contact for Revision: Electronic Accessibility Coordinator, *Executive* Director ~~of Procurement and Property Services/HUB Coordinator~~*of Finance and Administrative Services*

Forms: Electronic Accessibility Exception Request Form Voluntary Product Accessibility Template (VPAT)

Board Committee Assignment: Finance and Audit

Revision History: February 2, 2021
January 30, 2018
January 27, 2015
January 28, 2014
January 25, 2011

POLICY SUMMARY FORM

Policy Name: Reasonable Workplace Accommodation for Disabilities

Policy Number: 11.22

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/26/2022

Unit(s) Responsible for Policy Implementation: Director of Human Resources

Purpose of Policy (what does it do): 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 state regulations, which does not constitute an undue hardship to the university.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Name change & addition of information related to Pregnancy Discrimination Act of 1978 and the Fair Labor Standards Action, Section 7(r).

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

John Wyatt, Interim Human Resources Director
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Appendix 2

Reasonable Workplace Accommodation~~s for Disabilities~~

Original Implementation: April 20, 2004
Last Revision: ~~July 26, 2022~~*October 31, 2022*

Purpose

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 state regulations, which does not constitute an undue hardship to the university.

Stephen F. Austin State University shall make reasonable workplace accommodations for employees with sincerely held religious beliefs in accordance with the Texas Labor Code, and/or for employees who qualify under the Pregnancy Discrimination Act of 1978 and Section 7(r) of the Fair Labor Standards Act, if the requested accommodation does not constitute an undue hardship.

Definitions

Disability - a physical or mental impairment that substantially limits one or more major life activities; a record (or past history) of such an impairment; or being regarded as having such impairment.

Qualified individual with a disability - 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 accommodations - 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; or 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 - incurred when an accommodation request impacts the operations or business through the cost factors involved, or the effect on the safety of the requestor or other individuals, or due to the impact on the university's ability to conduct business.

General

Job postings will include a statement that all responsible workplace accommodations are requested by calling the human resources department. The director of human resources or his/her designee will be responsible for overseeing the reasonable workplace accommodation policy and the procedures to ensure compliance.

Any employee requiring an accommodation shall notify his/her immediate supervisor as soon as practical, informing the supervisor of the nature of the disability *or other reason for accommodation*. Any supervisor notified of a disability *or receiving a workplace accommodation request* shall immediately report it to the director of human resources or his/her designee.

The employee shall provide to the director of human resources or his/her designee the following within a reasonable time from the date of notification~~, not to exceed fourteen (14) calendar days~~:

- A copy of all documentation relevant to making a decision about reasonable accommodation. Relevant documents may include, but are not limited to, medical records.
- *For disability requests,* ~~A~~*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 his/her designee may request a letter from the employee *requesting disability accommodation* 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 of his/her designee may request a letter from the employee requesting religious accommodation that includes:

- *The religious belief, practice, or observation obligation that is the basis of the accommodation request.*
- *The work requirement that conflicts with the religious belief, practice, or observation obligation and an explanation of the nature of the conflict.*
- *Recommendations for appropriate accommodations based on the job description and current duties, if applicable.*

The director of human resources or his/her 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 his/her 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 his/her 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 state regulations. 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 of employment as are enjoyed by its other similarly situated employees without disabilities; and other appropriate adjustment to the work environment of a qualified individual with a disability *or sincerely held religious belief.*

Unless extenuating circumstances exist, the review process should ~~not exceed a period of thirty (30) calendar days~~*occur promptly without unreasonable delay*.

The director of human resources or his/her 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 his/her appointed representative shall periodically review and update this policy and procedures to ensure compliance with EEO laws.

Cross Reference: 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~~ Tex. Lab. Code §§ 21.051-129*; -Pregnancy Discrimination Act of 1978; Fair Labor Standards Act, Section 7(r)*

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 Committee

Revision History: July 26, 2022
July 23, 2019
July 26, 2016
July 16, 2013
July 20, 2010

POLICY SUMMARY FORM

Policy Name: Regents Scholar

Policy Number: 7.24

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/23/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): Explains what the Regents Scholar is and how one obtains this high honor.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Text clarification; revised eligiblity to nominate; revised the review panel membership

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Affair Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Regents Scholar

Original Implementation: October, 1979
Last Revision: ~~July 23, 2019~~*October 31, 2022*

The title of Regents Scholar is the highest honor that the university may bestow upon a member of the faculty. The honor is reserved for faculty members who are exemplary role models to the university community. The title of Regents Scholar is not an academic rank, but an honorary title held for the duration of the recipient's service to the university.

1. Only tenured full professors *and librarian IV* are eligible for nomination. They must have served a minimum of five years at Stephen F. Austin State University and remain on active service during the academic year of the award. Previous recipients of the award are ineligible.

2. Faculty members are nominated on the basis of extraordinary merit in teaching, research/scholarly/creative accomplishment, and service. Evidence of exceptional performance must exist in each category.

3. A nomination may be submitted by any ~~tenured~~ *full-time faculty member*~~. member of the university faculty~~. The nomination must be seconded by another *full-time faculty member*~~tenured member of the faculty~~. The nomination and second are submitted by letters through the relevant academic unit leader and dean, then to the provost and *executive* vice president for academic affairs.

4. Upon acceptance of a nomination, the nominator and second will assist the nominee in preparing a dossier. The instructions for preparing and submitting the dossier can be found on the "Regents Scholar Award" page of the Academic Affairs website.

5. ~~*A committee* The provost and executive vice president for academic affairs appoints a review panel of six from the ranks of former Regents Scholars (formerly titled Regents Professors) and deans, with attention to disciplinary balance. The review panel *consisting of seven elected, full-time tenured faculty members who hold the rank of associate professor or above (one from each academic college and one from the library) will* will *be convened. Elections for these positions will be held within each college.* examine the dossiers independently *In addition, the provost will appoint one former Regents Professor / Scholar to serve as an ex officio member of the committee.*~~*The provost and executive vice president for academic affairs appoints a review panel of six, with four from the ranks of former Regents Scholars (formerly titled Regents Professors) and deans, and with one full professor serving as an academic unit head, and one full professor serving as a faculty senator. The panel will reflect disciplinary balance. –If qualified full professors are unavailable or unwilling, exceptions to the panel composition may be made by the provost and executive vice*

president.

~~5.~~*6. The ~~committee~~panel will review the dossiers and ~~ and~~* vote by anonymous ballot.

~~6.~~*7.* The provost and *executive* vice president for academic affairs will receive the ballots from the panel and, on the basis of the input, decide whether to recommend a nominee to the Board of Regents, through the president. The applications of nominees not selected will remain in the pool for two additional years.

~~7.~~*8.* The designation as Regents Scholar may be made only by the Board of Regents.
~~8.~~

9. The recipient is awarded a Regents Scholar medallion, a framed certificate, and a one-time stipend.

~~9.~~*10.* The recipient will be recognized by the Board of Regents at the fall board meeting. The recipient will have the opportunity to participate as a member of the platform party during commencement ceremonies throughout the academic year *of the award recognition*.

Cross Reference: None

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: July 23, 2019
November 2, 2015
January 29, 2013
October 12, 2009

POLICY SUMMARY FORM

Policy Name: Reporting of Abuse, Exploitation or Neglect of Elderly Persons or Persons with Disabilities

Policy Number: 13.18

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): To comply with state law that requires the reporting of abuse, exploitation, or neglect of elderly or disabled persons.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: No changes.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Tiffany Rivers, Director of Disability Services
Michara DeLaney-Fields, Chief Diversity Officer
Steve Westbrook, Interim President
Damon Derrick, General Counsel

Reporting of Abuse, Exploitation or Neglect of Elderly Persons or Persons with Disabilities

Original Implementation: August 1, 2000
Last Revision: October ~~28, 2019~~*31, 2022*

Purpose

The purpose of this policy is to comply with state law that requires the reporting of abuse, exploitation, or neglect of elderly or disabled persons, as those terms are defined in Section 48.002 of the Human Resources Code.

Reporting

Unless otherwise required by law, employees and students of the university are required to report to the appropriate department head for the area involved if they have reasonable cause to believe that an elderly person or person with a disability has been abused, exploited or neglected within the university and its programs. Failure to report may subject the employee or student to university and/or criminal penalties. The department head shall contact and advise the general counsel regarding the report. A thorough investigation shall be conducted as outlined in the Human Resources Code promptly after receiving the report. If the report involves a person with a disability, the Office of Disability Services will be advised and included in the investigation process. If necessitated by the result of the investigation, the allegation shall be reported to the appropriate regulatory agency. Allegations involving clients of the Texas Workforce Commission shall be reported to the commission-assigned liaison or client's sponsoring vocational rehabilitation counselor. A substantiated allegation shall result in appropriate disciplinary or legal action.

Definitions~~:~~

1. "Abuse" means:
    a. the negligent or willful infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical or emotional harm or pain to an elderly person or person with a disability by the person's caretaker, family member, or other individual who has an ongoing relationship with the person; or
    b. sexual abuse of an elderly person or person with a disability, including any involuntary or nonconsensual sexual conduct that would constitute an offense under Section 21.08, Penal Code (indecent exposure) or Chapter 22, Penal Code (assaultive offenses), committed by the person's caretaker, family member, or other individual who has an ongoing relationship with the person.

2. “Exploitation” means the illegal or improper act or process of a caretaker, family member, or other individual who has an ongoing relationship with an elderly person or person with a disability that involves using, or attempting to use, the resources of the elderly person or person with a disability, including the person’s social security number or other identifying information, for monetary or personal benefit, profit, or gain without the informed consent of the person.

3. "Neglect" means the failure to provide for one's self the goods or services, including medical services, which are necessary to avoid physical or emotional harm or pain or the failure of a caretaker to provide such goods or services.

Cross Reference: Tex. Hum. Res. Code Ch. 48

Responsible for Implementation: President

Contact for Revision: Director of Disability Services, General Counsel

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: October 28, 2019
November 7, 2016
October 21, 2013
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Selection of Academic Deans

Policy Number: 4.9

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines on the process of selecting an academic dean with regards to the selection and responsibilty of the search committee.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Minor Revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Selection of Academic Deans

Original Implementation: Unpublished
Last Revision: ~~October 28, 2019~~*October 31, 2022*

The academic dean is the chief executive of the college and is responsible for fostering excellence in teaching, research/scholarship/creative activity, and service. Reporting directly to the *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs, the academic dean has a major role in developing and interpreting university policy.

This policy outlines search procedures and responsibilities for the selection of an academic dean.

Selection of the Search Committee: The search process begins with the establishment of a search committee. After consulting with college faculty and academic unit heads, the *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs determines the search committee size and composition, and appoints an academic dean (outside the college) to serve as chair. Ideally, the committee will be composed of an odd number of members (elected or appointed) consisting of at least one representative from each of the academic units of the college and having a balanced mix of tenured or tenure-track faculty and academic unit heads. Additionally, students and outside representatives may be elected or appointed to serve as non-voting ex-officio members of the committee.

If a fully open search is not viable, a decision limiting the scope of the search should be made prior to the selection of the search committee. Such a decision will be made by the ~~p~~*P*rovost and *Executive V*~~v~~ice *P*~~p~~resident for ~~a~~*A*cademic *A*~~a~~ffairs in consultation with the academic unit heads and college faculty.

The *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for ~~a~~*A*cademic ~~a~~*A*ffairs will convene the committee for its organizational meeting. The committee may choose to elect other committee officers. The chair may designate a committee member from the respective college as a contact for external inquiries.

Search Committee Responsibilities: The search committee coordinates the recruitment process, working closely with the *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs. The committee is responsible for developing a position description, advertising the position, screening candidates, and arranging candidate interviews. Each search will be conducted without prejudice for internal or external candidates. The committee will contact human resources for mandatory training and for assistance as needed.

Ordinarily, at least two candidates recommended by the committee will be interviewed on campus. The itinerary for the interviews will provide ample opportunity for candidates to meet college faculty, students, academic unit heads, other deans, vice-presidents, and the president. After

interviewing candidates, the committee will make its recommendation to the ~~p~~*P*rovost and *Executive V*~~v~~ice *P*~~p~~resident for ~~a~~*A*cademic ~~a~~*A*ffairs. Appointment is by the president and requires approval of the Board of Regents.

Funds for Recruitment: Expenses incurred during the search are generally borne by the college with the vacancy with possible additional funds from other sources.

Cross Reference: Faculty Handbook, Human Resources Selection Procedures for Faculty and Staff; Employee Affirmative Action/Recruitment Plan (11.9); Affirmative Action (11.1)

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

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

Forms: Human Resources hiring forms

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 31, 2017
July 29, 2014
April 19, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Staff Employment

Policy Number: 11.5

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/26/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes SFA's employment process for staff, including those paid with grant and contract funds. It also establishes that the Department of Human Resources is responsible for developing staff employment policies and procedures. This policy does not include student or temporary staff employment.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Multiple edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

John Wyatt, Interim Human Resources Director
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Staff Employment

Original Implementation: October 26, 2020
Last Revision: *October 31, 2022*~~None~~

Purpose

This policy establishes SFA's employment process for staff, including those paid with grant and contract funds. It also establishes that the Department of Human Resources is responsible for developing staff employment policies and procedures. This policy does not include student *(including graduate assistant)* or temporary staff employment.

Background

This policy describes employment practices and ensures that each employment action conforms to state statutes, university policies, fund availability, and university goals. All hiring decisions for vacant positions are made based on lawful, job-related, and non-discriminatory criteria and in keeping with Policy 2.11, Nondiscrimination, which prohibits unlawful discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, age, disability, genetic information, citizenship, and veteran status.

Departments may choose initially any of the following three options to fill a position vacancy~~Staff positions may be filled~~*: internal promotion within a department, campus-wide recruitment using an internal posting, or external recruitment through a public posting.*~~ either by promoting or transferring a current employee or by hiring from outside the university.~~

Internal promotions within a department require a review of all current employees to determine those who are qualified for promotion. All selected candidates must meet the minimum education and experience requirements stated on the official university job description for the position. Before extending an offer of promotion, a department should contact Human Resources to verify that the candidate meets the stated qualifications.

Campus-wide recruitment may be used when only current university employees are to be considered to fill the vacancy. External recruitment provides for a public posting of the vacancy, open to all qualified applicants. Both campus-wide recruitment and external recruitment postings must remain active for applications for a minimum of five business days.

The hiring process *for recruited vacancies* consists of identifying the vacancy and evaluating the need for the position; revising the job description as necessary; selecting a search committee; posting the vacant position; reviewing and screening applicants; conducting interviews; selecting a candidate; and finalizing the employment offer. For a general overview of the hiring process, see the human resources website.

Posting Vacant Positions

Vacant staff positions, *except for positions to be filled by promotion*, must be posted on the SFA careers website. ~~assistant and casual (sporadic or short-term) positions do not have to be posted unless so desired.~~ Positions are posted for at least the minimum number of days based on position and/or posting type as established by the Department of Human Resources. All staff postings that are posted externally are advertised on the jobs website hosted by the Texas Workforce Commission. Staff postings may be advertised on HigherEdJobs.com at the discretion of the hiring department. Advertisements in other locations are determined by the hiring department with the approval of human resources and university marketing communications.

Human resources maintains a bank of job posting templates that include each position's description. Departments may request updates to job descriptions and posting templates prior to creating a posting, using a process determined by human resources. Hiring departments must provide position--specific information that is required by human resources before a position is approved to be posted. To help develop a viable candidate pool, the university may enter a contract with a hiring firm to fill positions, in which case applicants may be directed to apply for the position through other methods.

Training

Part of the posting creation process is the designation of a search committee to contribute to the hiring decision. Search committee training is required every two years for search committee members. Training information is contained in the learning management system. *Additionally, there are resources for developing selection matrices, interview questions, and hiring files in the hiring manager's toolkit on the human resources website.*

Screening Candidates

A screening matrix is required for all *posted* staff ~~positions~~*vacancies*. The hiring department is required to submit the screening matrix to human resources for approval prior to screening applicants. The matrix is designed to document justification for selecting applicants for an interview and all qualified applicants are to be included on the approved matrix. A sample screening matrix is available on the human resources website. If search committee members discover that a relationship with an applicant exists as defined by Policy 11.16, Nepotism, they must notify the search committee chair immediately.

Veteran's Preference

In accordance with state law, an individual who qualifies for a veteran's employment preference is entitled to a preference in employment with or appointment to a state agency over other applicants for the same position who do not have a greater qualification.

Former Foster Child Preference

In accordance with state law, an individual who was under the permanent managing conservatorship of the Department of Family and Protective Services on the day preceding the individual's 18th birthday

is entitled to a preference in employment with a state agency over other applicants for the same position who do not have a greater qualification.

Interviewing

The hiring department is required to submit interview questions to human resources for approval prior to conducting interviews. Sample interview questions are available on the human resources website. All interview questions asked throughout the hiring process, to include phone and/or video interviews, must be job-related and approved by human resources.

Hiring of New Staff

The hiring department will submit the search file to human resources for an EEO compliance review prior to offering a conditional employment offer to the selected candidate. The hiring department will *then* submit a hiring proposal to hire the selected candidate through the SFA careers website. *The hiring proposal should contain all documents and records related to the search including, but not limited to, the job posting, initial screening matrix, interview notes, and a selection justification for the selected candidate. The hiring proposal and any search documents should be kept for two years following the date of hire of the selected candidate*. Information on completing the required steps to submit a hiring proposal is available on the human resources website. The hiring department has full discretion for placing a new employee's pay up to the midpoint of the salary grade. Hiring rates above the midpoint require approval by human resources before the verbal offer is extended to the candidate in accordance with Policy 12.2, Staff Compensation and Classification.

Accepted Employment Offer

~~U~~*U*pon the candidate's acceptance of an employment offer, human resources conducts a background check for all new staff employees and former employees with a break in service. After the background check is completed successfully, the hiring department should submit the appropriate electronic personnel action form (EPAF) to start the employee's job assignment. An EPAF submission is required before a new employee is permitted to start work.

Appointment of full-time exempt administrative/professional staff~~,~~ *and* changes in position status of full- time exempt administrative/professional staff~~, and temporary staff services~~ are subject to the approval of the SFA Board of Regents as stated in Policy 1.4, Items Requiring Board of Regents Approval. Human resources provides new appointments and appointment changes to the coordinator of board affairs/compliance before each board meeting.

Cross Reference: Items Requiring Board of Regents Approval (1.4); Compliance with the Americans with Disabilities Act and the ADA Amendments Act (2.5); Nondiscrimination (2.11); Affirmative Action (11.1); Electronic Personnel Action Form (11.8); Employment of Persons with Criminal History (11.12); Fair Labor Standards (11.14); Nepotism (11.16); Reasonable Workplace Accommodation for Disabilities (11.22); Security-Sensitive Positions (11.25); Staff Compensation and Classification (12.2); Tex. Gov. Code Ch. 657

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Human Resources

Forms: Departmental Checklist for Recruiting, Interviewing, and Hiring; *Hiring Manager's Toolkit;* Job Analysis Questionnaire (JAQ) form; Human Resources website

Board Committee Assignment: Academic and Student Affairs

Revision History: None

Appendix 2

POLICY SUMMARY FORM

Policy Name: Timely Warning

Policy Number: 13.22

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): A Campus Crime Alert/Timely Warning (A/TW) is designed to provide students, faculty and staff with timely notification of significant events that represent a serious and/or continuing threat to the campus community. The alert issued relative to a crime and/or suspect may seek information that will help lead to the arrest and conviction of an offender.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: The Emergeny Management Coordinator has been added as the secondary approver for Timely Warning notification approver.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

John Fields, Chief of Police
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Timely Warning

Original Implementation: October 30, 2007
Last Revision: ~~*November 7*~~ *October 31, 2022*~~October 28, 2019~~

Purpose

A Campus Crime Alert/Timely Warning (A/TW) is designed to provide students, faculty and staff with timely notification of significant events that represent a serious and/or continuing threat to the campus community. The alert issued relative to a crime and/or suspect may seek information that will help lead to the arrest and conviction of an offender.

~~**Timely Warning Procedure**~~***General***

The Stephen F. Austin State University Police Department (UPD) is responsible for determining if an emergency exists, then preparing and issuing Alerts/Timely Warnings. As no two incidents are alike, the decision to issue an A/TW will be made on a case-by-case basis, considering the facts surrounding an event and the perceived continuing danger to the campus community. Upon learning of an incident that could potentially require issuing an alert, the UPD supervisor on duty will brief the chief ~~or assistant chief of police~~*and* ~~or~~ the emergency management *coordinator*~~director~~, who will make a determination regarding issuance of an A/TW. Should the chief and *emergency management coordinator*~~assistant chief~~ be unavailable, the supervisor on duty should brief an available *highest ranking UPD supervisor*~~lieutenant~~ who will make the issuance decision. Should contact not be possible with any of the police officials described above, the vice president for *finance and administration* ~~university affairs~~ may be contacted to make the issuance decision. An A/TW may be reasonably delayed if law enforcement officials determine that such an alert would risk or compromise law enforcement efforts to deal with the emergency or rescue a victim.

Information may originate with law enforcement agencies or law enforcement officers other than UPD that may require an A/TW. Such information may indicate an incident has occurred, or is likely to occur, that represents a serious or continuing threat to campus safety. When notified by an external agency, the decision to issue an A/TW will be made in the same process described above.

Information included in Campus Crime Alerts will include the following, at minimum, unless it is determined by law enforcement that such information would compromise law enforcement efforts to deal with the emergency or rescue a victim:

1. A concise description of the incident and type of crime, including location, date and time of

occurrence
2. A physical description of the suspect, including gender and race
3. Composite drawing of the suspect, or photograph, if available
4. Apparent connection to previous incidents, if applicable
5. Race of the victim, but only if there were an apparent bias motive
6. Sex of the victim, if relevant
7. Injury sustained by the victim
8. Date and time the campus alert was released
9. A notice to the campus community to exercise caution

The name of the victim is confidential and will not be released in Campus Crime Alerts. Alerts/Timely Warnings may be delivered using one or more of the following systems:

1. Outdoor alert system
2. Mobile alert system (Jack Alert Emergency Notification System)
3. E-mail to students' and employees' campus accounts
4. Web page banners on all pages hosted on the primary SFA Web server, linked to the campus alert Web site
5. Social media (Facebook, Twitter)
6. Television alert broadcast (television connected to the campus cable TV provider)
7. Public address speaker from a marked university police vehicle

Information included for a severe weather or significant emergency A/TW will include the following:

1. Type of weather event or emergency
2. Safety precautions persons should take

Alternative methods for distributing Campus Crime Alerts/Timely Warnings may include, but are not limited to, media releases, campus newspaper, flyers posted in university buildings and phone message boards.

Any or all methods may be activated depending on the emergency and its circumstances.

Cancellation Procedure

When the incident causing the A/TW to be issued no longer poses an imminent threat to the campus community, the alert may be terminated by the chief of police. ~~or the assistant chief~~ *In the absence of the chief of police, the emergency management coordinator or the deputy chief of*

police can terminate the notification alert. Should these positions be unavailable, the alert may be terminated by an available ~~lieutenant~~ *supervisor* or the vice president ~~of~~*for – finance and administration*~~university affairs~~. Upon termination of an alert, an "All Clear" message will be transmitted to the campus community.

Cross Reference: 20 U.S.C. § 1092(f); Annual Disclosure of Crime Statistics (13.3)

Responsible for Implementation: Vice President for *Finance and Administration* ~~University Affairs~~

Contact for Revision: Executive Director of Public Safety/Chief of University Police

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: October 28, 2019
November 7, 2016
October 21, 2013
October 18, 2010

POLICY SUMMARY FORM

Policy Name: University Closure for Inclement Weather and Other Emergencies

Policy Number: 13.12

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration/Vice President of Student Affairs

Purpose of Policy (what does it do): This policy establishes procedures for the university in the event of inclement weather or other emergencies.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Judith Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Student Affairs Policy Review Committee
Brandon Frye, Vice President of Student Affairs
Damon Derrick, General Counsel

University Closure for Inclement Weather and Other Emergencies

Original Implementation: June 1, 1990
Last Revision: October *31*~~28~~, 20~~19~~*22*

Purpose

This policy establishes procedures for the university in the event of inclement weather or other emergencies.

General

In the event inclement weather or other conditions impede the normal operations of the university, the president may declare an emergency, cancel/delay classes, and close university offices for an appropriate period. The president's decision may be provided to the news media by the University Marketing Communications office and broadcast by the University Police Department via the JackAlert Campus Notification System. In the absence of a specific announcement otherwise, faculty, staff and students should assume normal operation of the university.

If the president declares an emergency, cancels/delays classes, and/or closes university offices, certain critical areas shall be required to continue operations. These are:

1. University Police Department - Employees designated by the executive director/chief of police.
2. Physical Plant - Employees designated by the director of the physical plant department.
3. ~~3.~~ Residence Life and *Student Center* - Employees designated by the ~~director of residence life~~*Executive Director of Campus Living, Dining, and Auxiliary Enterprises*.
4. ~~4.~~*3.* ~~Student Center – Employees designated by the director of student services~~*the Baker Pattillo Student Center*~~.~~
5. ~~5.~~*4.* Any other area deemed critical by an appropriate vice president *or president's cabinet member*.

Employees who are required to report to work during the period the university is closed may receive compensatory time. Employees who voluntarily report to work during the period the university is closed shall not receive compensatory time. Employees who are on vacation or sick leave during the period the university is closed will not be charged for leave.

The provisions of this policy apply to all employees, regardless of the nature of their employment or the time of their work shift.

Cross Reference: None

Responsible for Implementation: President

Contact for Revision: Vice President *of* ~~for~~ ~~University~~ *Student* Affairs, *Vice President for* ~~of~~ *Finance and Administration*

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: October 28, 2019
November 7, 2016
October 21, 2013
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Working Hours and Holidays

Policy Number: 12.24

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes official university hours of operation and normal university work schedules. It also describes the establishment of holidays and those eligible for holiday pay.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

John Wyatt, Interim Director of Human Resources
Judith Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Working Hours and Holidays

Original Implementation: Unpublished
Last Revision: *October 31, 2022*~~October 28, 2019~~

Purpose

This policy establishes official university hours of operation and normal university work schedules. It also describes the establishment of holidays and those eligible for holiday pay.

Definition

A **regular employee** is defined as one who is employed to work at least 20 hours per week for a period of at least four and one-half months, excluding students employed in positions which require student status as a condition of employment.

General

Non-academic offices and departments shall be open during the hours 8:00 a.m. to 5:00 p.m., Monday through Friday, except university holidays. University offices and departments may open for extended hours to address specific operational needs. Full-time university employees shall work *not less than*~~a minimum of~~ forty (40) hours per week. University holidays, paid time off and sick leave taken may substitute for hours worked. Changes to the normal university work schedule may be made by the president of the university when such changes are in the best interest of the university.

To support operational efficacy, department heads may approve the use of alternative work schedules such as compressed work weeks, flexible schedules, and staggered work hours.

Instructional personnel shall be exempt from standard hours and shall, in turn, function as necessary to meet classes and maintain related academic duties.

Employees must, during normal working hours, conduct university business only at their regular or assigned temporary duty point unless they are on travel status or have received prior authorization. An employee's home may not be considered his/her regular or assigned place of business without appropriate administrative approval.

Holidays shall be those established by the Board of Regents of the university, in accordance with state law. For purposes of this policy, a holiday cannot exceed 8 hours per day. Only regular employees shall be eligible for paid holidays.

Cross Reference: Tex. Gov't Code Ch. 658, §§ 662.001-.022; Tex. Atty. Gen. Op. M-1058 (1972)~~;~~ Overtime and Compensatory Time (12.14); Telecommuting *Arrangements for Staff Employees* (11.27).

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Human Resources

Forms: *Flexible Time or Staggered Work Hours Request*; *Compressed*~~Alternative~~ Work Schedule *Request (available on Human Resources website);*~~Form,~~ *Time Record (available on Payroll website); Vacation/Sick Leave Request*; *Staff* Telecommuting Request and Agreement Form (*a*~~A~~vailable *i*~~o~~n *mySFA*~~Human Resources website~~)

Board Committee Assignment: Finance and Audit

Revision History: October 28, 2019
November 7, 2016
January 28, 2014
January 25, 2011

Appendix 3

Report to the Board of Regents – October 2022
Grants[1] awarded between and July 1, 2022 and September 30, 2022

Summary Report – Fiscal Year 2022

Amounts allocable to FY22 (detailed in this report)	
Federal funds (direct and pass-through)	$23,357,732
State Funds (direct and pass-through)	$3,272,932
Private and Local Government	$306,401
TOTAL	**$**
New awards, FY22 (detailed in this report, all project years)	**$24,030,866**
Cumulative amount allocable to FY22	**$26,937,065**
Cumulative award total FY22, all project years	**$76,821,287**
Federal Financial Aid Funds *(not included in ORGS totals)*	*$*

New, Additional, or Previously Unreported Awards for FY 2022

Federal Funds (direct and pass-throughs)

Previously Described Awards:

Collaborative Research: Investigating STEM Teacher Preparation and Rural Teacher Persistence and Retention (TPR2)
Dr. Keith Hubbard, Mathematics & Statistics
Award Total: $30,622 **Amount allocable to FY 2022:** *$30,622

SFA Prescribed Fire Monitoring Assistance, FY18-23
Dr. Brian Oswald, Forestry
Award Total: $10,000 **Amount allocable to FY 2022:** *$10,000

****SFA Prescribed Fire Assistance FY18-23***
Dr. Brian Oswald, Forestry
Award Total: $5,000 **Amount allocable to FY 2022:** *$5,000

***Subtotal Federal Amounts Allocable to FY 2022 (this report)* = $45,622**
***Subtotal New Federal Awards* (*total award*) = $45622**

Federal Financial Aid Funds (not included in ORGS totals)
~~**Agency**: Department of Education~~
~~**Manager:** Rachele Garrett, Financial Aid~~
~~PELL FY22 $8,987,986~~

State Funds (direct and pass-through)

Previously Described Awards:

**New awards or additional funds added to a current award*
[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. Prepared by the Office of Research & Graduate Studies.

Report to the Board of Regents – October 2022
Grants[1] awarded between and July 1, 2022 and September 30, 2022

The Survivability and Habitat use of Alligator Snapping Turtles via Radiotelemetry
Dr. Jessica Glasscock, Forestry
Award Total: $72,992 **Amount allocable to FY 2022:** $72,992

A Survey of the Bees of East Texas, with a Focus on Floral Interactions and Conservation Status of Bumble Bees
Dr. Daniel Bennett, Biology
Award Total: $47,558 **Amount allocable to FY 2022:** $47,558

***Subtotal State Amounts Allocable to FY 2022 (this report)* = $120,550**
***Subtotal New State Awards* (*total award*) = $120,550**

Private Entity and Local Government Awards

Previously Described Awards:
Economics Reading Group
Dr. Ryan Phelps, Economics &Finance
Award Total: $6,140 **Amount allocable to FY 2022:** $6,140

***Subtotal Private and Local Amounts Allocable to FY2022 (this report)* = $6,140**
***Subtotal New Private and Local Awards (total award)* = $6,140**

**New awards or additional funds added to a current award*
[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. Prepared by the Office of Research & Graduate Studies.*

Appendix 3

Report to the Board of Regents – October 2022
Grants[1] awarded between and July 1, 2022 and September 30, 2022

Fiscal Year 2023 – *as of September 30, 2022*

Amounts allocable to FY23 (detailed in this report)	
Federal funds (direct and pass-through)	$6,754,996
State Funds (direct and pass-through)	$294,148
Private and Local Government	$27,858
TOTAL	**$**
New awards, FY23 (detailed in this report, all project years)	**$2,295,454**
Cumulative amount allocable to FY23	**$2,620,051**
Cumulative award total FY23, all project years	**$3,921,355**

New, Additional, or Previously Unreported Awards for FY 2023

Federal Funds (direct and pass-throughs)

Title **** ARP- At-Risk Students at Comprehensive Regional Universities***
Sponsor: Texas Higher Education Coordinating Board
Award # 27150
Award Term: July 20, 2022 to November 7, 2023
PI/PD: Gina Oglesbee, Finance and Administration
Total Award: $948,659 **Amount Allocable to FY 2023**: $948,659

Title **** ARP – 2022 Child Care Relief Fund (CCRF)***
Sponsor: US Department of Health & Human Services
Award #
Award Term: September 1, 2022 to May 31, 2023
PI/PD: Crystal Adams, Education Studies
Total Award: $650,827 **Amount Allocable to FY 2023**: $650,827
.

Title **** Collaborative Research: IRES Sites: Student Research in Freshwater Ecosystems at the Epicenter of Neotropical Biology***
Sponsor: National Science Foundation
Award #2153452
Award Term: September 1, 2022 to July August 31, 2025
PI/PD: Dr. Carmen Montana-Schalk, Biology
Total Award: $144,526 **Amount Allocable to FY 2023**: $67,860
.

Title **** GEER – SFA Educator Preparation Planning for Innovative Partnerships with Local Education Agencies (K-12 School Districts)***

**New awards or additional funds added to a current award*
[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. Prepared by the Office of Research & Graduate Studies.

Report to the Board of Regents – October 2022
Grants[1] awarded between and July 1, 2022 and September 30, 2022

Sponsor: US Department of Education
Award #27424
Award Term: August 25, 2022 to September 30, 2022
PI/PD: Dr. Judy Abbott, Education
Total Award: $50,000 **Amount Allocable to FY 2023**: $50,000
.

Previously Described Awards:
McIntire-Stennis Cooperative Forestry Research Program FY22
Dr. Hans Williams, Forestry
Award Total: $496,454 **Amount allocable to FY 2023:** *$496,454

Expanding Opportunities in Agriculture for Under Represented Populations
Dr. Candis Carraway, Agriculture
Award Total: $32,483 **Amount allocable to FY 2023:** *$32,483

***Subtotal Federal Amounts Allocable to FY 2023 (this report)* = $528,937**
***Subtotal New Federal Awards* (*total award*) = $528,937**

State Funds (direct and pass-through)

Previously Described Awards
****Disability Services-Interpreter Services FY23-24***
Tiffany Rivers, Disability Services
Award Total: $100,000 **Amount allocable to FY 2023:** $100,000

A Survey of the Bees of East Texas, with a Focus on floral Interactions and conservation Status of Bumble Bees
Dr. Daniel Bennett, Biology
Award Total: $209,230,265 **Amount allocable to FY 2023:** $63,598

Texas State Parks Visitor Market Analysis
Dr. Pat Stephens-Williams, Forestry
Award Total: $127,000 **Amount allocable to FY 2023:** $10,000

***Subtotal State Amounts Allocable to FY 2023 (this report)* = $173,598**
***Subtotal New State Awards (total award)* = $436265**

Private Entity and Local Government Awards

Previously Described Awards:

**New awards or additional funds added to a current award*
[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. Prepared by the Office of Research & Graduate Studies.

Appendix 3

Report to the Board of Regents – October 2022
Grants[1] awarded between and July 1, 2022 and September 30, 2022

Identifying Salt Suture Zones and Lithological Changes of the Louann Salt across the Gulf of Mexico Basin, TX
Dr. Julie Bloxson, Geology
Award Total: $55,000 **Amount allocable to FY 2023:** $ 27,858

***Subtotal Private Amounts Allocable to FY 2023 (this report)* = $27,858**
***Subtotal New Private Awards* (*total award*) = $55,000**

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 or additional funds added to a current award*
[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. Prepared by the Office of Research & Graduate Studies.

Stephen F. Austin State University

MINUTES OF THE BOARD OF REGENTS

Nacogdoches, Texas
November 29, 2022
Volume 359

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Stephen F. Austin State University
Minutes of the Meeting of the Board of Regents
Nacogdoches, Texas
November 29, 2022
Austin Building, Room 307
Meeting 359

Tuesday, November 29, 2022

The meeting of the Board of Regents was called to order in open session at 9:01 a.m. by chair Karen Gantt.

PRESENT:

Board Members:	Mrs. Karen Gantt, Chair
	Mr. Tom Mason, Vice Chair
	Mrs. Jennifer Winston, Secretary
	Mr. David Alders
	Mr. Robert Flores
	Mrs. Brigettee Henderson
	Mrs. Judy Olson
	Dr. Laura Rectenwald
	Ms. Nancy Windham
	Ms. Paige Vadnais, Student Regent
Interim President:	Dr. Steve Westbrook
General Counsel:	Mr. Damon Derrick
Chief Audit Exec.:	Mrs. Jane Ann Bridges
Cabinet Member:	Mrs. Gina Oglesbee

Other SFA administrators and staff were in attendance.

Chair Gantt shared thanks and appreciation to each of the individuals at SFA and at each of the four university systems that participated in the System Affiliation Evaluation process over the past few months. The Board of Regents Subcommittee made up of Karen Gantt, Tom Mason, Jennifer Winston, David Alders, and Steve Westbrook provided a System Affiliation Evaluation Report and Recommendation. Gina Oglesbee presented financial documentation for the four university system offerings. Subcommittee members, Mason, Winston and Alders provided testimony of why they recommend the university affiliate and to affiliate with the University of Texas System.

Board Order 22-84
Upon motion by Regent Mason, seconded by Regent Winston, with all members, except Regent Flores, voting aye, it was ordered that the following item be approved.

AFFILIATION WITH UNIVERSITY SYSTEM

WHEREAS, the board members considered: To evaluate the potential affiliation of Stephen F.

Austin State University with a university system, the Board of Regents established a subcommittee tasked with engaging the authorized representatives of the Texas State University System, Texas Tech University System, Texas A&M University System, and University of Texas System. This subcommittee met with representatives of the university systems to discuss governance, financial and other related matters surrounding such an affiliation.

To also engage the campus community in this evaluation process, over the course of five weeks following the start of the fall semester, representative campus groups, including the Deans Council, Chair's Forum, Faculty Senate, Staff Council, Student Government Association, and Alumni Association developed questions from each of their perspectives relative to affiliation with a university system. Each system provided responses to these questions, and after a review of these responses each group provided a report outlining their perception of the strengths and weaknesses of each system. Public input was also received via an on-line portal.

The Board of Regents Subcommittee considered the information it obtained from the university systems, representative campus groups, and public comments and has provided a report to the full Board of Regents.

THEREFORE, it was ordered that the university affiliate with University of Texas System. The president is authorized to take any action necessary in collaboration with University of Texas System to effectuate this affiliation.

At 11:08 a.m., Chair Gantt called the meeting into Executive Session to discuss the following items:

Consideration of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to the president. (Texas Government Code, Section 551.074)

The executive session ended and the Board of Regents meeting returned to open session at 12:38 p.m.

Board Order 22-85
Upon motion by Regent Alders, seconded by Regent Henderson, with all members voting aye, it was ordered that the following item be approved.

SUSPENSION OF BOARD RULES AND AUTHORIZATION TO CONDUCT PRESIDENTIAL SEARCH

WHEREAS, the board members considered: The Board of Regents Rules and Regulations outlines the process to be used for selecting the university president. The Board of Regents has approved an affiliation with the University of Texas System. As a result, when the enabling legislation is effective, the university president will report to the Chancellor of the University of Texas System.

It is in the long-term interest of the university for the Chancellor and Board of Regents of the University of Texas System to conduct the search for and select the university president in accordance with the University of Texas System Regents' Rules and Regulations.

THEREFORE, it was ordered that Section 11 of the SFA Board Rules and Regulations be suspended and the University of Texas System Board of Regents be authorized to conduct the search for and select the university president under their relevant Rules and Regulations. Two members of the SFA Board of Regents will serve as members of the Presidential Search Advisory Committee.

In the event the legislation concerning affiliation is not effective by the conclusion of the search, the University of Texas System Board of Regents' selection will serve as a recommendation to the SFA Board of Regents who shall announce the name, background, and qualifications of the finalist for president at least twenty-one (21) days prior to board action on the employment of the individual.

The meeting of the Board of Regents adjourned by Chair Gantt at 12:42 p.m.

FACULTY AND STAFF APPOINTMENTS

Explanation:

Faculty appointments are recommended by the department chair and approved by the appropriate dean, provost/vice president for academic affairs and the president. Each appointment states salary and percentage of time employed, designates the semester or academic year (September through May) and states the effective date of employment. In addition, last degree and granting institution are included for first-time appointments.

Staff appointments are recommended by the department chair or director and approved by the appropriate dean (if applicable), vice president and/or president. Each appointment states salary, percentage of time employed, and designates the effective date of employment.

Recommendation:

It is recommended by the administration that the faculty and staff appointments be approved as presented.

FACULTY AND STAFF APPOINTMENTS

Type	Employee Name, Last Degree (Education)	New Department and Title	New Salary, Term Length and FTE	Effective Date
Staff	George Brandon	Athletics - Assistant Director - Broadcast Technology and Marketing Operations	$45,000/Annual - 100%	9/5/2022
Staff	Kasey Fisette	Athletics - Athletic Trainer	$45,000/Annual - 100%	9/1/2022
Staff	Matthew Pawlik	Athletics - Athletic Trainer	$38,000/Annual - 100%	9/19/2022
Staff	Sarah Williams	Athletics - Program Director - Creative Video Services	$36,000/Annual - 100%	9/1/2022
Staff	Hannah Patrick	Athletics - Cheer & Dance Teams - Coach	$32,000/Annual - 100%	11/1/2022
Staff	William Patrick	Athletics - Cheer & Dance Teams - Coach	$32,000/Annual - 100%	11/1/2022
Staff	Allen Lyons	Audit Services - Auditor II	$68,300/Annual - 100%	10/3/2022
Staff	Sydnee Seeton	Center for Career and Professional Development - Career Coordinator	$36,000/Annual - 100%	11/28/2022
Staff	Will Chancey	Development - Development Officer I	$45,000/Annual - 100%	10/20/2022
Staff	William Richardson	Physical Plant - Assistant Director - Construction	$75,000/Annual - 100%	11/14/2022
Staff	Connor Temple	Residence Life - Area Coordinator	$45,000/Annual - 100%	10/3/2022
Faculty	John Freeman	Business Communication and Legal Studies - Lecturer	$49,000/Academic - 100%	9/1/2022
Faculty	Suhyung Lee, MA (Hangyang University)	Business Communication and Legal Studies - Assistant Professor	$78,000/Academic - 100%	9/1/2022
Faculty	Wenqing Gao	Economics and Finance - Assistant Professor	$130,000/Academic - 100%	9/1/2022
Faculty	Derek Walton, MS (Ohio State University)	Mangement and Marketing - Assistant Professor	$105,000/Academic - 100%	9/1/2022
Faculty	Yang Xu, Ph.D. (Floria State University)	Mangement and Marketing - Assistant Professor	$105,000/Academic - 100%	9/1/2022
Faculty	Charles Oberweiser	Accounting - Assistant Professor	$135,000/Academic - 100%	9/1/2022
Faculty	James Throckmorton, MPA (Stephen F. Ausitn State University)	Accounting - Lecturer	$65,000/Academic - 100%	9/1/2022
Faculty	Nghia Neal Nguyen	Education Studies - Associate Professor	$71,000/Academic - 100%	9/1/2022
Faculty	Nicole Letchworth, Ed.D. (University of Southern Mississippi)	Education Studies - Assistant Professor	$63,000/Academic - 100%	9/1/2022

Time Period Reporting: 9/1/22 - 11/30/22

FACULTY AND STAFF APPOINTMENTS

Type	Employee Name, Last Degree (Education)	New Department and Title	New Salary, Term Length and FTE	Effective Date
Faculty	Nandhakumar Radhakrishnan, Ph.D. (Bowling Green University)	Human Services and Educational Leadership - Associate Professor	$83,000/Academic - 100%	9/1/2022
Faculty	Andrew Southerland	Human Services and Educational Leadership - Assistant Professor	$64,500/Academic - 100%	9/1/2022
Faculty	Amber Chelette, Ph.D. (University of Houston)	Kinesiology and Health Science - Visiting Assistant Professor	$57,000/Academic - 100%	9/1/2022
Faculty	Lindsey Creel, MM (Rice University)	School of Art - Assistant Professor	$50,000/Academic - 100%	9/1/2022
Faculty	Margaret Hinchliffe	School of Music - Accompanist	$40,000/Academic - 100%	9/1/2022
Faculty	Cody Hunter , DMA (University of Memphis)	School of Music - Assistant Professor	$50,000/Academic - 100%	9/1/2022
Faculty	Benjamin Morris, MFA (Stephen F. Ausitn State University)	School of Music - Assistant Professor	$50,000/Academic - 100%	9/1/2022
Faculty	Jessica Thomas	School of Theatre and Dance - Visiting Assistant Professor	$50,000/Academic - 100%	9/1/2022
Faculty	Haley Jameson, MFA (Texas Women's University)	Theatre - Assistant Professor	$55,000/Academic - 100%	9/1/2022
Faculty	Lauren Sullivan, MFA (Northern Arizona University)	English and Creative Writing - Lecturer	$40,000/Academic - 100%	9/1/2022
Faculty	Ghanem Elhersh, Ph.D. (Ohio State University)	Mass Communications - Assistant Professor	$55,000/Academic - 100%	9/1/2022
Faculty	Cassandra Hayes, Ph.D. (University of Central Arkansas)	Mass Communications - Assistant Professor	$55,000/Academic - 100%	9/1/2022
Faculty	Lillian Touchstone	Psychology - Visiting Lecturer	$41,500/Academic - 100%	9/1/2022
Faculty	Cherhonda Brown	School of Social Work - Assistant Professor	$57,500/Academic - 100%	9/1/2022
Faculty	Mohammad Khan, MS (Dhaka University)	School of Social Work - Assistant Professor	$60,000/Academic - 100%	9/1/2022
Faculty	Cord Eversole, Ph.D. (Texas A&M University)	Forestry - Assistant Professor	$60,000/Academic - 100%	9/1/2022
Faculty	Alexandria Bryant	Biology - Lab Coordinator	$38,500/Academic - 100%	9/1/2022
Faculty	Cassey Edwards	Biology - Lab Coordinator	$38,500/Academic - 100%	9/1/2022

Time Period Reporting: 9/1/22 - 11/30/22

FACULTY AND STAFF APPOINTMENTS

Type	Employee Name, Last Degree (Education)	New Department and Title	New Salary, Term Length and FTE	Effective Date
Faculty	Rashid Mia, Ph.D. (University of Southern Mississippi)	Chemistry - Assistant Professor	$61,000/Academic - 100%	9/1/2022
Faculty	Zachariah Fleming	Earth Sciences and Geologic Resources - Assistant Professor	$64,000/Academic - 100%	9/1/2022
Faculty	Nurul Raihen, Ph.D. (Wayne State University)	Mathematics & Statistics - Visiting Assistant Professor	$60,000/Academic - 100%	9/1/2022
Faculty	Dylan Rambow, Ph.D.	Mathematics & Statistics - Visiting Assistant Professor	$60,000/Academic - 100%	9/1/2022
Faculty	Sarah Davis	School of Nursing - Clinical Instructor	$57,000/Academic - 100%	9/1/2022
Faculty	Megan Nichols	School of Nursing - Clinical Instructor	$45,000/Academic - 100%	9/1/2022
Faculty	Rebekah Wagoner	School of Nursing - Clinical Instructor	$56,000/Academic - 100%	9/1/2022
Faculty	Jennifer Young	School of Nursing - Clinical Instructor	$55,000/Academic - 100%	9/1/2022

Time Period Reporting: 9/1/22 - 11/30/22

CHANGES OF STATUS

Explanation:

Changes of status include changes in appointment, percentage of time, salary or semesters. These changes are initiated by the department chair or director and routed through administrative channels for approval.

Recommendation:

It is recommended by the administration that the changes of status be approved as presented.

FACULTY AND STAFF
CHANGE OF STATUS

Type (Faculty/ Staff)	Employee Name	Previous Department and Title	Previous SFA Salary, Term Length, and FTE	New Department and Title	New SFA Salary, Term Length, and FTE	Effective Date
Staff	Robert Hansen	Athletics - Track & Field/Cross Country - Co-Head Coach Cross Country	$44,345/Annual - 100%	Athletics - Track & Field/Cross Country - Head Coach	$95,000/Annual - 100%	11/1/2022
Staff	Carrie Charley	Campus Living, Dining and Auxiliary Enterprises - Executive Director	$115,000/Annual - 100%	Campus Living, Dining and Auxiliary Enterprises - Assistant Vice President	$120,000/Annual - 100%	11/1/2022
Staff	Steven Whitman	Campus Recreation - Assistant Director	$44,345/Annual - 100%	Campus Recreation - Interim Assistant Director of Aquatics, Safety and Outdoors	$44,345/Annual - 100% with monthly stipend of $800/month/1 month	9/1/2022
Staff	Steven Whitman	Campus Recreation - Assistant Director	$44,345/Annual - 100%	Campus Recreation - Associate Director	$57,000/Annual - 100%	10/1/2022
Staff	Alison Reed	Center for Teaching and Learning - Learning Experience Design Coordinator	$60,000/Annual - 100%	Center for Teaching and Learning - Interim Director	$60,000/Annual - 100% with monthly stipend of $1,000/month/12 months	9/1/2022
Staff	Javier Vega	Center for Teaching and Learning - Learning Experience Design Specialist I	$49,000/Annual - 100%	Center for Teaching and Learning - Learning Experience Design Specialist II	$57,062/Annual - 100%	10/1/2022
Staff	Jennifer Goddard	Academic Advisor II - College of Business	$39,775/Annual - 100%	College of Business - Office of Student Services - Advising Director	$55,000/Annual - 100%	9/1/2022
Staff	Stephen Bacarisse	Technical Director - College of Fine Arts	$46,296/Annual - 100%	College of Fine Arts - Technical Director	$48,611/Annual - 100%	11/1/2022
Staff	Lauren Suggs	Early Childhood Laboratory - Assistant Teacher	$24,958/Annual - 100%	Early Childhood Laboratory - Interim Lead Teacher	$36,000/Annual - 100%	10/10/2022
Staff	John Wyatt	Human Resources - Associate Director	$85,000/Annual - 100%	Human Resources - Interim Director	$85,000/Annual - 100% with monthly stipend of $2,083/month/6 months	9/1/2022
Staff	Will Honea	Library - Coordinator (Record Management & Publication)	$52,835/Annual - 100%	Library - Coordinator (Digital Initiatives & Records Management)	$58,000/Annual - 100%	11/1/2022
Staff	Megan Weatherly	Center for Teaching and Learning - Director	$85,000/Annual - 100%	Lumberjack Learning Commons - Executive Director	$115,000/Annual - 100%	9/1/2022
Staff	John Branch	Physical Plant - Associate Director	$85,925/Annual - 100%	Physical Plant - Interim Director	$85,925/Annual - 100% with monthly stipend of $2,006/month/6 months	9/1/2022
Staff	Perry Brown	Physical Plant - Automotive Services Technician III	$45,798/Annual - 100%	Physical Plant - Transportation & Special Services Manager	$62,000/Annual - 100%	9/1/2022
Staff	Allyson Bryce	Physical Plant - Accountant II	$50,985/Annual - 100%	Physical Plant - Accountant III	$62,000/Annual - 100%	11/1/2022
Staff	Mark Scott	Physical Plant - Transportation & Special Services Manager	$68,646/Annual - 100%	Physical Plant - Assistant Director	$75,000/Annual - 100%	9/1/2022

Time Period Reporting: 9/1/22 - 11/30/22

FACULTY AND STAFF
CHANGE OF STATUS

Type (Faculty/ Staff)	Employee Name	Previous Department and Title	Previous SFA Salary, Term Length, and FTE	New Department and Title	New SFA Salary, Term Length, and FTE	Effective Date
Staff	Mickie Gunter	Office of Research and Graduate Studies - Program Coordinator (Graduate Studies)	$48,645/Annual - 100%	Office of Research and Graduate Studies - Program Director (Graduate Studies)	$58,860/Annual - 100%	11/1/2022
Staff	Jennifer Hanlon Patterson	Office of Research and Graduate Studies - Assistant Director	$81,748/Annual - 100%	Office of Research and Graduate Studies - Director	$85,840/Annual - 100%	11/1/2022
Staff	Kathleen Thompson	Development Office - Annual Giving Coordinator	$41,000/Annual - 100%	Student Success Center - Student Success Coordinator	$41,000/Annual - 100%	9/1/2022
Faculty	Laurie Rogers	Business Communication and Legal Studies - Lecturer	$49,320/Academic - 100%	College of Business - Office of Student Services - Assistant Dean for Academic and Career Success	$85,000/Annual - 100%	9/1/2022
Faculty	Carol Wright	Business Communication and Legal Studies - Associate Professor	$87,423/Academic - 100%	Business Communication and Legal Studies - Chair	$130,000/11 months - 100%	9/1/2022
Faculty	J. Kevin Langford	Biology - Associate Professor/Pre-Health Professions Program Director	$74,838/Academic - 100%	Biology - Interim Chair	$74,838/Academic - 100% with monthly stipend of $1,000/month/12 months	9/1/2022
Faculty	Odutayo Odunuga	Chemistry and Biochemistry - Professor	$81,419/Academic - 100%	Chemistry and Biochemistry - Interim Chair	$81,419/Academic - 100% with monthly stipdent of $1,000/month/12 months	9/1/2022
Faculty	Ronda McClain	Education Studies - Lecturer	$66,339/Annual - 100%	Education Studies - Assistant Professor	$62,000/Academic - 100%	9/1/2022
Faculty	Andrew Lannen	History - Associate Professor	$67,000/Academic - 100%	History - Interim Chair	$67,000/Academic - 100% with monthly stipdent of $1,000/month/12 months	9/1/2022
Faculty	Michael Walker	Psychology - Associate Professor	$67,000/Academic - 100%	Human Services and Educational Leadership - Interim Chair	$67,000/Academic - 100% with monthly stipdent of $1,000/month/12 months	9/1/2022
Faculty	Robert Crocker	Management and Marketing - College of Business	$172,022/Annual - 100%	Management and Marketing - Professor	$120,000/Academic - 100%	9/1/2022

Time Period Reporting: 9/1/22 - 11/30/22

Academic and Student Affairs Committee

DEPARTMENT NAME CHANGE FOR DEPARTMENT OF EARTH SCIENCES AND GEOLOGICAL RESOURCES

Explanation:

The College of Sciences and Mathematics recommended a name change for the Department of Geology, which was approved at the October 2022 board meeting, with Board Order 22-73. The name was incorrectly listed as the Department of Earth Sciences and Geological Resources. The correct new name for the department is Department of Earth Sciences and Geologic Resources.

Recommendation:

The administration recommends approval of the department name change to the Department of Earth Sciences and Geologic Resources.

ACADEMIC AND STUDENT AFFAIRS POLICY REVISIONS

Explanation:

The *Board Rules and Regulations* state that the Academic and Student Affairs Committee will consider: the curricula of the various colleges and departments of the university with any other matters dealing with academic programs and the progress thereof; the research programs within the university and their relationship to all graduate education; student affairs within the university; and personnel matters within the university.

The following policies are necessary to incorporate organizational, job title, and regulatory changes and to improve the flow of information in the above areas of responsibility. The general counsel has reviewed the proposed revisions.

Recommendation:

The administration recommends that the Board of Regents adopt the following policy revisions as presented:

Academic Appointments and Titles 7.2
Academic and Professional Qualifications 7.1
Academic Probation, Suspension, and Reinstatement for Undergraduates 6.4
Academic Program Review 5.1
AIDS and HIV 13.1
Annual Disclosure of Crime Statistics 13.3
Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities 6.6
Distinguished Guests 2.16
Doctoral Students: Allowable Credit Hours and Completion Times 6.11
Faculty Development Leaves 12.7
Faculty Disagreements 7.25
Faculty Merit Pay 7.6
Graduate Student Advising 6.13
Lumberjack Education Assistance Program 12.5
Misconduct in Scholarly or Creative Activities 7.19
Oral English Proficiency Program 5.14*
Performance Review of Officers Reporting to the Provost and Vice President for Academic Affairs 4.8*
Stone Fort Museum Collections 5.17
Student Academic Dishonesty 4.1
Student Media 10.8
Student Organization Risk Management Training 10.10
Student Travel 10.12

Substantive Change 4.10
Summer Teaching Appointments 7.28
Tenure and Continued Employment 7.29
Title IX 2.13

*Note: Policy New Name
4.8 – Performance Review of Officers Reporting to the Provost and Executive Vice President for Academic Affairs
5.14 – English Proficiency

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Academic Appointments and Titles

Policy Number: 7.2

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for academic appointments and titles

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Academic Appointments and Titles

Original Implementation: September 6, 1979
Last Revision: ~~October 28, 2019~~*January 30, 2023*

The *P*~~p~~rovost and *Executive* ~~v~~*V*ice ~~p~~*P*resident for ~~a~~*A*cademic ~~a~~*A*ffairs is responsible for the allocation of positions and appointments based on recommendations from colleges and academic units.

All conditions of appointment will be in writing at the time of appointment.

The rank of initial appointment is based upon the qualifications of the appointee. In order to be appointed to a tenure-track position, individuals are expected to have completed the terminal degree in the discipline of the appointment. All appointees should meet the qualifications as prescribed by SFA policies and the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).

In exceptional circumstances, special training in recognized institutions, e.g., conservatories or research institutes, or the attainment of nationally recognized licenses or certificates, may be judged to satisfy the requirement for advanced degrees. Practical experience and/or demonstrable expertise and performance in activities related directly to one's faculty appointment may be judged to satisfy the requirement for advanced degrees and/or years of experience. Exceptions may be granted by the ~~p~~*P*rovost and *Executive* ~~v~~*V*ice *P*~~p~~resident for ~~a~~*A*cademic *A*~~a~~ffairs.

The titles of instructor, assistant professor, associate professor and full professor, or librarian I, II, III and IV are used for full-time, tenure-track appointments. These positions are subject to the terms and conditions of the policy on Tenure and Continued Employment (7.29). All other appointments are not on tenure-track. Generally, service in non-tenure track ranks is not applicable toward tenure and not subject to the terms and conditions of the tenure policy.

An interim appointment may occur when there is a vacancy in an administrative position. The interim administrator has full authority until a person is named to the respective position. Interim appointments of administrative positions are made by the supervising administrator and are subject to approval by the Board of Regents.

Assistant/Associate administrative appointments may occur when there is a need for additional support to the academic unit head, dean, or provost. Assistant/Associate administrators are appointed by the supervising administrator and are subject to approval by the Board of Regents.

Tenure-track Ranks

Faculty

The rank of **Instructor** may be held by an individual without a terminal degree but with contract provisions specifying a completion date of the terminal degree. The minimum criterion on

appointment to the rank of instructor at Stephen F. Austin State University is a master's degree in the field in which the individual will be teaching.

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

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

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

Librarian

The rank of **Librarian I** is ~~held~~*held* by an individual who has a master's degree in library science from a school accredited by the American Library Association.

The rank of **Librarian II** is held by an individual who has demonstrated capabilities to be an effective and productive librarian and a contributing member of the academic and general communities.

The rank of **Librarian III** is held by an individual who has a proven record of effective and productive librarianship and has made numerous professional contributions to the academic and general communities through presentations at professional meetings, professional publications, and service to library organizations.

The rank of **Librarian IV** is held by an individual whose contributions to the profession of librarianship are substantial and are recognized at the state and national levels to be of high quality. The applicant's professional contributions to the academic and general communities should be significant as evidenced by exceptional records of accomplishment in the lower ranks.

Non-tenure Track Ranks

Service in the following ranks is not applicable toward tenure.

~~Archivist~~

~~The rank of **Archivist I** is held by an individual with a Master of Arts degree in public history with an archival studies concentration.~~

~~The rank of **Archivist II** is held by an individual who has a proven record of effective and productive performance.~~

~~The rank of **Archivist III** is held by an individual who has a proven record of effective and productive performance. The individual shall also have made significant professional contributions to the academic and general communities through presentations at professional meetings, professional publications and service to library organizations.~~

~~The rank of **Archivist IV** is held by an individual who has a proven record of substantial contributions to the profession recognized at the state and national levels. Additionally, the individual holding this rank must have successfully passed the Academy of Certified Archivist Examination.~~

~~Other Faculty~~

Clinical Instructor I *is a full-time, nine-month appointment. Entry level appointment. Faculty in this classification are those with expertise in professional practice disciplines where instruction does not necessarily take place in the traditional academic setting (e.g. nursing, hospitality, etc.)*

Clinical Instructor II *is a full-time, nine-month appointment. Must have a proven record of performance at all appropriate levels and evidence of contributions to the profession as defined by the candidate's academic department.*

Clinical Instructor III is a full-time, nine-month appointment. Must have a proven record of performance at all appropriate levels and evidence of substantial contributions to the profession as defined by the candidate's academic department.

~~**Clinical Instructor II** is a full-time, nine-month appointment. Must have a proven record of performance at all appropriate levels and evidence of contributions to the profession as defined by the candidate's academic department.~~

~~**Clinical Instructor I** is a full-time, nine-month appointment. Entry level appointment. Faculty in this classification are those with expertise in professional practice disciplines where instruction does not necessarily take place in the traditional academic setting (e.g. nursing, hospitality, etc.)~~

Lecturer I is a *full-time, nine-month appointment to an on-going position. Master's degree minimum.*

Lecturer II *is a full-time, nine-month appointment. Must have a proven record of performance at all appropriate levels and evidence of contributions to the profession as defined by the candidate's academic department.*

Senior Lecturer is a full-time, nine-month appointment requiring a terminal degree (or the equivalent in professional experience or credentials). Must have a proven record of performance at all appropriate levels and evidence of substantial contributions to the profession as defined by the candidate's academic department.

~~**Lecturer II** is a full-time, nine-month appointment. Must have a proven record of performance at all appropriate levels and evidence of contributions to the profession as defined by the candidate's academic department.~~

~~**Lecturer I is a** full-time, nine-month appointment to an on-going position. Master's degree minimum.~~

Adjunct, whether part-time or full-time, is intended to be temporary, with appointments made on a semester-by-semester basis as required to fill instructional needs beyond those that can be covered by current faculty. Reoccurring full-time adjunct appointments should be considered as evidence for the necessity of an additional lecturer/tenure-track position.

Visiting (Rank): Professor, Associate Professor, Assistant Professor, or Instructor

Visiting faculty rank is determined by degree, experience, and/or current rank at another institution. These positions are full-time, nine-month, or semester appointments depending on the circumstances.

Special Designated Titles

Special Designated Titles ~~This category is~~*are* used for part-time and/or full-time appointments. Appointees may carry specially designated titles assigned by the appropriate academic dean in consultation with the *P*~~p~~provost and *Executive* ~~v~~*V*ice *P*~~p~~resident for ~~a~~*A*cademic *A*~~a~~ffairs. The designated title should reflect the appointee's assignment. Designations such as the following are examples: ~~-~~clinical instructor, artist-in-residence, director of bands, or research associate.

Cross Reference: *Graduate Assistantships (6.12);* Academic and Professional Qualifications (7.1); Academic Promotion *of Full Time Faculty* (7.4); ~~Administrative Evaluation of~~ Adjunct Faculty Performance *Evaluation* (7.5); Faculty Workload (7.13); *Library Faculty (7.17);* Part-time Faculty (7.21); Performance Evaluation of Faculty (7.22); Tenure and Continued Employment (7.29); ~~Library Faculty (7.17); Graduate Assistantships (6.12),~~ Terminal Degrees (7.30)

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
January 31, 2017
July 29, 2014
April 19, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Academic and Professional Qualifications

Policy Number: 7.1

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides qualifications for academic and professional teaching roles.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Academic and Professional Qualifications

Original Implementation: April 20, 1999
Last Revision: ~~October 28, 2019~~*January 30, 2023*

The selection, development, and retention of competent faculty are essential to provid*ing* students a ~~high quality~~*high-quality* education. Stephen F. Austin State University will follow requirements established by accrediting bodies and state agencies.

Full-time and part-time faculty members teaching credit-earning courses leading toward the baccalaureate degree, other than activity courses, normally must have completed at least 18 graduate semester hours in the content discipline and, at a minimum, hold a master's degree from an accredited institution.

Qualifications for Clinical Teaching Field Supervisors must meet the standards outlined in Texas Administrative Code Chapter 228, Requirements for Educator Preparation Programs.

Each faculty member teaching courses at the master's degree level normally must hold a terminal degree from an accredited institution, usually the earned doctorate, in the content or related discipline. A master's degree in the content discipline coupled with a doctoral degree in a related discipline may be appropriate. It is the responsibility of the academic unit head to justify the master's degree, or master's degree in the content discipline coupled with a related doctorate, as the terminal degree for faculty members teaching in those disciplines. All faculty members teaching courses at the doctoral degree level normally must hold a terminal degree from an accredited institution in the content or related discipline. Outstanding professional experience and demonstrated contributions to the content discipline may be presented in lieu of formal academic qualifications. In rare cases, graduate faculty who have demonstrated exceptional scholarly or creative activity, or professional experience, but who may not possess the required academic credentials may be considered.

Graduate teaching assistants who have primary responsibility for teaching a course for credit and for assigning final grades must have earned at least 18 graduate semester hours in the content discipline, be under the direct supervision of a faculty member experienced in the content discipline, and be evaluated periodically within the academic unit.

Appropriate documentation and justifications must be provided by the academic unit head. Appropriate documentation includes official transcripts and, if applicable for demonstrating competence, official documentation of professional and work experience, technical and performance competency, records of publications, certifications, and other qualifications. Appropriate documentation must be kept current and on file in the Office of the Provost and *Executive* Vice President for Academic Affairs.

Cross Reference: ~~Faculty Handbook;~~ Southern Association of Colleges and Schools; Graduate Assistantships (6.12); Academic Appointments and Titles (7.2); Terminal Degrees (7.30); 19 Tex. Admin. Code ~~§~~ *Ch.* 228~~.2(16).~~

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

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

Forms: Faculty Credential Certification

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
April 12, 2016
April 23, 2013
April 20, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Academic Probation, Suspension, and Reinstatement for Undergraduates

Policy Number: 6.4

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines to determine a student's academic status and the steps of reinstatement if applicable.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Minor revisions

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Academic Probation, Suspension, and Reinstatement for Undergraduates

Original Implementation: January 30, 1981
Last Revision: ~~October 28, 2019~~*January 30, 2023*

Good Standing

An undergraduate student must maintain a minimum cumulative grade point average of 2.0 to remain in good academic standing.

Academic Probation

An undergraduate student is placed on academic probation after the first regular semester in which the cumulative GPA falls below 2.0. Undergraduate students on academic probation whose semester GPA is 2.0 or higher will be allowed to continue in the university on academic probation until the cumulative GPA is 2.0 or higher. Academic probation will continue until the student achieves good standing or is placed on academic suspension.

Academic Suspension

An undergraduate student on academic probation will be placed on academic suspension if the student's semester GPA is below 2.0.

Reinstatement

An undergraduate student on academic suspension may be allowed to continue in the university through any of the following procedures:

- Meet conditions established by the student's dean; or
- *After the first academic suspension, attend summer school at Stephen F. Austin State University and either raise the cumulative GPA to 2.0 or above or obtain a GPA of 2.0 or above for at least nine (9) semester credit hours in courses specified by the student's dean; or*
- Be readmitted provisionally automatically after one regular semester's absence from the university. Following a second or subsequent academic suspension and absence from the university for two regular semesters, be readmitted automatically. Summer terms are exempt from periods of academic suspension. Automatic readmission will not occur if the student takes courses elsewhere and fails to attain a GPA of 2.0 for those courses.~~; or,~~
- ~~After the first academic suspension, attend summer school at Stephen F. Austin State University and either raise the cumulative GPA to 2.0 or above or obtain a GPA of 2.0 or above for at least nine (9) semester credit hours in courses specified by the student's dean.~~

Change of Major

Undergraduate students on academic probation or suspension may change majors with approval from their current and receiving deans.

Cross Reference: General Bulletin, Faculty Handbook, Student Handbook and Activities Calendar

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
January 31, 2017
April 15, 2014
April 19, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Academic Program Review

Policy Number: 5.1

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for academic program reviews.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Significant revision to reflect change in procedure of APR for undergraduate and graduate programs.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Academic Program Review

Original Implementation: April 28, 2005
Last Revision: ~~October 28, 2019~~*January 30, 2023*

Academic Program Review (APR) is driven by the university's mission statement and strategic plan. *The APR* ~~and~~ enhances the quality of all academic programs and ensures the ongoing support necessary for continuation, modification, and development of programs. All undergraduate and graduate degree programs fall within this policy. APR encourages self-study and planning within programs and aligns the strategic plans of the program, the college, and the university. APR provides information for curricular and budgetary planning decisions at each administrative level. In turn, the resources needed for growth, continuation, or modification of programs can be included in planning processes. *Faculty involvement in the APR process is critical and required.*

~~The normal cycle for APR is every 10 years.~~ *All undergraduate and graduate degree*~~*degree progra*~~*programs* ~~*ms undergraduate and graduate, including certificates and minors*~~ *must undergo APR annually.* ~~*The procedure for annual APR may be found*~~ ~~A timeline for program review may be found on the website for the provost and vice president for academic affairs. All programs including certificates and minors, in addition to degree programs, in an academic unit should be reviewed at the same time.~~

Additionally, ~~*A*~~*all* ~~*graduate degree programs*~~~~, including locally awarded certificates ,~~ *must undergo a comprehensive decennial APR.* ~~If one program in an academic unit is governed by a discipline-specific accrediting agency, all programs in the academic unit will be reviewed concurrently and in the same cycle as the accredited review.~~ If accreditation *by a discipline-specific accrediting agency* is on a cycle of less than 10 years, that cycle will be followed. ~~If the cycle is 10 years or more, a program review will be required in the interim.~~ Academic units with multiple accrediting agencies should follow the cycle of the accrediting agency most appropriate to the *program*~~unit~~. Notwithstanding accreditation requirements, at a minimum all master's and doctoral degree programs will be reviewed at least once every 10 years.

The ~~decennial~~ APR ~~template guides~~*procedures and requirements are detailed in the APR Handbook* ~~the development of the self-study report (see APR Handbook).~~. ~~The~~ *P*~~p~~rovost and *E*~~e~~*xecutive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs must approve in advance a deviation from ~~the template~~*published procedures*. Accreditation reports *may* ~~will~~ substitute for the *external* program review report required by this policy *if approved*. However, any information required by the APR ~~appendices~~ *Handbook* ~~but~~ *and* not *already* included in the accreditation review must be ~~added~~*submitted to the P*~~p~~*rovost and E*~~e~~*xecutive V*~~v~~*ice P*~~p~~*resident for A*~~a~~*cademic A*~~a~~*ffairs with the external accreditation report*.

In conjunction with the Texas Higher Education Coordinating Board, t~~T~~he P~~p~~rovost and E~~e~~xecutive V~~v~~ice P~~p~~resident for A~~a~~cademic A~~a~~ffairs establishes a decennial schedule of programs to be reviewed along with deadlines for completing each task. ~~The Texas Higher Education Coordinating Board required academic program review schedule must be coordinated to ensure compliance.~~

~~The following definitions are relevant to the APR process:~~

- ~~An **academic program** is a structured grouping of course work designed to meet educational objectives leading to a baccalaureate degree, graduate degree, certificate, or teaching credential.~~
- ~~An **academic unit** (e.g., department, division, school) manages one or more academic programs.~~
- ~~**Unit Outcomes** are the measureable benefits of the services provided by an academic unit.~~
- ~~**Program Learning Outcomes** (PLOs) are the knowledge, skills, and abilities students are expected to demonstrate upon completion of an academic program/major.~~
- ~~**Student Learning Outcomes** (SLOs) define the knowledge, skills and abilities students are expected to demonstrate upon completion of a particular course.~~
- ~~**Core Objectives** (COs), as prescribed by the Texas Higher Education Coordinating Board (THECB), are critical thinking skills, communication skills, empirical and quantitative skills, teamwork, personal responsibility and social responsibility.~~

~~**Process**~~

Processes identified in the APR Handbook are required and fulfill:

1. ~~The annual APR process adheres to the s~~Standards of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)~~; and the THECB. Academic units are required to evaluate their effectiveness in achieving unit outcomes and learning outcomes to accomplish college and university goals (i.e., mission statements and strategic plans). Faculty teaching in a program must be actively involved in the review.~~
1.
2. *Requirements overseen~~managed~~ by the Texas Higher Education Coordinating Board for compliance with Texas Administrative Code.*

Academic units with core curriculum courses must conduct an assessment of core objectives (C*O*~~o~~s). SFA must submit a Texas Core Curriculum report to the THECB every ten years, based on annual assessment of student learning regarding COs. Instructions for core assessment may be found on the Office of Institutional Effectiveness's Core Objective Assessment webpage.

The decennial APR consists of an Internal Program Review or self-study (including assessment of unit outcomes), an External Program Review, and a Program Improvement Plan. All master's and doctoral program reviews are submitted to THECB according to its established schedule. Master's and doctoral programs in the same discipline are reviewed simultaneously using the

same self-study materials and reviewers.

~~Academic units must be engaged in the ongoing assessment of their unit outcomes and program learning outcomes. Academic units with core curriculum courses must conduct an assessment of COs.~~

~~The provost and vice president for academic affairs establishes a schedule of programs to be reviewed along with deadlines for completing each task. The self-study is developed by a committee composed of faculty within the academic unit appointed by the academic unit head. The report must adhere to the APR template (see APR Handbook).~~

~~The self-study includes the following: (1) program overview and unit effectiveness; (2) curriculum and student learning (PLOs and COs); (3) faculty characteristics and qualifications; and (4) summary conclusions. All required data must be completed even if an accrediting report is submitted in lieu of the APR report.~~

~~All *graduate* programs are subject to external review. Reviewers must have subject matter expertise, employment at an institution of higher education outside Texas and faculty status in a program nationally recognized for excellence in the discipline. External reviewers cannot have a conflict of interest that could influence their judgment (e.g., SFA alumni, former students or employees of the university, or formal collaborators with faculty in the unit under review) or employment at institutions within Texas. Faculty members of the academic unit nominate three individuals from comparable institutions of higher education to serve as possible external reviewers. The dean of the college selects at least one person from the three nominated. Preference is given to nominees from colleges and universities accredited by SACSCOC. Doctoral programs must have at least two external reviewers who conduct an on-site visit (see APR Handbook to obtain guidelines for selection of external reviewers). Upon completion of the external review, the faculty members of the academic unit consider the recommendations. A final report is prepared that includes the self-study (Internal Program Review), the External Program Review and the Program Improvement Plan that describes the actions taken or to be taken to improve the performance of the academic unit. All documentation is sent to the dean for comment. The dean forwards all materials to the provost and vice president for academic affairs for review and feedback.~~

Cross Reference: 19 Tex. Admin. Code §*§ 4.30,* 5.52 ~~; Schedule of Formal Academic Program Reviews~~*; Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) The P~~p~~rinciples of A~~a~~ccreditation, Standards 7,1, 8.1, 8,2a~~6.2.b~~.; APR Handbook*

Reviews Responsible for Implementation: Provost and Executive Vice President for Academic Affairs

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

Forms: APR Handbook

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
July 25, 2017
July 29, 2014
April 19, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: AIDS and HIV

Policy Number: 13.1

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration and Vice President of Student Affairs

Purpose of Policy (what does it do): Outlines SFA's approach to working with those diagnosed with HIV or AIDS

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: This policy is required by the Texas Education Code. The majority of information covered is already outlined in other policies, such as the Non-Discrimination Policy, therefore the policy was condensed to remove redundancies.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Brandon Frye, Vice President of Student Affairs
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel
Steve Westbrook, Interim President

AIDS and HIV

Original Implementation: September, 1990
Last Revision: January ~~28, 2020~~*30, 2023*

Purpose

This policy establishes guidelines for how the university will conform its actions in regard to persons with AIDS and HIV.

Definitions

***AIDS** means acquired immune deficiency syndrome.*

***HIV** means human immunodeficiency virus.*

General

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

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

Students and employees (faculty and staff) of the university who may become infected with HIV will not be excluded from enrollment or employment, or restricted in their access to university services or

facilities, unless medically-based judgments in individual cases establish that exclusion or restriction is necessary to the welfare of the infected person or of the other members of the university community.

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

~~When circumstances arise that require review of any matter regarding HIV/AIDS, the president will seek the advice of the director of the Health Clinic, the attending physician, and other relevant parties. An opportunity will be provided for persons involved in the matter to discuss their circumstances. Members of the Public Health Committee will be available to review the issues and to provide recommendations to the president for appropriate action.~~

~~In the event of public inquiry concerning university policy, programs, problems, or statistics related to AIDS on campus, the director of University Marketing Communications will serve as the official spokesperson for the university and will enlist the cooperation of the director of the Health Clinic and the Public Health Committee as necessary to prepare an appropriate response. All inquiries from the press, elected public officials, or the public in general will be referred to the spokesperson.~~

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

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

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

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

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

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

~~Policy for the Work Environment~~

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

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

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

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

~~Based on federal and state law, any medical documentation of information provided by an HIV-infected employee to university officials must be considered confidential and private information. As such, university officials are forbidden by law from disclosing this information to others without the employee's knowledge and consent. (Some exceptions to confidentiality are permitted by law.) The university requires that any consent to disclosure by the employee be in writing. Any university~~

~~employee who breaches the confidentiality of this information commits a serious offense that may be cause for litigation, resulting in both civil and criminal penalties.~~

~~University employees who refuse to work with HIV infected co-workers may be subject to disciplinary action up to and including termination. University departmental unit heads should carefully monitor and document any instances of such refusal in violation of this policy and take appropriate disciplinary action.~~

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

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

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

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

~~At a minimum, the HIV curriculum will include:~~

1. ~~modes of transmission;~~
2. ~~methods of prevention;~~
3. ~~behaviors related to substance abuse;~~

4. current laws and regulations concerning the rights of an AIDS/HIV-infected individual; and,
5. behaviors associated with HIV transmissions which are in violation of Texas law.

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

1. provides appropriate documentation that the employee may have been exposed to the HIV virus while performing duties of employment with that agency, and
2. was exposed to HIV in the manner that the U.S. Public Health Service has determined is capable of transmitting HIV.

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

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

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

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

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

Policy fo**r the Academic Environment**

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

~~they are physically able to attend class.~~

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

~~The university recognizes that the best currently available medical information does not support the existence of a risk to those sharing residence halls with HIV-infected individuals; in some circumstances however there may be reasonable concern for the health of those with AIDS or HIV who might be exposed to certain contagious diseases (e.g., measles or chicken pox) in a close living environment. Thus, decisions about residential housing of students with AIDS or HIV shall be made on a case-by-case basis. The university may decide to assign students with AIDS or HIV to private rooms in the interest of protecting the health of those students. The university shall provide education programs about AIDS and HIV to its residence hall staff (both students and employees).~~

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

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

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

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

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

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

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

Cross Reference: Texas Human Immunodeficiency Virus Services Act, Tex. Health & Safety Code Ch. 85; Texas Communicable Disease Prevention and Control Act, Tex. Health & Safety Code Ch. 81; Tex. Educ. Code § 51.919

Responsible for Implementation: President

Contact for Revision: ~~General Counsel~~*Vice President for Finance and Administration; Vice President ~~for~~of Student Affairs*

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: *January 28, 2020*
January 31, 2017
October 21, 2013
July 20, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Annual Disclosure of Crime Statistics

Policy Number: 13.3

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy discloses specified crime and fire statistics in accordance with the "Clery Act," and/or the Higher Education Opportunity Act of 2008 (HEOA).

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

John Fields, Executive Director and Chief of Police
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Annual Disclosure of Crime Statistics

Original Implementation: October 30, 2007
Last Revision: January *30*~~28~~, 202~~0~~*3*~~3~~

Purpose

This policy requires the disclosure~~s~~ of specified crime and fire statistics in accordance with the "Clery Act," and/or the Higher Education Opportunity Act of 2008 (HEOA).

General

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly referred to as the "Clery Act," and/or the Higher Education Opportunity Act of 2008 ~~(HEOA)~~, requires institutions of higher education receiving federal financial aid to report specified crime and fire statistics on college campuses and to provide other safety and crime information to members of the campus community. Campuses must publish an Annual *Fire and*~~Security and Fire~~ Safety *Security* Report detailing statistics regarding reported crimes committed on campus and at affiliated locations for the previous three calendar years, fires that occur in on-campus residence halls, and describing specified policies, procedures and programs regarding safety and security. This requirement of the Clery Act is intended to provide students and their families, as higher education consumers, with accurate, complete and timely information about the safety of the campus so that they can make informed decisions.

The federal law requires the collection and reporting of annual crime statistics reflecting reports of specified crimes that occur on and adjacent to a university campus and certain properties associated with the campus as well as fires that occur in on-campus residence halls. The statistical compilation must be broken down by specified types of crimes and campus disciplinary referrals, and must indicate if a specified crime is a hate crime. Campuses must also provide a geographic breakdown of the crime statistics according to the following defined geographic areas: "on campus" (including further breakdown of the number of crimes that occurred in campus student residential facilities), "in or on a non-campus building or property" and "on public property."

Annual *Fire*~~Security~~ and ~~Fire~~ Safety *Security* Report

The Stephen F. Austin State University Police Department (UPD) prepares an Annual Security and Fire Safety Report (A*F*~~S~~*S*~~F~~SR) to comply with the Clery Act and the HEOA. The summary of crime statistics is included as part of this report. *The report is due on October 01, each year.*

The university's A*FSS*~~SFS~~R is available on the SFA website at: http://www.sfasu.edu/upd/.~~.~~ Copies of the A*FS*SR may also be obtained at the SFA University Police Department, located on East College Street, or by calling 936.468.2252.

Cross Reference: 20 U.S.C. § 1092(f); Higher Education Opportunity Act, Public Law 110-315 (8/14/08); 42 U.S.C. § 13925(a); Timely Warning (13.22)

Responsible for Implementation: Vice President for *Finance and Administration*~~University Affairs~~

Contact for Revision: *Executive Director* and Chief of Police

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities

Policy Number: 6.6

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Chief Diversity Officer

Purpose of Policy (what does it do): Provides information regarding the appeal of accommodation provisions for individuals with disabilities.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Minor edits.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Tiffany Rivers, Director of Disability Services
Michara DeLaney-Fields, Chief Diversity Officer
Damon Derrick, General Counsel

Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities

Original Implementation: July 14, 1998
Last Revision: ~~October 28~~*January 30,* ~~2019~~*2023*

Students, faculty or staff at Stephen F. Austin State University, who disagree with the provision of accommodations for students with disabilities, may submit an appeal to the director of disability services/ADA coordinator~~ located in disability services, room 325 of the Human Services Building~~. Appeals related to decisions made by the director of disability services regarding the denial of accommodations should be submitted to the ~~vice president for university affairs~~*chief diversity officer*, or their designee~~, located in room 314 of the Austin Building~~.~~ Grievances or complaints of discrimination based on disability relating to other circumstances not described above should be addressed through the university's policy 2.11, ~~Discrimination Complaints~~*Nondiscrimination*.

Appeals may be initiated by:

1. student or faculty member, regarding academic accommodations;
2. student or staff member, regarding accommodations for non-academic programs~~ or~~, activities*, or housing*;
3. student, regarding accommodation decisions of the director of disability services;

~~student, regarding accommodation decisions of the director of residence life.~~ Appeals must:

- be submitted in writing;
- state the specific nature and basis of the appeal;
- be signed and dated by the individual making the appeal; and
- be submitted no later than 180 days from the date of notification of the decision being appealed.

Appeal Review

Within two (2) working days of receiving the appeal, the director or ~~vice president for university affairs~~*chief diversity officer* or their designee will schedule a meeting with the chair/director of the department involved, the faculty or staff member involved, and the student. The purpose of this meeting will be to review the circumstances and, if possible, to reach a mutually agreed upon resolution.

If unresolved, the appeal will be forwarded by the director or ~~vice president for university affairs~~*chief diversity officer* or their designee to an Appeal Review Committee for a second and final decision.

Appeal Review Committee

The Appeal Review Committee will be composed of three members selected by the director or the ~~vice president for university affairs~~*chief diversity officer* or their designee. The director will serve as chair and ex officio member of the committee except when their decision is being appealed; in such circumstances, the ~~vice president for university affairs~~*chief diversity officer* or their designee will appoint a faculty or staff member or academic administrator with background and/or experience in disability-related matters to serve as chair.

- For academic accommodation appeals, the committee will be composed of one faculty member from the department involved, the dean *or associate dean* of the college involved, and a member of the ADA Advisory Committee.
- For appeals in non-academic programs/activities and housing accommodations, the committee will be composed of one staff member from the department involved, the director of the department involved, and a member of the ADA Advisory Committee.
- For appeals regarding decisions of the director of disability services, the committee will be composed of one faculty member from the Department of Human Services and two additional individuals knowledgeable about ADA issues.

When selecting committee members, the director or ~~vice president of university affairs~~*chief diversity officer* or their designee shall exclude individuals who ~~served on the Academic Assessment Committee or the Residence Life Assessment Committee that~~ provided initial review of the documentation and/or request. The director or ~~vice president for university affairs~~*chief diversity officer* or their designee will communicate the decision and/or recommendations of the Appeal Review Committee to the individual seeking the appeal.

In all circumstances listed above, the Appeal Review Committee may seek input from appropriate parties other than committee members, including the student making the appeal, a faculty or staff member with experience relevant to the circumstances, the provost/*executive* vice president for academic affairs, dean *or associate dean* of another college, or another director or department head with relevant experience. The Appeal Review Committee may seek advice from the university's general counsel.

It is the intent of the university that meetings related to the appeal are informal in nature to allow all parties the opportunity for reasonable input and discussion. The appeal process, including the initial meeting, the meeting of the Appeal Review Committee and communication of the final decision to the individual making the appeal should be completed with expediency, ideally within seven (7) working days to avoid any delay in provision of accommodations or support services.

For specific information regarding provision of academic assistance, refer to policy 6.1, Academic Accommodation for Students with Disabilities. Refer to policy 13.2, Animals on University

Property, for service animal or emotional support animal information. For general policy information, refer to policy 2.2, Accessibility for Persons with Disabilities.

Cross Reference: Accessibility for Persons with Disabilities (2.2); Academic Accommodation for Students with Disabilities (6.1); Animals on University Property (13.2)

Responsible for Implementation: Chief Diversity Officer

Contact for Revision: Director of Disability Services

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
November 7, 2016
October 21, 2013
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Distinguished Guests

Policy Number: 2.16

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy requires all university departments and employees (excluding the Board of Regents) to notify the president's office prior to extending invitations to distinguished guests. If invitation is accepted, the president's office must be notified of details.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: No changes.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Steve Westbrook, Interim President
Damon Derrick, General Counsel

Distinguished Guests

Original Implementation: January 28, 2020
Last Revision: ~~None~~*January 30, 2023*

All university departments and employees (excluding those reporting directly to the Board of Regents), while acting in the scope of their employment, will notify the president's office prior to extending an invitation to a current or former member of the Board of Regents, elected official, or other distinguished guest such as a donor or prospective donor to visit campus. Such notification should include the proposed itinerary and reason for the visit. If the invitation is accepted, the president's office must be notified and kept informed of the details of the visit.

Cross Reference: None

Responsible for Implementation: President

Contact for Revision: President

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: None

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Doctoral Students: Allowable Credit Hours and Completion Times

Policy Number: 6.11

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2022

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for allowable credit hours, and completion times for doctoral students.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Doctoral Students: Allowable Credit Hours and Completion Times

Original Implementation: April 21, 1998
Revision Date: January ~~28, 2020~~*30, 2023*

The doctoral degree typically requires a minimum number of credit hours beyond a master's degree as specified by the program. After three years of enrollment, a formal review of each student's doctoral progress will be conducted within the respective graduate program and shared with the student.

Students who have reached ninety-nine (99) or more credit hours above a master's degree:

- will be ineligible for student employment at Stephen F. Austin State University (SFA);
- will pay the current rate for out-of-state tuition and fees, or the equivalent of full-cost-of-education as determined by SFA; and
- may be terminated from the program by the dean of research and graduate studies in consultation with the appropriate academic dean and academic unit head of the program.

If terminated from a program, a student may file a written appeal to the University Graduate Council whose recommendation will be forwarded to the *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs for final resolution.

Cross Reference: Graduate Bulletin; Tex. Educ. Code § 61.059(l)

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Faculty Development Leaves

Policy Number: 12.7

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for faculty development leaves.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Faculty Development Leaves

Original Implementation: April 26, 1983
Last Revision: January ~~28, 2020~~*30, 2023*

Faculty development leaves may be granted by the Board of Regents for field observations, research, study, writing, or other scholarly/creative activities. They should not be used to complete work for a terminal degree. No more than six percent of university faculty members may be on development leave at any one time.

This policy applies to full-time faculty and librarians whose duties include teaching, research, administration, or the performance of professional services. Except for special circumstances, individuals are eligible for a development leave after serving full time for at least three consecutive years. After completion of a development leave, recipients may not apply for four years.

Applications for faculty development leaves will be reviewed annually by the Faculty Development Leave Committee. The committee will consist of full-time faculty members, one from each academic college and one from the library. The committee will make recommendations to the *P*~~p~~rovost and *Executive* ~~v~~*V*ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs and the *P*~~p~~resident, who will make the final leave recommendation to the Board of Regents.

A faculty development leave may be awarded for one long semester at full base salary or for two long semesters at half the base salary. Payment of salary may be made from the funds appropriated by the legislature specifically for that purpose or from such other funds as might be available to the institution.

Recipients of faculty development leaves must guarantee the university that they will return to their regular duties, or others that might be assigned, for a period of at least one year following the expiration of the leave, provided they are offered a contract by the university. Recipients will submit a brief written report on the activities and accomplishments resulting from the leave to the academic unit head, dean, and *P*~~p~~rovost and *Executive V*~~v~~ice ~~p~~*P*resident for *A*~~a~~cademic *A*~~a~~ffairs within ninety days following completion of the leave.

Faculty members on faculty development leave, under law, may accept a grant or stipend for study, teaching, research, or travel from any institution of higher education or from a charitable, religious, or educational corporation or foundation, from any business enterprise, or from any federal, state, or local governmental agency. The faculty member may not accept employment from any other person, corporation, or governmental agency, unless the Board of Regents determines that it would be in the public interest to do so and expressly approves the employment. An accounting of all leave funds will be made by faculty members through the *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for ~~a~~*A*cademic ~~a~~*A*ffairs and the president to the Board of Regents.

The university will deduct from the salary of faculty members on development leave the deposit and membership dues required to be paid by them to the Teacher Retirement System of Texas or to the Optional Retirement Program or both, the contribution for Old Age and Survivors Insurance, and any other amounts required or authorized to be deducted. Faculty awarded development leave

will continue to participate in the programs and receive the benefits (retirement, insurance, etc.) made available by or through the university or the state to all other faculty members, and will be eligible for salary increases, merit pay, and all other fringe benefits awarded for the year following the expiration of the leave.

This policy will be filed with the Texas Higher Education Coordinating Board no later than thirty (30) days after the approval of any amendment by the Board of Regents.

Cross Reference: ~~Faculty Handbook;~~ Tex. Educ. Code § 51.101-.108

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

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

Forms: Faculty Development Leave Request Form; Faculty Development Leave Proposal Format; and Faculty Professional Development Form

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
July 29, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Faculty Disagreements

Policy Number: 7.25

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy outlines the process for resolving faculty disagreements regarding adminsitrative decisions, other disputes involving faculty or other personnel, and employement disputes.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Steve Westbrook, Interim President
Damon Derrick, General Counsel

Faculty Disagreements

Original Implementation: April 3, 1979
Last Revision: January ~~28, 2020~~*30, 2023*

The resolution of disagreements regarding administrative decisions or other disputes involving faculty or other personnel, other than dismissal or non-renewal, will be pursued initially with the academic unit head. If the matter cannot be satisfactorily resolved at that level, the faculty member may put the disagreement in writing and submit it to the college dean, along with a copy to the academic unit head.

The college dean will consult with the faculty member(s) and the academic unit head in an effort to resolve the disagreement. The dean may consult with any others deemed to have insight into the matter. If the matter cannot be satisfactorily resolved by the dean, the faculty member may appeal in writing to the provost and *executive* vice president for academic affairs, along with a copy to the dean and academic unit head.

The provost and *executive* vice president for academic affairs will consult with the faculty member(s), the academic unit head, the college dean, and any others with insight into the matter. If the matter cannot be satisfactorily resolved by the provost and *executive* vice president for academic affairs, either party may appeal the issue.

In situations that do not involve conditions of employment, an appeal from the provost and *executive* vice president for academic affairs will be forwarded directly to the president who will consult with the faculty member(s), the academic unit head, the college dean, the provost and *executive* -vice president for academic affairs, and any others with insight into the matter.

Employment Disputes

If the disagreement involves an allegation that conditions of employment under university policy have been violated, the appeal will be forwarded to the University Grievance Panel at the faculty member's request. This process will operate under the guidelines below.

1. An advisory subcommittee of the University Grievance Panel will review the evidence. The subcommittee will be composed of five members, with two members selected by the faculty member, two by the president or the president's designee, and one selected at random. Each party will have one challenge without stated cause.
2. Once constituted, the subcommittee will establish defined procedures for resolving the dispute.
3. *W*~~W~~hen the subcommittee has made its determination, it will advise the president and the faculty member(s) of its findings in writing.
4. The president will review the subcommittee's report, consult with the faculty member(s) and any others with insight into the matter, and render a decision that will be final.

In all cases, the decision of the president is final and will be communicated to the faculty member in writing within a reasonable time.

Cross Reference: Faculty Handbook

Responsible for Implementation: President

Contact for Revision: President

Forms: None

Board of Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
July 29, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Faculty Merit Pay

Policy Number: 7.6

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: President and Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for faculty merit pay

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Sentence added to include what criteria may be considered in the merit process; addition to show that faculty will be informed of availability of funds.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President
Steve Westbrook, Interim President
Damon Derrick, General Counsel

Faculty Merit Pay

Original Implementation: September, 1982
Last Revision: January ~~28, 2020~~*30, 2023*

For merit pay consideration, full-time faculty members will present to their academic unit head all relevant or requested documentation, including at least the completed annual *faculty activity* report of professional activities and performance, as well as any other information required under individual academic unit, college or university policy. Adjunct faculty members are not eligible for merit pay increases.

Academic units and/or colleges will establish their own appropriate and specific merit criteria and awarding procedures. ~~.~~*Quality of teaching, research, scholarly/creative activity, administrative responsibilities, collegiality, and service may be considered in the merit process.*

Merit recommendations by the academic unit head will be subject to approval by the *D*~~d~~ean, *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs, and *P*~~p~~resident.

Merit pay is contingent upon available funds. *Faculty will be informed on the availability of funds for merit pay*

Cross Reference: ~~Faculty Handbook~~ *Part-Time Faculty (7.21), Faculty Compensation (12.6)*

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

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

Forms: Annual *Faculty Activity Report, Faculty Success (FAR) Reporting System* ~~report of professional activities and performance and administrative evaluation form available in the Office of the Provost and Executive Vice President for Academic Affairs~~

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: July 23, 2019
July 26, 2016
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Graduate Student Advising

Policy Number: 6.13

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides the guidelines on how graduate students are advised.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Graduate Student Advising

Original Implementation: October 31, 2000
Last Revision: ~~October 28, 2019~~*January 30, 2023*

Academic units must provide effective academic advising for students enrolled in their graduate programs and must assign each student a graduate faculty member to serve as the academic advisor. The unit must provide students with information as to departmental/school/office organization, administration, key personnel, facilities, degree requirements, and procedures.

The academic advisor informs advisees of university resources, guidelines, procedures, policies, and graduate student rights and responsibilities. Advising topics include, but are not limited to, registration process, degree requirements, proper sequencing of courses, thesis/non-thesis options, time limits for completion of program, and comprehensive examination expectations.

~~All graduate student advising programs must be evaluated as part of the annual program assessment report, including information on how assessment results will be used.~~

Cross Reference: Graduate Bulletin~~, Graduate Student Handbook, Student Handbook~~

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

Contact for Revision: Dean of Research and Graduate Studies

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: October 28, 2019
November 7, 2016
January 28, 2014
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Lumberjack Education Assistance Program

Policy Number: 12.5

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/26/2022

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy permits active, regular (100% FTE) employees of the university, their spouses, and dependents, to participate in the Lumberjack Education Assistance Program (LEAP) provided eligibility requirements are met and funding is available.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☒ Other, please explain: Clarify definition

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Definition clarification.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Michaelyn Greene, Director of Treasury and Student Business Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Lumberjack Education Assistance Program

Original Implementation: January 28, 2003
Last Revision: ~~July 26, 2022~~*January 30, 2023*

Purpose

This policy permits active, regular (100% FTE) employees of the university, their spouses, and dependents, to participate in the Lumberjack Education Assistance Program (LEAP) provided eligibility requirements are met and funding is available.

Definitions

Eligible employee – for purposes of LEAP, an eligible employee is an active, regular (100% FTE) employee who has completed six months of continuous service for the university prior to the end of the enrolled semester.

Eligible dependent – for purposes of LEAP, a child, stepchild, or qualified dependent of an eligible employee *must meet the tests to be claimed as a "qualifying child"* ~~meeting the definition of dependent~~ under IRS regulations.

Eligible spouse – for purposes of LEAP, an individual recognized by law as a spouse or common law spouse and meets insurance eligibility requirements for a spouse set forth by the Employees Retirement System of Texas (ERS).

Third party or contract – a sponsoring organization or agency who takes responsibility for paying a student's tuition and fee balance either in full or in part.

Outside scholarship – a scholarship provided by a private donor, foundation, business, or other sources external to Stephen F. Austin State University, SFASU Foundation, Inc., and SFASU Alumni Association.

General

Detailed program and eligibility requirements can be found on the human resources website. LEAP is designed as an employee benefit initiative and is subject to available resources.

LEAP benefits apply only to mandatory tuition and fee charges excluding statutory tuition. Statutory tuition, excessive hours tuition, 3-peat charges, and non-mandatory incidental fees are not covered by LEAP benefits.

LEAP benefits will be reduced if tuition and fees are paid by a third party or contract, or are paid by any other exemption or waiver. LEAP benefits will also be reduced by student financial aid with the exception of PELL grant, FSEOG (federal supplemental educational opportunity grant), outside scholarships, or loans.

Participation in the LEAP program requires maintaining a minimum cumulative GPA of 2.0 for undergraduate degree programs and a minimum cumulative GPA of 3.0 for graduate degree programs.

The university complies with federal and state tax regulations governing any applicable taxability, tax reporting, and/or withholding of taxes on LEAP benefits. The value of any taxable tuition and fee benefits paid by LEAP above the annual IRS eligible amount is treated as a taxable benefit to the employee.

Employees

Active, regular (100% FTE) employees become eligible for LEAP benefits when they will have completed six months of continuous service for the university before the last day of the enrolled term. If an employee retires from the university, or terminates for any reason, LEAP eligibility will end on the last day of the enrolled term.

If departmental workload permits, an employee may attend one class during normal working hours by utilizing an alternative work schedule or by using accrued compensable leave. To be eligible for an alternative work schedule, an employee must request approval from the appropriate supervisor and director/dean for the time off to attend class.

Statutory tuition related to courses eligible for LEAP will be covered by a separate employee scholarship.

Spouse/Dependents

Eligible employees may apply for LEAP benefits on behalf of their spouse/dependents when the employee becomes eligible as set forth by this policy. The LEAP benefits may be applied to undergraduate or graduate courses that are part of the overall degree plan of the spouse/dependent so long as he/she meets the definition of spouse/dependent as set forth by this policy. Documentation may be required to determine spouse/dependent eligibility.

If the eligible employee that applied for LEAP on behalf of the spouse/dependent retires from the university or terminates for any other reason, LEAP eligibility for the spouse/dependent will end on the last day of the enrolled term.

Cross Reference: LEAP Requirements Document on the Human Resources Website

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Vice President for Finance and Administration

Forms: LEAP Application on mySFA; Employee Scholarship Application

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: July 26, 2022
April 18, 2020
April 24, 2018
April 14, 2015
April 17, 2012
April 21, 2009

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Misconduct in Scholarly or Creative Activities

Policy Number: 7.19

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/23/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides the guidelines on steps to take if misconfuct is found present in scholarly or creative activities.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executie Vice President for Academic Affairs
Damon Derrick, General Counsel

Misconduct in Scholarly or Creative Activities

Original Implementation: July 17, 2012
Last Revision: ~~July 23, 2019~~*January 30, 2023*

I. Introduction

Stephen F. Austin State University (SFA) strives to create a climate that promotes faithful adherence to high ethical standards in scholarly and creative activities without inhibiting the productivity and creativity of the academic community.

Faculty, staff, and students at SFA are expected to comply with generally understood and accepted standards of professional conduct, which include following accepted practices of scholarship and acknowledging collaborators and sources used in reports, publications, and presentations.

Any inquiry or investigation of allegations of misconduct in scholarly or creative activity must proceed promptly and with due regard for the reputation and rights of all individuals involved.

The university will take all reasonable steps to assure that the persons involved in evaluating allegations and evidence have appropriate expertise and that no person involved in the procedures is either biased against the accused person(s) or has a conflict of interest.

II. Scope

This policy applies to all non-federally funded research and other scholarly or creative activities (hereafter referred to as "scholarly activity"). Furthermore, this policy applies to any person paid by and/or subject to the rules and policies of SFA, including faculty, research scientists, trainees, technicians and other staff members, students, and visiting professors.

Misconduct in scholarly activity includes fabrication, falsification, or plagiarism in proposing, performing, reviewing, or reporting scholarly results, or in conducting, reporting, and/or publishing scholarly activities. ~~This~~ *Misconduct also* includes improprieties of authorship, abuse of confidentiality, violation of generally accepted research practices, failure to comply with university requirements affecting research (such as use of human subjects, care and use of animals, and use of hazardous materials), misuse of funds for personal gain, and misrepresentation of qualifications.

Misconduct in scholarly activities does not include honest error or differences of opinion. Procedures for misconduct in research funded by federal agencies are outlined in Misconduct in Federally Funded Research (8.7). Student academic dishonesty is covered under Student Academic Dishonesty (4.1).

III. Procedures

This policy and its procedures will apply when a university official receives an allegation of possible misconduct in scholarly activity. Circumstances in individual cases may require variation from normal procedures to meet the best interest of the university or an external sponsor, if applicable. Deviation from the normal procedures must ensure fair treatment of the subject of the allegation. Any significant variation should be approved in advance by the scholarly misconduct officer (SMO).

The SMO is the associate provost and has primary responsibility for implementing the university's policies and procedures for allegations of scholarly misconduct. Responsibilities of the SMO include: (1) assessing allegations of scholarly misconduct to determine if they fall within the definition of scholarly misconduct and warrant an inquiry on the basis that the allegation is sufficiently credible and specific so that potential evidence of scholarly misconduct may be identified; (2) overseeing inquiries and investigations; and (3) handling other responsibilities as described in this policy.

A. Reports of alleged misconduct in scholarly activity may be submitted to a university academic official, including unit heads, college deans, dean of the Office of Research and Graduate Studies, *A*~~a~~ssociate *P*~~p~~rovost, and *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs. The allegation should be submitted in writing and should detail the nature of the allegation and state if any efforts have been made to address the complaint.
B. All proceedings will be confidential and will protect the rights and reputations of the individuals involved. Notwithstanding, information may be disclosed in order to adequately conduct an inquiry.
C. Within 10 working days of receipt of an allegation of misconduct in scholarly activity, the written allegation will be forwarded to the SMO who, in consultation with appropriate individuals, will determine whether misconduct in scholarly activity may have occurred and whether an inquiry is warranted.
D. If an inquiry is warranted, the SMO will inform the individual(s) of the allegation and will determine if a formal review is required or if the allegation can be resolved by the SMO with the parties involved.
E. If the need for a formal review is determined, the SMO will establish a three-member investigative committee consisting of one member appointed by the SMO and one member selected by the individual(s) in question. These two members will select the third member from the SFA faculty. In all cases, the individuals selected should not create, or create the appearance of, a conflict of interest.
F. The committee will hear from the complainant and any witnesses, and after reviewing the evidence, will hear from the individual(s) and review evidence they may provide. Upon conclusion of these activities, the committee will draft a report of findings to the SMO that states whether in its judgment, misconduct in scholarly activity has occurred, will detail the evidence that supports the conclusion, and will make recommendations for appropriate

corrective actions.

G. A copy of the draft report of findings will be presented to the complainant and the individual(s) for review. The complainant and individual(s) have five working days upon receipt of the report to submit written comments to the committee.
H. Within 30 calendar days of receiving the draft report, a final report will be prepared by the committee, including any comments provided by the complainant and the individual(s).
I. The final report with recommendations and outcomes will be reviewed and considered for approval by the SMO. Once approved, the complainant and the individual(s) will receive a copy of the final report.
J. Corrective actions may include but are not limited to:
    - notification to involved parties, as appropriate;
    - withdrawal or correction of all pending or published abstracts and papers involving the misconduct;
    - removal of the responsible person(s) from the particular project, letter of reprimand, special monitoring of future work, probation, suspension, or initiation of procedures leading to revocation of tenure or termination of employment;
    - restitution of funds to a grantor agency or other entities; and
    - other actions appropriate to the misconduct.
K. In cases warranting corrective action, the final report and/or other information regarding the complaint or inquiry may be disclosed as necessary to effectuate any recommendations or corrective actions, or otherwise notify affected individuals.

The individual(s) may appeal the decision to the ~~p~~*P*rovost and *Executive V*~~v~~ice *P*~~p~~resident for ~~a~~*A*cademic ~~a~~*A*ffairs within ten working days of receipt of the final report. In considering the appeal, the *P*~~p~~rovost and *E xecutive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs will consider the final report, comments submitted by the individual(s), and any other evidence deemed relevant.

Cross Reference: Student Academic Dishonesty (4.1); Faculty Code of Conduct (7.11); Financial Conflicts of Interest in Sponsored Activities (8.2); Misconduct in Federally Funded Research (8.7); Ethics (2.6).

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs

Revision History: July 23, 2019
January 26, 2016

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Oral English Proficiency Program

Policy Number: 5.14

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/31/2017

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy is a requirement by Texas state law ensuring all faculty members speak or write proficient english so their classes can be taught in english.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Eliminated the ELI program wording as that is no longer being used at SFA and the education code associated with this policy changed.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

~~Oral~~ English Proficiency ~~Program~~

Original Implementation: September, 1990
Last Revision: ~~October 29, 2018~~*January 30, 2023*

Texas state law requires instruction at public colleges and universities *to* be delivered in understandable English. Each public institution is required to adopt a policy *that* establish*es*~~ing~~ a procedure to ensure *that* ~~that~~*all faculty members speak or write* proficient English. ~~is spoken by all faculty members, including graduate teaching fellows/assistants.~~ "Faculty member," *for the purpose of this policy*, means a person who teaches a course offered for academic credit by an institution of higher education*; this individual would be any instructor of record and includes adjuncts and graduate teaching assistants. This faculty member definition excludes all librarian ranks*. It is the responsibility of academic deans and unit heads to monitor the English proficiency of *incoming and* current faculty and to address deficiencies where there is ~~a~~ need. The written request for employment contract for these faculty members will bear the following administrative endorsement: "I attest that the English language proficiency of the candidate has been considered, and the candidate is qualified to fill this position."

A*n exception to this policy may occur when a* faculty member ~~may~~ use*s* a foreign language to conduct foreign language courses designed to be taught in a foreign language. Additionally, an exception will be allowed in cases of joint international programs where the course may be taught in the language of the visiting faculty member.

~~*During the search process for instructional positions, or during the appointment of temporary faculty members (e.g., adjuncts, visiting positions, or graduate teaching assistants),* faculty, *academic unit heads, and/or deans will assess the candidate's* written *written English language proficiency during the review of application materials. The academic unit heads and/or deans will further assess the candidate's oral English language proficiency during interviews, the presentation of scholarship or creative activity, and/or the teaching demonstration. As appropriate, during hiring processes for permanent positions,* , using *the approved applicant review matrix may be used to assess English proficiency.* , and will assess the candidate's oral English language proficiency during interviews, the research presentation, and/or the teaching demonstration, using the approved feedback form. *This* written *feedback* form from faculty and administrators w*will include an assessment of* the oral *English language proficiency. The written request for employment contract for these faculty members will bear the following administrative endorsement: "I attest that the English language proficiency of the candidate has been considered, and the candidate is qualified to fill this position."*~~

Further, ~~Each written request for the employment contract for instructional personnel will bear the following endorsement from the academic unit head and from the academic dean: "I attest that this candidate's English language proficiency has been considered as to his/her English oral and written language proficiency and is qualified to fill this position vacancy."~~ ~~A~~all persons ~~applying~~ *hired* for ~~a~~*instructional* positions at the university ~~that involves course instruction will be~~*are* required to indicate on *t*~~T~~he New Employee Work Authorization Questionnaire whether English is their primary language. ~~Aside from native speakers, an individual *is considered proficient in the* 's primary language will be *also* considered English *language* if he/she completed an undergraduate or graduate degree at an accredited institution of higher education in the United States, not including U.S. Territories.~~ *Faculty members who indicate their primary language other than English may be required to demonstrate proficiency in English by passing a formal assessment (e.g., Internet-based test [IBT] Test of English as a Foreign Language [TOEFL] speaking score of 26, or with an International English Language System [IELTS] speaking score of seven).*

~~Newly hired faculty members who do not identify English as their primary language must *receive endorsement of proficiency from the academic unit head and from the academic dean.* The Each written request for the employment contract for these faculty members instructional personnel will bear the following administrative endorsement: from the academic unit head and from the academic dean: "I attest that the this candidate's English language proficiency of the candidate has been considered, as to his/her English oral and written language proficiency aand the candidate is qualified to fill this position vacancy."~~

~~*When*~~*Should it ~~is~~be determined by the chair or dean that there is a concern with ~~the~~a continuing faculty member's oral and/or written English, as evidenced by student and/or faculty comments, the faculty member may also be required to -*

demonstrate proficiency in English by passing a formal assessment (e.g., Internet-based test [IBT] Test of English as a Foreign Language [TOEFL] speaking score of 26, or with an International English Language System [IELTS] speaking score of seven). ~~demonstrate their oral proficiency in English through a two-part assessment:~~

1. ~~Pass an approved test ofof English proficiency (Internet-based test [IBT] Test of English as a Foreign Language [TOEFL] speaking score of 26, International English Language System [IELTS] speaking score of seven, or American Council on the Teaching of Foreign Languages [ACTFL] Oral Proficiency Interview score at advanced mid).~~ *If a chair or dean concludes that a faculty member's teaching effectiveness is seriously diminished by English language deficiencies, the dean or chair shall require the faculty member to take a personalized short course or developmental program as approved by the ~~Board~~Office of Human Resources to remediate those deficiencies. -*
2. ~~Receive a rating of oral English proficiency by a two-person team from the university's English Language Institute (ELI) through observation of a regularly scheduled class during the first two weeks of the initial academic term.~~

The academic unit head will place ~~in the faculty member's employment file~~ the results of these *English* ~~oral~~ proficiency performances *in the faculty member's employment file*. ~~–~~A copy of the English proficiency outcome will be forwarded to the appropriate dean.

Faculty members who do not demonstrate English proficiency will be allowed one year to successfully complete a personalized short course or development program to remediate those deficiencies. W–ith the approval of the academic unit head and dean, additional time to remediate deficiencies is possible. Texas law requires the faculty member to bear the costs of the program. Unsatisfactory performance in this course will result in appropriate action being taken by the University, up to and including dismissal from employment.

Refusal by *the faculty member* ~~an individual~~ to participate in any *English language* assessment, *reassessment, and/or prescribed tutorial program* ~~of his/her academic English competency~~ *proficiency* ~~will~~ *may* result in *loss of teaching credit-bearing courses or dismissal from employment with the University*. ~~appropriate action being taken by the university, up to and including termination of employment.~~

~~Faculty members who do not demonstrate proficiency in oral English will be allowed one year to complete successfully *complete* the level four Speaking and Listening course of the ELI programa *personalize short course or development program to remediate those deficiencies*. Texas law requires the faculty member to bear the costs of the program. Unsatisfactory performance in this course will result in appropriate action being taken by the university, up to and including termination of employment.~~

Cross Reference: Tex. Educ. Code § 51.917

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

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

Forms: *Request for Contract;* New Employee Work Authorization Questionnaire

Board Committee Assignment: Academic and Student Affairs

Revision History: October 29, 2018
January 27, 2015
October 12, 2009

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Perfomance Review of Officers Reporting to the Provost and Executive Vice President for Academic Affairs

Policy Number: 4.8

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2022

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for performance reviews of officers reporting to the provost and executive vice president for academic affairs.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Minor edits and new policy name.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Performance Review of Officers Reporting to the Provost and *Executive* Vice President for Academic Affairs

Original Implementation: December 6, 1979
Last Revision: January ~~28, 2020~~*30, 2023*

The *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs will conduct an annual performance review of each administrator who reports directly to the provost's office. The review will focus on the performance of assigned responsibilities.

During the second year of service and once every three years thereafter, the review will be augmented by written input from peers, including appropriate deans, academic unit heads, faculty, and administrative staff. The *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident for *A*~~a~~cademic *A*~~a~~ffairs is responsible for developing the survey questions.

The *P*~~p~~rovost and *Executive V*~~v~~ice *P*~~p~~resident will submit a summary report to the individual reviewed and to the president.

Cross Reference: None

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
April 15, 2014
January 28, 2014
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Stone Fort Museum Collections

Policy Number: 5.17

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides the guidelines on the way collections are added to the stone fort museum.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: No changes.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Stone Fort Museum Collections

Original Implementation: April 1982
Last Revision: ~~October 28, 2019~~*January 30, 2023*

The Stone Fort Museum houses a selective collection of artifacts that the museum's curator determines useful in interpreting the prehistory and history of East Texas prior to 1900. Special emphasis is placed on the Spanish and Mexican periods that began in 1690 with the establishment of the Spanish Mission Tejas and ended with the overthrow of the Mexican government in 1836 by Texas revolutionists.

Permanent Acquisition Policies

1. Objects are added to the collection by means of gifts, bequests, purchases, exchanges, or any transaction by which title to the object passes to the museum. Criteria for acceptance to the permanent collection are the following:
    - Consistency with the museum's focus;
    - A clear title available from the source of acquisition;
    - Adequacy of documentation;
    - Acceptable condition;
    - Ability of the museum to care properly for and use the acquisition;
    - Research potential;
    - Educational, interpretive, and exhibit potential;
    - Intrinsic value associated with important events, individuals, or age and typicality of objects.
2. Potential donors must present evidence of a clear and legal title to any gift, and must complete a "Gift Agreement" form for each donation. Items of questionable provenance or obtained through illicit trade shall not be acquired.
3. In accepting any collection, the museum must acquire any copyright, patent, and/or trademark rights that may legally restrict full use of the acquisition.
4. All donations are tax deductible; however, the museum assumes no responsibility for evaluating donations.
5. All donations become state property and must be outright and unconditional gifts used at the discretion of the museum’s curator.
    - The museum does not accept a gift that contains a condition requiring that it be kept intact, exhibited, either temporarily or permanently, or kept permanently.
    - The museum curator reserves the right to restore, reconstruct, refurbish, or repair any part of any gift.

In the event that a gift is tendered but not accepted by the curator, it must be removed from the Stone Fort Museum within thirty (30) days of notification. All items not removed by this deadline will automatically become the property of the museum and will be subject to disposal.

Incoming Loan Policies

1. The museum does not accept artifacts on loan for extended periods. Temporary loans are considered for special exhibits or programming, but only for assigned time periods. An "Incoming Loan Agreement" form must be completed prior to the loan of objects.
2. All material loaned to the museum is subject to collections care procedures governing permanent collections as outlined in the Stone Fort Museum Policy Manual.
3. All loan items must be removed from the Stone Fort Museum on the date stated on the "Incoming Loan Agreement" form. Any item not removed within thirty (30) days of the deadline will automatically become the property of and subject to the policies of the Stone Fort Museum. Under Texas law, property on loan to a museum for fifteen (15) years or more and to which no person has made claim is considered abandoned. Unless an unexpired loan agreement exists to the contrary, abandoned items will become the property of the museum once the museum's curator notifies the lender.

Outgoing Loan Policies

1. The museum loans collection material solely for educational and/or research purposes. Borrowed items remain the property of the museum and may not be claimed, mortgaged, loaned, assigned, used as collateral, or otherwise encumbered by the borrower. The borrower must complete an "Outgoing Loan Agreement" form.
2. The borrower is prohibited from photographing or digitally recording objects on loan without written consent of the curator, and any prints or digital recordings of the loaned material may not be published for any purposes beyond educational use without written consent of the curator.
3. Any use of the loan material will be credited to the Stone Fort Museum, Stephen F. Austin State University.
4. The borrower will exercise all reasonable precautions to protect the loan from damage, loss, destruction, or alteration. The borrower may not glue, pin, punch, drill, tape, nail, tack, or otherwise violate the integrity of the loan, nor may the borrower clean, repair, retouch, or otherwise alter the loan.
5. In the event of damage, loss, alteration, or any other change in the condition of the loan, the borrower must immediately notify the curator in writing. Damage or loss in shipment must be reported to the curator immediately.

Cross Reference: Tex. Prop. Code Ch. 80; Gift Reporting (3.16); Stone Fort Museum Policy Manual

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

Contact for Revision: Curator of the Stone Fort Museum

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

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
November 7, 2016
January 28, 2014
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Student Academic Dishonesty

Policy Number: 4.1

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides the definition, penalties, and procedures for students who show academic dishonesty.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Student Academic Dishonesty

Original Implementation: Unpublished
Last Revision: January ~~28, 2020~~*30, 2023*

Abiding by university policy on academic integrity is a responsibility of all university faculty and students. Faculty members must promote the components of academic integrity in their instruction, and course syllabi are required to provide information about penalties for cheating and plagiarism, as well as the appeal process.

Definition of Academic Dishonesty

Academic dishonesty includes both cheating and plagiarism. Cheating includes, but is not limited to:

- using or attempting to use unauthorized ~~materials~~*resources* on any class assignment or exam;
- falsifying or inventing of any information, including citations, on an assignment;
- helping or attempting to help other student(s) in an act of cheating or plagiarism.

Plagiarism is presenting the words or ideas of another person as if they were one's own. Examples of plagiarism include, but are not limited to:

- submitting an assignment as one's own work when it is at least partly the work of another person;
- submitting a work that has been purchased or otherwise obtained from the Internet or another source;
- incorporating the words,~~ or~~ ideas*, or the expression of ideas* of an author into one's paper or presentation without giving the author credit.

Penalties for Academic Dishonesty

Penalties may include, but are not limited to, reprimand, no credit for the assignment or exam, resubmission of the work, make-up exam, failure of the course, or expulsion from the university.

Procedure for Addressing Student Academic Dishonesty

A faculty member who has evidence and/or suspects that academic dishonesty has occurred will gather all pertinent information and initiate the following procedure:

1. The faculty member will discuss all evidence of cheating or plagiarism directly with the student(s) involved.
2. After consideration of the explanation provided by the student(s), the faculty member will determine whether academic dishonesty has occurred. The faculty member may consult with the academic unit head and/or dean in making a decision.

3. After a determination of academic dishonesty, the faculty member will inform the academic unit head and submit a Report of Academic Dishonesty with supporting documentation to the office of the dean of the student's major. This report will become part of the student's record and will remain on file with the dean's office for at least four years even if the student withdraws prior to receiving a grade.
4. For a serious first offense or subsequent offenses, the dean of the student's major will determine a course of action, which may include dismissal from the university. The dean may refer the case to the college council for review and recommendations before making this determination.

A student's record of academic dishonesty will not be available to faculty members. The purpose of the record is for the dean to track a pattern of academic dishonesty during a student's academic career at Stephen F. Austin State University.

Student Appeals

A student who wishes to appeal decisions related to academic dishonesty should follow procedures outlined in Final Course Grade Appeals by Students (6.3).

Cross Reference: Student Handbook; Final Course Grade Appeals by Students (6.3); and Course Add/Drop (6.10)

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

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

Forms: Report of Academic Dishonesty Form

Board Committee Assignment: Academic and Student Affairs

Revision History: January 28, 2020
January 31, 2017
July 29, 2014
July 19, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Student Media

Policy Number: 10.8

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Department of Student Publications and Department of Mass Communication

Purpose of Policy (what does it do): Acknowledge existence and importance of student media on campus; outline the individual campus news outlets and how each functions at the univeristy

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Updates on publication format, yearbook distribution, and text clarification regarding revenue.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Amy Roquemore, director of student publications and divisional media
John Hendricks, chair of the department of mass communication
Brandon Frye, Vice President of Student Affairs
Damon Derrick, General Counsel

Student Media

Original Implementation: October 26, 1999
Last Revision: January ~~28, 2020~~*30, 2023*

Stephen F. Austin State University has long recognized the importance of providing for the establishment of student media on campus. These media are the chief means of communicating campus news, providing student entertainment, and expressing student opinion. They also provide experience for students who are working toward ~~a career~~*careers* in ~~the~~ mass media *and related fields*.

Student Publications

The Pine Log, which is the student newspaper, and ~~the~~ *Stone Fort*, which is the *student* yearbook, were the first student media to be established *on campus*. They have existed virtually from the founding of ~~Stephen F. Austin State University~~*the institution*. *The Pine Log* publishes *primarily online, offering* campus news, *photos*, letters to the editor, *opinion pieces, and* ~~local~~ advertising~~, and editorials~~. *The Stone Fort preserves, in written and photographic form, the news, events, trends, traditions, and campus life of each academic year for posterity. Both The Pine Log and Stone Fort operate as editorially independent publications with all decisions regarding design and content resting solely with student staff members.*

The ~~Office~~ *Department* of Student Publications, housed in the *Office of Student Life within the* Division of ~~University~~ *Student* Affairs, is the unit which governs the operation of both ~~the *Stone Fort* and~~ *The Pine Log and Stone Fort.* These publications are intended to ~~be primarily self-supporting~~*produce revenue supporting their operations*. Income is derived from the sale of yearbooks, and, in the case of *The Pine Log*, advertising. The director of student publications and divisional media is the administrative leader of ~~both publications~~*the department* and reports to the ~~vice president for university affairs~~*executive director of student life*. The director shall be responsible for all managerial aspects of student publications. This shall include fiscal management, office staff management and student staff management. The director of student publications and divisional media shall also provide editorial counsel to the student staffs of *The Pine Log* and *Stone Fort* regarding customary news and advertising practices as well as applicable legal issues.

The Student Publications Committee, appointed by the vice president ~~for~~ *of* ~~university~~ *student* affairs, shall serve as an advisory body to student publications. The committee shall recommend editorial policy and provide advice in the appointment of *The Pine Log* and *Stone Fort* editors-*in-chief*. In addition, the committee shall:

a. ~~foster and preserve the American tradition of free expression~~*promote, support, and defend the First-Amendment and free-press rights of student journalists*

b. act as an appeals body on ~~editorial, advertising, and business contracts~~*editorial and advertising matters* related to student publications
c. require compliance with applicable laws in such areas as libel, obscenity, privacy, and false and misleading advertising

The Student Publications Committee shall consist of nine members:

1. The chair of the Department of Mass Communication (committee chair)
2. The director of student publications and divisional media
3. One Mass Communication faculty representative
4. One representative from University Marketing Communications
5. Two faculty members at large
6. Three students at large (not already holding paid positions on ~~the *Stone Fort* or~~ *The Pine Log or Stone Fort*)

Broadcast Media

Stephen F. Austin State University has also provided for the operation of a radio station, KSAU-FM, and a cable television station, SFA-TV2. These facilities shall serve the primary role of laboratories to support the academic program in radio/television and shall be operated by the Department of Mass Communication, housed in the College of Liberal and Applied Arts, Division of Academic Affairs. Two departmental faculty members shall be designated as faculty advisors of radio and television respectively.

~~**Broadcast Media**~~

~~Stephen F. Austin State University has also provided for the operation of a radio station, KSAU-FM, and a cable-connected television facility. These facilities shall serve the primary role of laboratories to support the academic program in radio/television and shall be operated by the Department of Mass Communication, housed in the College of Liberal and Applied Arts, Division of Academic Affairs. Two departmental faculty members shall be designated as faculty advisors of radio and television respectively. These two faculty members shall have one course teaching load reductions to accommodate their responsibilities as advisors of the radio and television operations.~~

Both of these facilities are completely supported by institutional funds and receive no money from student service fees. Programming and production staffs shall consist primarily of students enrolled in various mass communication production courses including the required capstone courses. Faculty who teach the production courses shall supervise the student staffs and serve as the first level of appeal for any issues which might arise.

Programming content for the radio station shall be in compliance with all licensing requirements of the Federal Communications Commission. In addition, the Department of Mass

Communication shall enforce programming guidelines which:

a. comply with any relevant and established university policies
b. to the extent possible reflect current mainstream professional broadcast practice
c. serve a local audience with programming not already readily available
d. serve local informational and cultural needs

The Department of Mass Communication shall enforce television programming guidelines for the local cable channel which:

a. comply with any relevant and established university policies
b. to the extent possible reflect current mainstream professional broadcast practice
c. serve local informational, educational, and cultural needs

Cross Reference: U.S. Const. amend. I

Responsible for Implementation: Provost and *Executive* Vice President for Academic Affairs, Vice President ~~for~~ *of* ~~University~~ *Student* Affairs

Contact for Revision: Chair, Department of Mass Communication and Director of Student Publications and Divisional Media

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Student Organization Risk Management Training

Policy Number: 10.10

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 2/2/2021

Unit(s) Responsible for Policy Implementation: Vice President of Student Affairs

Purpose of Policy (what does it do): Provide risk management training program for student organizations

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Andrew J. Dies, Assistant Vice President of Student Affairs/Dean of Students
Brandon Frye, Vice President of Student Affairs
Damon Derrick, General Counsel

Student Organization Risk Management Training

Original Implementation: October 30, 2007
Last Revision: January ~~28, 2020~~*30, 2023*

At least once during each academic year, Stephen F. Austin State University shall provide a risk management training program for student organizations registered with the office of Student Engagement Programs at the institution.

Four members of each organization are required to attend the training program at least once during the time(s) it is presented during the fall semester. The organization's president and vice president, or their equivalents as listed on the organization's registration with Student Engagement Programs, must be among the four members attending. If an organization has officer positions equivalent to a risk management officer and/or a new member officer, these officers must also attend the program. If the organization does not have officers with the specific titles named, the four highest ranking leaders of their organization are required to attend the training.

Newly registered student organizations must have four appropriate members receive this training within the first 30 business days following its initial registration.

Each listed student organization advisor(s) who has not previously received risk management training as outlined in this policy must also receive this training. For the purposes of this policy an advisor is defined as a person who:

1. serves in an advisory capacity to a student organization to provide guidance to the organization and its members;
2. is older than 21 years of age; and
3. is not an enrolled student at Stephen F. Austin State University, *unless their primary relationship with the University is as an employee*.

The content of the risk management program will include topic areas mandated by the Texas Education Code, as well as topical areas deemed relevant by the university, to include:

1. possession and use of alcoholic beverages and illegal drugs, including penalties that may be imposed for possession or use;
2. hazing;
3. sexual misconduct (including abuse) and harassment, and reporting procedures;
4. fire and other safety issues, including the possession and use of a firearm or other weapon or of an explosive device;
5. travel to a destination outside the area in which the institution is located;
6. behavior at parties and other events held by a student organization;
7. adoption by a student organization of a risk management policy; and

8. issues regarding persons with disabilities, including a review of applicable requirements of federal and state law, and any related policies of the institution, for providing reasonable accommodations and modifications to address the needs of students with disabilities, including access to the activities of the student organization.

~~8.~~*9. review of university policies and procedures that impact student organization processes.*

The university may impose reasonable sanctions on any organization failing to meet the requirements of this policy.

Cross Reference: Tex. Educ. Code § 51.9361

Responsible for Implementation: Vice President of Student Affairs

Contact for Revision: Director of Student Engagement

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
November 7, 2016
October 21, 2013
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Student Travel

Policy Number: 10.12

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Student Affairs

Purpose of Policy (what does it do): Regulates travel undertaken by one or more students enrolled at the institution.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for <u>each</u> substantive revision: Minor updates.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Andrew J. Dies, Assistant Vice President of Student Affairs/Dean of Students
Brandon Frye, Vice President of Student Affairs
Damon Derrick, General Counsel

Student Travel

Original Implementation: October 23, 2001
Last Revision: January ~~28, 2020~~*30, 2023*

State law requires that all institutions of higher education adopt a policy regulating travel that is undertaken by one or more students presently enrolled at the institution to reach an activity or event that is located more than 25 miles from the institution that is organized and sponsored by the institution and meets certain other criteria.

This policy shall apply if the travel is funded by the university, *and*~~;~~ the travel is undertaken using a vehicle owned or leased by the university; or if the travel is required by a registered SFA student organization to an event that has been organized and sponsored by the university.

I. Travel funded by the university and/or using university owned or leased vehicles

University policy 16.23, Rental of University Vehicles, governs the use of university owned vehicles and vehicles rented using university funds from a non-university fleet. All of the requirements of that policy, such as driver qualifications and passenger capacity, apply to student travel as addressed in this policy.

Other specific requirements of this policy include:

a. All occupants must use seat beats, as provided in the vehicle, in the manner recommended by the vehicle manufacturer.

b. Passengers are limited to the number that can be safely restrained using the available number of seat belts.

c. Drivers should continually assess their state of alertness and not begin to drive, or not continue driving, if they are fatigued. There are many factors that impact driver fatigue, all affecting drivers differently; but conditions such as hours without sleep, time of the day, road conditions, etc. should be all considered and monitored.

d. Only drivers meeting the qualifications set forth in policy 16.23 may drive the vehicle. All drivers must be appropriately licensed to drive the vehicle.

II. Travel by personal vehicle or privately leased vehicle

While the university may not be made aware of trips undertaken by students using their private vehicles, or vehicles privately leased by them, the university will publish the requirements of this policy in publications used by registered student organizations at SFA and will encourage their use in all travel undertaken by students for any trip governed by this policy. All drivers are encouraged to be appropriately licensed and the owner of the vehicle(s) is encouraged to maintain appropriate vehicle insurance as required by law.

This policy will be filed with the Texas Higher Education Coordinating Board after the approval of any amendment by the Board of Regents.

Cross Reference: Tex. Educ. Code § 51.950; Rental of University Vehicles (16.23)

Responsible for Implementation: Vice President ~~of Student~~*of Student* Affairs

Contact for Revision: Assistant Vice President of Student Affairs and Dean of Student*s* ~~Affairs~~

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Sunstantive Change

Policy Number: 4.10

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides requirements and guidelines for the university when substantive changes are made or requested.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: SACSCOC procedure changes and other minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Substantive Change

Original Implementation: August 26, 2008
Last Revision: January ~~28, 2020~~*30, 2023*

Stephen F. Austin State University (SFA) is committed to upholding all of the principles and policies of the Texas Higher Education Coordinating Board (THECB) and the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). The university is also committed to establishing and maintaining procedures to facilitate an effective and timely notification process regarding substantive changes.

As a member of SACSCOC, SFA is responsible for notifying and, when necessary, seeking approval for substantive changes from the Commission in accordance with the SACSCOC substantive change policy. The current policy is located on the SACSCOC website.

Substantive change is defined as a significant modification or expansion of the nature and scope of an accredited institution.

~~Notification is defined as a letter from the university president or designee to the president of the commission summarizing the proposed change. Approval is sought through the submission of a SACSCOC application or prospectus.~~

Procedures

The university is required to notify THECB and SACSCOC of substantive changes and request approval, when required, prior to the initiation of the changes. The SFA SACSCOC liaison, appointed by the Office of the Provost and *Executive* Vice President for Academic Affairs, is responsible for coordinating efforts to identify the need for and creation of notifications *or approvals* ~~letters~~ related to substantive change. The Office of the Provost and *Executive* Vice President for Academic Affairs is responsible for all communication with the appropriate governing body.

Under federal regulations, substantive change includes but is not limited to:

- *Substantially changing the established mission or objectives of an institution or its programs.*
- *Changing the legal status, form of control, or ownership of an institution.*
- *Changing the governance of an institution.*
- *Merging / consolidating two or more institutions or entities.*
- *Acquiring another institution or any program or location of another institution.*
- *Relocating an institution or an off-campus instructional site of an institution (including a branch campus).*
- *Offering courses or programs at a higher or lower degree level than currently authorized.*
- *Changing the way an institution measures student progress, whether in clock hours or credit-hours; semesters, trimesters, or quarters; or time-based or non–*

time-based methods or measures.

- *Adding a program that is a significant departure from the existing programs, or method of delivery, from those offered when the institution was last evaluated by SACSCOC.*
- *Initiating programs by distance education or correspondence courses.*
- *Adding an additional method of delivery to a currently offered program.*
- *Entering into a cooperative academic arrangement.*
- *Entering into a written arrangement under 34 C.F.R. § 668.5 under which an institution or organization not certified to participate in the title IV Higher Education Act (HEA) programs offers less than 25% (notification) or 25-50% (approval) of one or more of the accredited institution's educational programs. An agreement offering more than 50% of one or more of an institution's programs is prohibited by federal regulation.*
- *Substantially increasing or decreasing the number of clock hours or credit hours awarded or competencies demonstrated, or increasing the level of credential awarded, for successful completion of one or more programs.*
- *Adding competency-based education programs.*
- *Adding each competency-based education program by direct assessment.*
- *Adding programs with completion pathways that recognize and accommodate a student's prior or existing knowledge or competency.*
- *Awarding dual or joint academic awards.*
- *Re-opening a previously closed program or off-campus instructional site.*
- *Adding a new off-campus instructional site/additional location including a branch campus.*
- *Adding a permanent location at a site at which an institution is conducting a teach- out program for students of another institution that has ceased operating before all students have completed their program of study.*
- *Closing an institution, a program, a method of delivery, an off-campus instructional site, or a program at an off-campus instructional site.*

- ~~Initiating coursework or programs at a different level than currently approved;~~
- ~~Initiating off-campus sites (including but not limited to Early College High School, dual enrollment programs offered at a high school, and certificate programs);~~
- ~~Expanding programs at current degree level;~~
- ~~Expanding program offerings at previously approved off-campus sites;~~
- ~~Initiating degree completion programs;~~
- ~~Initiating a branch campus;~~
- ~~Initiating distance learning;~~
- ~~Relocating a main or branch campus;~~
- ~~Entering into a contract with an entity not certified to participate in U.S. Department of Education (USDOE) Title IV programs;~~
- ~~Initiating dual or joint degrees;~~
- ~~Initiating a new site;~~
- ~~Initiating a direct assessment competency-based program;~~
- ~~Initiating a merger/consolidation with another institution;~~

- ~~Changing governance, ownership, control, or legal status of an institution;~~
- ~~Acquiring any program or site from another institution;~~
- ~~Adding a permanent location at a site where the institution is conducting a teach-out for students from another institution that is closing;~~
- ~~Initiating a certificate program at a new off-campus site at employer's request and on short notice (previously approved program);~~
- ~~Initiating a certificate program at employer's request and on short notice;~~
- ~~Adding a site under a U.S. military contract for a previously approved program;~~
- ~~Altering significantly the length of a program;~~
- ~~Altering significantly the educational mission of the institution;~~
- ~~Changing from clock hours to credit hours;~~
- ~~Moving an off-campus instructional site;~~
- ~~Initiating programs or courses offered through contractual agreement or consortium; or~~
- ~~Closing a program, approved off-campus site, branch campus, or institution.~~

An institution is required to notify or secure SACSCOC approval prior to implementing a substantive change. An institution is responsible for maintaining compliance at all times with Standard 14.2 (Substantive change) of the Principles of Accreditation and with the Substantive Change Policy and Procedures and related policies.

When planning to make changes that may require substantive change notification *or*~~and~~ approval, proposal sponsors must consult with the SFA SACSCOC liaison to determine the appropriate procedure for the proposed change.

The SFA curriculum review cycle is the process used to identify substantive changes related to the addition, deletion, or modification of courses and degree programs. In addition, all proposals for distance education, off-campus sites, and certificate program requests will follow the curriculum review process. All proposals must follow and document adherence to curriculum review and approval policies and processes described in the university policy on Curriculum Reviews, Modification~~s~~, and Approvals (5.7). *When applicable, t*~~T~~he SFA SACSCOC liaison will provide the information necessary to prepare a prospectus in accordance with the requirements outlined in the SACSCOC Substantive Change Policy and THECB substantive change guidelines. The SACSCOC prospectus and/or THECB proposal must accompany the Curriculum Change Request.

At least once each academic year, the SACSCOC liaison will provide information to the academic deans, division vice presidents, and academic unit heads regarding substantive change policies and procedures. During this session, the deans, division vice presidents, and academic unit heads will identify potential substantive changes.

All substantive change education and review activities must be coordinated to allow ample time to satisfy the time frame for notification and/or approval as set by THECB and/or SACSCOC. SFA will adhere to the reporting times as specified in THECB guidelines and in the Substantive Change for SACSCOC Accredited Institutions policy statement.

~~The Office of the Provost and Vice President for Academic Affairs is responsible for conducting an ongoing review of curricular revisions to identify changes that may be substantive in nature and may require reporting or prior approval by THECB,SACSCOC, and/or accrediting body appropriate to the discipline. The provost and vice president for academic affairs will determine whether changes are substantive and will initiate appropriate reporting and approval processes in compliance with THECB and SACSCOC policies and procedures.~~

Cross Reference: Curriculum Reviews, Modifications and Approvals (5.7); SACSCOC Substantive Change Policy; THECB guidelines*; 34 CFR § 668.5*

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

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

Forms: Forms for program revision, course proposals, substantive change, and distance education are available at the Academic Affairs website http://www.sfasu.edu/acadaffairs/.

Board Committee Assignment: Academic and Student Affairs

Revision History: January 28, 2020
January 31, 2017
October 18, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Summer Teaching Appointments

Policy Number: 7.28

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for faculty summer teaching.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Summer Teaching Appointments

Original Implementation: April 20, 2004
Last Revision: ~~October 28, 2019~~*January 30, 2023*

The university offers no guarantee of a summer teaching appointment to any faculty member except as specifically contracted. All summer instructional contracts are contingent upon sufficient class enrollments and availability of funding. Salaries in summer instructional ~~contracts~~ *appointments* are subject to proration depending upon enrollment.

Utilizing student and programmatic needs and considering faculty input, each academic unit and college is required to adopt a written policy concerning the allocation of summer teaching assignments. These policies will define priority for summer course offerings and set criteria for allocating teaching assignments among the eligible faculty. The impact of grant funds on summer employment should be considered.

Summer teaching policies must be approved by the academic dean and the *P*~~p~~provost and *Executive* ~~v~~*V*ice ~~p~~*P*resident for ~~a~~*A*cademic ~~a~~*A*ffairs. Once final approval is obtained, a copy of the policy will be made available to the faculty. The policy must be reviewed by academic units and colleges every five years.

Cross Reference: ~~Faculty Handbook,~~ Faculty Workload (7.13)

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

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

Forms: None

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
January 31, 2017
January 28, 2014
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Tenure and Continued Employment

Policy Number: 7.29

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/28/2019

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy provides guidelines and principles for continued employment, pre-tenure, and tenure review of full time faculty members.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Steve Westbrook, Interim President
Damon Derrick, General Counsel

Tenure and Continued Employment

Original Implementation: April 27, 1970 and April 3, 1979
Last Revision: ~~October 28, 2019~~*January 30, 2023*

Tenure may be awarded according to established procedures after an appropriate probationary period, or when an individual who already has tenure at another institution is hired for a senior-level position. Tenure is only awarded after candidates successfully demonstrate that they have met or exceeded performance standards in teaching, research/scholarly/creative accomplishments, and service as established by the academic unit. Extensions of employment beyond the probationary period should not be construed as entitlement to tenure.

Tenure is only granted as prescribed in this policy. Tenure will normally be restricted to full-time faculty members who have earned the highest academic degree customarily awarded in their field of study. Exceptions may be granted by the *P*~~p~~rovost and *Executive* ~~v~~*V*ice ~~p~~*P*resident for ~~a~~*A*cademic ~~a~~*A*ffairs.

This policy establishes procedures to be used for tenure in all academic units of the university. Academic units are responsible for establishing rigorous standards for teaching, research/scholarly/creative accomplishments and service for use in decisions regarding tenure. Unit standards must be approved by the dean and by the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs.~~.

I. General Provisions
   A. Definitions
      1. "Tenure" is a status that may be earned by faculty members and librarians who hold academic rank as defined in policy 7.2, Academic Appointments and Titles. Tenure allows these personnel to continue in their positions, unless dismissed for good cause, circumstances of exigency, or discontinuance of a program or academic unit.
      2. "Academic unit" normally refers to a subdivision of a college, but can also refer to the library.
      3. "Academic unit head" is the administrator immediately responsible for the academic unit.
      4. "Tenure review portfolio" (referred to hereafter as the portfolio) is a set of verifiable materials demonstrating evidence of a candidate's credentials and suitability for tenure. ~~–~~The portfolio should contain a succinct, relevant, substantive and cumulative record of a candidate's performance during the probationary review period at Stephen F. Austin State University (SFA); for senior-level and administrative positions, the portfolio will consist of materials requested by the ~~provost and vice president~~ *Provost and Executive Vice*

President for Academic Affairs~~for academic affairs~~.

5. "Academic year" as used in this policy is the full nine-month period from September through May.
6. "Rigorous standards" are a set of verifiable standards developed by tenured faculty in the academic unit and are subject to approval by the dean and the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~. Standards for tenure may be distinct from standards for promotion.

B. Tenure Policy Principles

1. Recommendations for granting or denying tenure will be based on a verifiable record of performance.
2. Recommendations and decisions on tenure will not discriminate on any basis prohibited by law or policy.
3. The required content of the portfolio and the academic unit standards will be available to the candidate and the reviewers.
4. The tenure policy and guidelines at the time of hire will be used for evaluation and rating during the critical year for tenure as stated in the initial contract letter.
5. The portfolios of all candidates within a given academic unit should conform to the same criteria, although variation related to the nature of the candidate's activity is expected.
6. Review committees must consistently follow tenure procedures when evaluating all candidates within a college.
7. Each critical area—teaching, research/scholarly/creative accomplishment, and service—must be evaluated and rated separately and will include criteria addressing collegiality. An overall tenure rating must also be provided.
8. At a minimum, the rating system must include two levels—satisfactory/meets expectations and unsatisfactory/does not meet expectations.
9. Each person in the review process has a professional responsibility to treat information that evaluates another's work as confidential unless otherwise required by law.
10. Allegations of misconduct made against a candidate during the tenure review process will not be considered by the reviewers. Confirmed professional misconduct that occurred during the probationary period is a valid consideration.

II. Appointments

A. With the exception of special appointments clearly limited to a brief association with the university and reappointments of retired faculty members on special conditions, all full-time appointments eligible for tenure under Academic Appointments and Titles (7.2) will be either 1) tenured or 2) probationary.

1. Tenured appointments will require that, prior to the appointment, the candidate successfully complete tenure procedures specified in this policy.
2. Probationary appointments are subject to annual renewal at the university's

discretion and are made on the basis of several factors.

a. A probationary faculty member's tenure status and years of credit for probationary service will be specified in the initial appointment letter, along with any conditions.
b. Beginning with full-time appointment to the rank of instructor or above, the probationary period for a faculty member will not exceed six years, including within this period credit granted for appropriate full-time service in all institutions of higher education, unless extended as permitted by university policy.
c. At the discretion of the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs* ~~for academic affairs~~, prior full-time service at another university may be counted toward fulfillment of the required probationary period for tenure at SFA. Normally this credited time is no more than two years and must be determined at the time of initial appointment to a tenure-track position.
d. Leaves of absence for appropriate scholarly reasons specified in Policy 12.11, *Leaves of Absence and Miscellaneous Leave – Faculty and Staff*, will count as part of the probationary period, unless an exception to this provision is agreed to in writing at the time the leave is granted.
e. Leaves of absence for one semester or more due to health-related issues or military service as specified in Policy 12.11 will not be counted toward fulfillment of the required probationary period, unless an exception to this provision is agreed to in writing at the time the leave is granted.
f. For purposes of calculating the period of probationary service, an "academic year" is the full nine-month period from September through May. If a faculty member begins service after September 1, the partial year will not be counted toward fulfillment of the maximum probationary period.
g. The portfolio must be submitted in the fall semester of the final year of probationary service, unless permission is granted by the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs* ~~for academic affairs~~ for earlier submission.
h. Circumstances may justify adjustment of the probationary period. It is the faculty member's responsibility to provide documentation that demonstrates why an adjustment should be granted. This documentation must be submitted to and approved by the candidate's academic unit head, dean and then the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs* ~~for academic affairs~~.

B. The reappointment of probationary faculty will be determined by the appropriate academic administrators.
C. Notice of reappointment will be in writing and will specify the probationary faculty member's tenure status, years of credit for probationary service and any special

conditions. Any special conditions contained in the initial appointment letter will continue to be in effect until expressly revoked by the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~, regardless of whether such special conditions were re-published in the annual contract letter.

D. Notice of non-reappointment, or of intention not to reappoint a faculty member, will be provided in writing according to the following schedule. Non-reappointment may be made for any lawful reason or no reason.
   1. During the first year of probationary service, notice will be provided no later than March 1 and termination will occur at the end of that year's contract.
   2. During the second year of probationary service, notice will be provided no later than December 15 and termination will occur at the end of that year's contract.
   3. During subsequent years of a probationary appointment, the faculty member will be notified no later than August 31 that a terminal contract will be offered for the next academic year.

III. Pre-tenure Reviews

A. Each college and its academic units will establish a pre-tenure review process that is approved by the dean and the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~. Copies must be filed in the offices of the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs* ~~for academic affairs~~ and the general counsel. Each faculty member's progress toward tenure will be formally reviewed at least once during the probationary period. The process must allow all tenured faculty members at the academic unit level, the academic unit head, elected tenured faculty (one from each academic unit) at the college level, the dean, and the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~ to review probationary faculty materials. The candidate will receive written feedback that includes strengths and weaknesses (with recommendations for addressing any weaknesses), a statement indicating whether the candidate is progressing satisfactorily toward tenure, and specific expectations concerning the continuation of appointment. At a minimum, pre-tenure reviews must be conducted according to the following schedule:
   1. Faculty fulfilling a six-year or five-year probationary period must be reviewed in the third year of probationary service.
   2. Faculty fulfilling a four-year or three-year probationary period must be reviewed in the second year of probationary service.

B. Failure to submit the pre-tenure portfolio will result in a terminal contract for the following academic year.

IV. Tenure Reviews

A. The academic unit, with approval of the dean and the ~~provost and vice president~~

Provost and Executive Vice President for Academic Affairs~~for academic affairs~~, will establish tenure standards for teaching, research/scholarly/creative accomplishments and service. Each college and its academic units will also establish a tenure review process that is approved by the dean and the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~.

1. Copies must be filed in the offices of the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~ and the general counsel.
2. The process must allow all tenured faculty members at the academic unit level, the academic unit head, elected tenured faculty (one from each academic unit) at the college level, and the dean to review probationary faculty materials.
3. Academic unit heads and deans may consider other pertinent information during the review process. All candidates for tenure will be evaluated based upon standards in place as of the candidate's initial contract letter.
4. Research/scholarly/creative achievements produced prior to employment at SFA will only count toward fulfilling an academic unit scholarship requirement for tenure if recommended by the unit head and dean in the initial hiring contract and approved by the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~.

B. During the academic year prior to the year of the tenure review, the academic unit head will meet with the candidate to discuss the tenure review process including the requirements for preparation of the portfolio, which is due the following fall semester.
   1. A candidate must apply for tenure in the final year of probationary service, according to the date specified in the initial contract or the schedule set by the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~.
   2. Candidates are responsible for preparing and submitting a portfolio that demonstrates how the candidate meets or exceeds the tenure standards. The portfolio must contain all relevant supporting materials, including a table of contents, current vitae, all annual performance reports, all pre-tenure reviews, all administrative evaluations, all student evaluations while at the university since the candidate's pre-tenure review and other materials required by the academic unit. The candidate may consult with the academic unit head (or dean) in preparation of the portfolio.
   3. Faculty members in administrative positions will submit their portfolios to their immediate supervisors who will receive recommendations and supporting comments from the tenured faculty reviewers at the academic unit and college levels. In all other respects the review process for faculty in administrative positions will be consistent with the approved faculty review process for their college.

4. Faculty members with concurrent appointments in two academic units and/or two colleges will be evaluated by both academic units and/or colleges.

C. The candidate will be notified in writing within five (5) class days after the academic unit head completes all recommendations regarding applications for tenure. Within five (5) class days of reviewing the written recommendation and supporting comments, the candidate may attach a letter of response addressing errors of fact in the recommendation. Such a notification and any subsequent response by the candidate will become part of the candidate's portfolio.

D. The candidate will be notified in writing within five (5) class days after the college tenure committee and dean complete all recommendations regarding applications for tenure. Within five (5) class days of reviewing the written recommendation and supporting comments, the candidate may attach a letter of response addressing errors of fact in the recommendation. Such a notification and any subsequent response by the candidate will become part of the candidate's portfolio.

E. The complete portfolio will then be submitted to the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~ for review. The ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~ will submit the complete portfolio and a recommendation to the president and notify the candidate of the recommendation.

F. The president will review the complete portfolio and recommendations and any other evidence deemed pertinent as a basis for a recommendation to the Board of Regents.

G. The recommendation of the president is then submitted for consideration by the Board of Regents. Tenure may only be granted by official action of the Board of Regents. Within the next class day following the action of the Board of Regents, each candidate will be notified in writing of the board's action by the ~~provost and vice president~~ *Provost and Executive Vice President for Academic Affairs*~~for academic affairs~~.

V. Termination and Non-Renewal of Contracts Procedural Guarantees

A. Tenured or Probationary Faculty with an Unexpired Appointment Extending Beyond the Date of Proposed Dismissal

1. Good cause for the dismissal of a probationary faculty member whose specified term of employment has not expired, or for the revocation of tenure and dismissal of a tenured faculty member includes but is not limited to: moral turpitude; conviction of any felony; professional incompetence; substantial neglect of professional responsibilities; finding of sexual harassment/misconduct or discrimination under policies 2.11, *Nondiscrimination* and/or 2.13, *Title IX*; bona fide financial exigency or phasing out of programs or an academic unit requiring faculty reduction; and physical or mental disability of a continuing nature rendering the faculty member unable to perform professional responsibilities of the position.
2. The burden of proof that good cause exists for dismissal rests with the university.

The burden of proof will be by preponderance of the evidence.

3. Dismissal will be preceded by discussion between the faculty member and appropriate administrative officers of the university. If a mutually agreeable resolution cannot be achieved, a written statement of specific charges will be prepared by the president or the president's designee.
4. If a written statement of specific charges is issued, the faculty member has the right to a hearing by a hearing committee of the grievance panel. Notice of the hearing with specific charges in writing will be served at least twenty (20) calendar days prior to the hearing. Hearings should be completed without undue delay. The hearing will be private and confidential, to the extent allowed by law, unless the faculty member elects to have a public hearing.
    a. The hearing committee will be comprised of seven members selected from the grievance panel; three will be selected by the faculty member, three by the president's designee and one by random selection. The faculty member and the university may each challenge the selection of two committee members without stated cause. In the event the faculty member fails to make his/her selection, the three individuals will be selected at random. If a selected member of the hearing committee deems himself/herself biased, he/she will remove herself/himself and an alternate selection will be made using the same procedure that named the removed committee member.
    b. The hearing committee will assign members' roles and establish procedures to carry out its responsibilities in a manner that affords both parties due process and fairness. At a minimum, both parties have the right to appear in person at the scheduled time, present all evidence that is relevant or material to the matter, and introduce and cross-examine witnesses.
    c. The faculty member may have an advisor present at the hearing; however the advisor may only consult and advise the faculty member and is not permitted to participate in the hearing.
    d. At least five (5) calendar days prior to the hearing, the faculty member and president's designee will provide the hearing committee and each other with copies of any evidence to be used at the hearing, the names of witnesses to be called, and a summary of each witnesses' expected testimony.
    e. The hearing committee will not be bound by strict rules of legal evidence and may consider any evidence of probative value.
    f. The hearing committee, by a majority of its total membership, will make written findings on each charge and recommendations. The findings and recommendations will be based solely on the hearing record. The hearing committee's findings, recommendations, and the basis for them will be communicated in writing to the faculty member and the president. It will be accompanied by a verbatim written record and audio recording of the

hearing.

g. If the hearing committee concludes that good cause for dismissal has not been established by the evidence in the record and the president rejects the committee's recommendation, the reason for doing so will be stated in writing to the committee and the faculty member. The president will provide a reasonable time for response before presenting the case to the Board of Regents.

5. When it is the president's final judgment to recommend dismissal, the recommendation, a verbatim written record of the hearing, and the report of the hearing committee will be presented to the Board of Regents.

   a. If the recommendation of the president for dismissal conflicts with the recommendation of the hearing committee, the Board of Regents will review the case based on the record of the hearing, with opportunity for argument by the faculty member and president's designee.

   b. If the recommendations of the president and the hearing committee are in accord, the Board of Regents may choose to limit its review to the record of the hearing. The Board of Regents chair will communicate the decision in writing through the president to the chair of the hearing committee and the faculty member.

6. Pending action by the Board of Regents, the faculty member may be suspended without pay and immediately removed from the university, or assigned to other duties with pay, if the faculty member: (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 of a felony or crime of moral turpitude. In cases of suspension or reassignment, the president will set a hearing before the appropriate administrator or committee on the faculty member's case as soon thereafter as is practical unless otherwise waived by the faculty member.

7. Faculty members with tenure subject to termination due to failure to successfully complete a plan for assisted development will be given the opportunity for referral of the matter to a nonbinding alternative dispute resolution process as described in Chapter 154, Civil Practice and Remedies Code, or other type of alternative dispute resolution as mutually selected by the faculty member and president or president's designee.

B. Probationary Faculty Whose Contract is Not Renewed

1. A probationary faculty member who has been notified of non-reappointment may appeal through the proper channels only on presentation of a prima facie case that constitutional guarantees or academic freedom was violated. Appeals will adhere to the following schedule:

   a. Non-reappointment on or before March 1 during the first year of probationary service must be appealed within 30 days of notification.

   b. Non-reappointment on or before December 15 during the second year of

probationary service must be appealed within 60 days of notification.

c. Non-reappointment during a subsequent year of probationary service must be appealed within 30 days after the beginning of the next *academic year*~~fall term~~.

2. The burden of proof for allegations of abridgement of constitutional guarantees or academic freedom is upon the probationary faculty member. The burden of proof will be by the preponderance of the evidence.
3. A faculty member who alleges abridgement of constitutional guarantees or academic freedom will present evidence to a grievance panel hearing committee.
   a. The committee will be comprised of five members selected from the grievance panel; two will be selected by the faculty member, two by the president's designee, and one by random selection. The faculty member and the university may each challenge the selection of one committee member without stated cause. In the event the faculty member fails to make his/her selection, the two individuals will be selected at random.
   b. The committee will assign members' roles and establish procedures to carry out its responsibilities.
   c. The faculty member may have an advisor present at the hearing; however the advisor may only consult and advise the faculty member and is not permitted to participate in the hearing.
   d. At least five (5) calendar days prior to the hearing, the faculty member and president's designee will provide the committee and each other with copies of any evidence to be used at the hearing, the names of witnesses to be called, and a summary of each witnesses' expected testimony.
   e. Hearings should be completed without undue delay. The hearing will be private and confidential, to the extent allowed by law, unless the faculty member elects to have a public hearing.
4. If the hearing committee finds probable cause that there was an abridgement of constitutional guarantees or academic freedom, conferences between the faculty member and appropriate administrative officers of the university will be scheduled. If the conferences fail to achieve a mutual settlement, the faculty member's institutional due process is completed.
5. If the hearing committee finds no probable cause that there was an abridgement of constitutional guarantees or academic freedom, the faculty member's institutional due process is completed.
6. A written report of the hearing committee's findings will be sent to the president and to the faculty member.

Cross Reference: Academic Appointments and Titles (7.2); ~~Administrative Leave (Faculty and~~

~~Staff)~~*Leaves of Absence and Miscellaneous Leave – Faculty and Staff* (12.11); Academic Freedom and Responsibility (7.3); Performance Evaluation of Faculty (7.22); *Non*~~D~~*d*iscrimination ~~Complaints~~ (2.11); ~~Sexual Misconduct~~ *Title IX* (2.13); Faculty Code of Conduct (7.11); Authorization for the University President to Suspend Faculty and Staff (11.3); Tex. Educ. Code § 51.942(d)

Responsible for Implementation: President

Contact for Revision: President

Forms: Faculty Activity Report; Administrative Evaluation; Promotion/Tenure Application

Board Committee Assignment: Academic and Student Affairs Committee

Revision History: October 28, 2019
July 26, 2016
October 18, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Title IX

Policy Number: 2.13

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/27/2022

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): Establish process and procedure for implementation of Title IX.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☒ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Section VIII. Supportive Measures, Generally.: Statement added in accordance with TWC's audit finding.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Lissy Turner, Title IX Coordinator
John Wyatt, Interim Director of Human Resources
Damon Derrick, General Counsel

Title IX

Original Implementation: July 27, 2015
Last Revision: July 26, 2022

I. Policy Statement

Stephen F. Austin State University (the "University") is committed to providing an educational and employment environment free of unlawful sex discrimination. Consistent with Stephen F. Austin State University's Non-Discrimination Notice and the U.S. Department of Education's implementing regulations for Title IX of the Education Amendments of 1972 ("Title IX"), the University prohibits Sexual Harassment that occurs within its Education Programs and Activities.

As further defined below, for purposes of this Policy, Sexual Harassment includes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

Administrators, faculty members, staff, students, contractors, guests, and other members of the University community who commit Sexual Harassment are subject to the full range of university discipline.

II. Scope

This Policy applies to Sexual Harassment, as defined below, that occurs within the University's Education Programs and Activities and that is committed by an administrator, faculty member, staff, student, contractor, guest, or other member of the University Community within the United States.

Non-Discrimination in Application: The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the institution's policy or process may contact the Department of Education's Office for Civil Rights using contact information available at https://ocrcas.ed.gov/contact-ocr. Pg. 1.

Disability Accommodations: This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX process that do not fundamentally alter the process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

III. Definitions

A. **"Sexual Harassment"** for purposes of this Policy is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.

B. **"Quid Pro Quo Sexual Harassment"** occurs when an employee of the University conditions the provision of aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct.

C. **"Hostile Environment Sexual Harassment"** is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person access to the University's education programs and activities.

D. **"Sexual Assault"** includes the sex offenses of Rape, Sodomy, Sexual Assault with an Object, Fondling, Incest, and Statutory Rape.[1]

1. **"Rape"** is the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

2. **"Sodomy"** is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

3. **"Sexual Assault with an Object"** is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

4. **"Fondling"** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

5. **"Incest"** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Texas law.

6. **"Statutory Rape"** is sexual intercourse with a person who is under the statutory age of consent as defined by Texas law.

[1] The University's definition of "Sexual Assault" is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require the University to adopt a definition of "Sexual Assault" that incorporates various forcible and non-forcible sex crimes as defined by the FBI's Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a)(3). When applicable, we have included the state law definition. In any criminal action brought by law enforcement, the state law definition will apply.

E. **"Domestic (Family) Violence"** is felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or who has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Texas[2], or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Texas. This includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who is:

- a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;
- is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- with whom the victim shares a child in common; or
- commits acts against youth or adult victim who is protected from those acts under the family and domestic violence laws of Texas.

It should be understood that domestic violence/dating violence applies to any pattern of coercive behavior that is used by one person to gain power and control over a current or former intimate partner or dating partner. This pattern of behavior may include physical or sexual violence, emotional and psychological intimidation, threats, verbal abuse, stalking, isolation, and economic control.

F. **"Dating Violence"** [3] is violence committed by a person:

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[2] Family Violence is defined by the Texas Family Code Section 71.004 as:

(1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;

(2) abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household; or

(3) Dating violence, as that term is defined by Section 71.0021.

[3] Dating violence is defined by the Family Code, Section 71.0021 as:

(a) an act, other than a defensive measure to protect oneself, by an actor that:

(1) is committed against a victim:

(A) with whom the actor has or has had a dating relationship; or

(B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

(2) is intended to result in physical harm, bodily injury, assault, or Sexual Assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or Sexual Assault.

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

2. Where the existence of such a relationship will be determined based on a consideration of the following factors:

   - The length of the relationship;
   - The type of relationship; and
   - The frequency of interaction between the persons involved in the relationship.

G. **"Stalking"** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

   - Fear for their safety or the safety of others; or
   - Suffer substantial emotional distress.

   For the purposes of this definition—

   1. *Course of Conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, or communicates to or about a person, threats that a reasonable person would regard as threatening bodily injury or death of that person, their family members including someone with whom the person is dating or interferes with that person's property.

   2. *Reasonable Person* means a person under similar circumstances and with similar identities to the person subjected to the stalking behavior would fear for their safety or the safety of others, or suffer substantial emotional distress.

   3. *Substantial Emotional Distress:* Significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

H. **"Economic Abuse"** in the context of domestic violence and dating violence means behavior that is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled,

(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:
(1) the length of the relationship;
(2) the nature of the relationship; and
(3) the frequency and type of interaction between the persons involved in the relationship.
(c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

including using coercion, fraud, or manipulation to:

i. Restrict a person's access to money, assets, credit, or financial information;
ii. Unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage; or
iii. Exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.

I. **"Technological Abuse"** means an act or pattern of behavior that occurs within domestic violence, sexual assault, dating violence or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to:

1. Internet enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, or communication technologies, or any other emerging technologies.

J. **"Reasonable Person"** a hypothetical person that is used as a comparative standard regarding the action(s) or situation of another individual and whether or not the approach taken or not taken was appropriate given the circumstances. This comparative standard is used in addition to the definition of "stalking".

K. **"Relevant"**- evidence pertinent to proving whether facts material to the allegations under investigation are more or less likely to be true. "Relevant" evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true. "Relevant" evidence and questions do not include the following types of evidence and questions, which are deemed "irrelevant" at all stages of the Title IX Process:

1. Evidence and questions about the complainant's sexual predisposition or prior sexual behavior unless:
   i. They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
   ii. They concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).
2. Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege.
3. Any party's medical, psychological, and similar records unless the party has given voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020)

L. **"Mandatory Reporter"**-All University Employees, with the exception of Confidential Employees, operating in the scope of their employment who witness or receive information regarding an incident that the employee reasonably believes constitutes Sexual Harassment, Sexual Assault, Dating Violence, and/or Stalking

and has been alleged to have been committed by or against a person who was a student enrolled at or an employee of the University at the time of the incident.

M. **"Consent"** is a clear voluntary, ongoing, mutual understanding among all participants that clearly indicates a willingness, through words or physical actions, and demonstrates a knowing, intentional agreement to engage in each specific instance and stage of sexual contact or activity. Knowledge of consent is the responsibility of each person involved in every instance of sexual contact and/ or activity and consent can be withdrawn at any time. A person who is Coerced and/or Incapacitated is not capable of giving Consent. Consent cannot be inferred from silence, absence of resistance, or lack of protest.

The following list provides examples of when Consent has not been obtained or is not effective:

- Consent is not effective when any participant in the sexual activity is unsure if a knowing, intentional, voluntary agreement to engage in each act of sexual activity has been demonstrated.
- Consent is not effective if one person knew or reasonably should have known that another person involved was incapacitated.
- Consent to one act does not imply consent to another; past consent does not imply future consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of consent.
- Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) Intimidation,[4] (d) Coercion, (e) Incapacitation or (f) any other factor that would eliminate an individual's ability to exercise their own free will to choose whether or not to have sexual activity.
- A current or previous dating or sexual relationship does not, by itself, constitute consent. Even in the context of a relationship, there must be a voluntary, mutually understandable agreement that clearly demonstrates a willingness to engage in each instance of sexual activity.
- An individual's manner of dress does not, by itself, constitute Consent to engage in sexual conduct and/or activity.

[4] *Intimidation* means intentional behavior that would cause a reasonable person to fear injury or harm.

N. **"Incapacitated"** refers to a state of being that prevents an individual from having the mental ability, emotional stability, or maturity to provide consent at the time the alleged behavior occurs. Incapacitation could result from the use of drugs or alcohol, a person being asleep or unconscious, or because of an intellectual or other disability or medical condition.

> Alcohol and drugs can impair judgment and decision-making capacity, including the ability to rationally consider the consequences of one's actions. The effects of alcohol and drug consumption often occur along a continuum. For example, inhibition to euphoria and memory impairment, and to disorientation and incapacitation. Incapacitation due to alcohol or drug use is a state beyond "mere" intoxication or even being drunk. Indicators of incapacitation may include inability to communicate, lack of control over physical movements, and/or lack of awareness of circumstances. An incapacitated person can also experience a blackout state during which they appear to give consent but do not have conscious awareness or the capacity to consent.

O. **"Coercion"** is the use of pressure and/or other oppressive behavior, including expressed or implied threats of physical harm, or severe and/or pervasive emotional intimidation which places an individual in fear of immediate or future harm or physical injury or causes a person to engage in unwelcome sexual activity. A person's words or conduct amounts to coercion if they wrongfully limit the other's ability to freely choose whether or not to engage in sexual activity. Coercion also includes administering a drug, intoxicant, or other substance that impairs the person's ability to give consent.

P. **"Retaliation"** is intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Retaliation is prohibited and is considered a stand-alone policy violation without regard to any finding of responsibility for violation of this policy.

Q. **"Complainant"** means the individual(s) who is alleged to have been impacted by a violation of this Policy.[5]

R. **"Respondent"** means the individual(s) who is alleged to have violated this Policy.

S. **"Formal Complaint"** means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the University investigate the allegation of Sexual Harassment in accordance with this Policy. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the University's education programs

[5] A Complainant and Respondent are each individually a "Party" and collectively the "Parties" with respect to a Formal Complaint filed under this Policy.

and activities. A "document filed by a Complainant" means a document or electronic submission (such as the reporting form) that contains the Complainant's physical or electronic signature or otherwise indicates that the Complainant is the person filing the Complaint.

T. **"Supportive Measures"** are non-disciplinary, non-punitive individualized services offered, as appropriate, and reasonably available, and without fee or charge, that are designed to restore or preserve equal access to the University's Education Programs and Activities without unreasonably burdening another Party, including measures designed to protect the safety of all parties implicated by a report or the University's education environment, or to deter Sexual Harassment. Supportive measures may include: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.

U. **"Education Programs and Activities"** refers to all the operations of the University, including, but not limited to, in-person and online educational instruction, employment, research activities, extracurricular activities, athletics, residence life, dining services, performances, and community engagement and outreach programs. Additionally, the term applies to all activity that occurs on campus or on other property owned or occupied by the University. It also includes off-campus locations, events, or circumstances over which the University exercises substantial control over the Respondent and the context in which the Sexual Harassment occurs, including Sexual Harassment occurring in any building owned or controlled by a student organization that is officially recognized by the University. It also includes off-campus conduct when the conduct could deny or limit a person's ability to participate in or benefit from the University's programs and activities or when the University, in its sole discretion, has an identifiable interest in the off-campus conduct.

IV. Understanding Hostile Environment Sexual Harassment

In determining whether a Hostile Environment exists, the University will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant; the nature and severity of the conduct at issue; the frequency and duration of the conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the respective ages of the parties; the context in which the conduct occurred; and the number of persons affected. The University will evaluate the totality of circumstances from the perspective of a reasonable person in the Complainant's position. A person's adverse subjective reaction to conduct is not sufficient, in and of itself, to establish the existence of a hostile environment.

The University encourages members of the University Community to report any and all instances of Sexual Harassment, even if they are unsure whether the conduct rises to the level of a policy violation.

Sexual Harassment also includes gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender or gender stereotyping, sexual orientation, and gender identity even if those acts do not involve conduct of a sexual nature.

Some specific examples of conduct that may constitute Sexual Harassment if unwelcome include, but are not limited to:

- Unreasonable pressure for a dating, romantic, or intimate relationship or sexual contact;
- Unwelcome kissing, hugging, or massaging;
- Sexual innuendos, jokes, or humor;
- Displaying sexual graffiti, pictures, videos, or posters;
- Using sexually explicit profanity;
- Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities;
- E-mail and Internet use that violates this policy;
- Leering or staring at someone in a sexual way, such as staring at a person's breasts or groin;
- Sending sexually explicit emails, text messages, or social media posts;
- Commenting on a person's dress in a sexual manner;
- Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship; or
- Insulting, demeaning, or degrading another person based on gender or gender stereotypes.

V. Reporting Sexual Harassment

A. *Title IX Coordinator*

Any person may report Sexual Harassment to the Title IX Coordinator. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours.

Reporting options and online reporting forms can be found at the following website: www.sfasu.edu/lumberjacks-care. In addition, a link to reporting information will be maintained on the university home page.

Contact information for the Title IX Coordinator and Deputy Title IX coordinators is outlined below. This information is subject to change and the most updated contact information for the Title IX coordinator and deputy coordinators can be found at www.sfasu.edu/lumberjacks-care.

Title IX Coordinator	McKibben Education Building, Suite 304 titleix@sfasu.edu | (936) 468-8292
Deputy Title IX Coordinator for Faculty, Staff, and Third Parties: Director of Human Resources	Austin Building, Suite 201 titleixemployees@sfasu.edu | (936) 468-2304

Deputy Title IX Coordinator for Athletics: Senior Woman Administrator, SFA Intercollegiate Athletics	SFA Athletic Fieldhouse titleixathletics@sfasu.edu | (936) 468-3751
Deputy Title IX Coordinator for the SFA Charter School: CEO/Principal SFA Charter School	2428 Raguet Street titleixcharter@sfasu.edu | (936) 468-5899

B. *Mandatory Reporting Requirement for University Employees*

Under Texas law, all University employees, with the exception of Confidential Employees, who:

1. in the course and scope of their employment[6]

2. witnesses or receives information regarding an incident that the employee reasonably believes constitutes Sexual Harassment,[7] Sexual Assault, Dating Violence, or Stalking, which

3. is alleged to have been committed by or against a person who was a student enrolled at or an employee of the University at the time of the incident

must promptly report within 48 hours the incident to the University's Title IX Coordinator or a Deputy Title IX Coordinator.

Writing required. The University's online reporting form is the preferred method of communicating incidents promptly, so that a record is made of the time and all factual details disclosed in the initial report. A written memo is also acceptable if it can be delivered to a Coordinator promptly after the employee's duty to report arises.

Report Contents. The employee's report must include all information concerning the incident known to the employee which is relevant to an investigation under this Policy, including whether the subject of the report has expressed a desire for an institutional response to the incident or made a request for confidentiality in reporting the incident.

Privacy vs. Confidentiality.
References made to confidentiality refer to the ability of identified confidential resources to not report full details of crimes and violations, in accordance with mandatory reporting laws, to law enforcement or university officials without permission, unless waived in writing by the affected individual, or for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to privacy mean University officials and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed

[6] "Course and Scope of Employment" means an employee performing duties in the furtherance of the institution's interests.
[7] For the purposes of Texas's mandatory reporting requirement only, "Sexual Harassment" means: means unwelcome, sex-based verbal or physical conduct that (a) in the employment context, unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment; or (b) in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from the University's educational programs or activities.

will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee. The University will limit the disclosure as much as practicable even if the Title IX Coordinator or designee determines that the request for confidentiality cannot be honored.

Exceptions. The mandatory reporting requirement does not apply to:

1. Individuals who are themselves the victims of the Sexual Harassment, Sexual Assault, Dating Violence, or Stalking incident that is being reported;

2. Instances when an employee receives information about Sexual Harassment, Sexual Assault, Dating Violence, or Stalking at a public awareness event sponsored by the University; or

3. Employees designated as Confidential Employees.

4. A campus peace officer employed by the university who receives information regarding an incident involving sexual assault, domestic violence, dating violence, or stalking from an alleged victim who chooses to complete a pseudonym form described in Texas Code of Criminal Procedure. University Police Officers must report limited information to the Title IX Coordinator, including the type of incident, general location and date of alleged incident. The report may not include the victim 's name, phone number, address, or other information that may directly or indirectly reveal the victim 's identity.

Consequences of Non-Compliance. An employee who fails to make a required report will be terminated following an investigation and any required process under the applicable personnel policy.[8]

Immunity. An employee who, in good faith reports or assists in the investigation of a report under this Policy, or who testifies or otherwise participates in a disciplinary process or judicial proceeding arising from a report of such an incident, will not be subject to disciplinary action for violations of the administrative policies of Stephen F. Austin State University that are reasonably related to the incident. This immunity does not apply to a person who perpetrates or assists in the perpetration of the incident reported under this policy or who commits a criminal offense pursuant to Texas Education Code § 51.255(a).

C. *Confidential Employees*

The University believes it is critical to provide community members who may be experiencing Sexual Harassment information about available institutional resources to empower those individuals to make informed decisions about their rights and options. Members of the University community may speak to officially designated Confidential Employees[9] about Sexual Harassment, Sexual

[8] Employees who fail to make a mandatory report under this provision may also be subject to criminal prosecution pursuant to Texas Education Code section 51.255(a).
[9] Under Texas law, a "Confidential Employee" is an employee (1) designated by the University as a person with whom students may speak confidentially concerning Sexual Harassment, Sexual Assault, Dating Violence, or Stalking or (2)

Assault, Dating Violence, or Stalking without the conversation triggering a mandatory report of incident details.

The University has designated the following Confidential Resources:

SFA Counseling Services
(936) 468-2401 | counseling@sfasu.edu

SFA Human Services Counseling Clinic
(936) 468-1041 | SFACounselingClinic@sfasu.edu

SFA Student Health Clinic
(936) 468-4008 | healthservices@sfasu.edu

Family Crisis Center of East Texas
(936) 468-7233 Campus Office
(800) 828-7233 (24-hour crisis line)

A Confidential Employee is not required to report any information that would violate an individual's expectation of privacy, such as the name or other identifying information of an individual who has experienced or allegedly engaged in Sexual Harassment.

This provision does not affect any employee's duty to report incidents of sexual misconduct as required by other law.

D. *Reports to Law Enforcement*

Victims of a crime have the right to choose whether to report the crime to law enforcement, to be assisted by the University in reporting the crime to law enforcement, or to decline to report the crime to law enforcement. The University encourages anyone who believes they experienced or witnessed a crime to make a report to the Stephen F. Austin State University Police Department ("UPD"), if the assault occurred on campus, or to local law enforcement, for crimes occurring off campus.

Reports of criminal offenses occurring on campus, including but not limited to sexual assault, dating violence, domestic violence, and stalking may also be made to UPD at 936-468-2608 (non-emergency) or 911 (emergency) or to the City of Nacogdoches Police Department 936-559-2607 (non-emergency) or 911 (emergency) or to other local law enforcement authorities. Regardless of where the incident occurred, UPD can assist in making a report to the appropriate law enforcement agency. Individuals are not required to report all criminal violations to law enforcement, but the University strongly encourages reporting criminal violations to the police. The Title IX Coordinator and deputy Title IX coordinators can assist individuals in contacting these law enforcement agencies as well as the confidential resources outlined in Section 6.1 C of this policy. Employees and students

receives information regarding such an incident under circumstances that render the employee's communications confidential or privileged under other law.

with protective or restraining orders relevant to a report are encouraged to provide a copy to the University Police Department.

If a report of a policy violation is made to UPD, officers will advise the complainant or reporting party of their right to file a report under this policy. To the extent allowed by law and university policy, UPD shall also notify the Title IX Coordinator of the report, and provide the Title IX Coordinator, or the individual investigating the reported policy violation, access to any related university law enforcement records, so long as doing so does not compromise any criminal investigation.

E. *Medical Treatment and Preservation of Evidence*

In cases of sexual assault, and for one's safety and well-being, immediate medical attention is encouraged to evaluate for physical injury, sexually transmitted diseases, and pregnancy. Being examined as soon as possible, ideally within 120 hours, is important for evidence collection, which may be used to support prosecution should the Complainant decide to pursue criminal charges.

F. *Anonymous Reports*

Anyone, not designated as a Mandatory Reporter, can make an anonymous report by submitting information through the Online Reporting Form found at http://www.sfasu.edu/lumberjacks-care.

VI. Preliminary Assessment

Upon receipt of a report, the Title IX Coordinator will conduct a preliminary assessment to determine whether the conduct, as reported, constitutes or could constitute Sexual Harassment.

If the Title IX Coordinator determines that the conduct reported could not fall within the scope of this Policy, and/or could not constitute Sexual Harassment, even if investigated, the Title IX Coordinator will close the matter and may notify the reporting party if doing so is consistent with the Family Educational Rights and Privacy Act ("FERPA"). The Title IX Coordinator may refer the report to other University offices, as appropriate.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of this Policy, and/or could constitute Sexual Harassment, if investigated, the Title IX Coordinator will proceed to contact the Complainant.

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the Complainant, if such identity is not apparent from the report.

VII. Contacting the Complainant

If a report is not closed as a result of the preliminary assessment and the Complainant's identity is known, the Title IX Coordinator or their designee will promptly contact the Complainant to discuss the following:

- the availability of Supportive Measures with or without filing a Formal Complaint;

- the Complainant's wishes with respect to such Supportive Measures;
- the process for filing and pursuing a Formal Complaint;
- the importance of going to a hospital for treatment and preservation of evidence as soon as practicable after the incident, if applicable;
- the right to report the incident to the institution and to receive a prompt and equitable resolution of the report;
- the right of a victim of a crime to choose whether to report the crime to law enforcement, to be assisted by the institution in reporting the crime to law enforcement, or to decline to report the crime to law enforcement; and
- information about resources that are available on campus and in the community.

VIII. Supportive Measures

Generally. Any individual affected by or accused of Sexual Harassment will have equal access to support and counseling services offered through the University. The University encourages any individual who has questions or concerns to seek support of University-identified resources. The Title IX Coordinator or their designee is available to provide information about the University's policy and procedure and to provide assistance. A list of University identified resources is located at the following link: http://www.sfasu.edu/lumberjacks-care

With regard to an allegation of sexual harassment of an employee, the university and the supervisor of the respondent-employee will take immediate and appropriate corrective action appropriate to the circumstances of the allegation, while affording the necessary due process rights to the respondent-employee.

Complainant. The Title IX Coordinator or their designee will offer and make available Supportive Measures to the Complainant upon receipt of a report of Sexual Harassment regardless of whether the Complainant elects to file a Formal Complaint.

Respondent. The Title IX Coordinator or their designee will notify the Respondent of the availability of Supportive Measures contemporaneously with the Respondent being notified of a Formal Complaint. Once a Formal Complaint has been initiated, the University will offer and make available Supportive Measures to the Respondent in the same manner in which it offers and makes them available to the Complainant. The University will also offer and make available Supportive Measures to the Respondent prior to the Respondent being notified of a Formal Complaint, if the Respondent requests such measures.

All Parties. The University will, to the greatest extent practicable, ensure that each Party or other person who reports an incident of Sexual Harassment is offered counseling provided by a counselor who does not provide counseling to any other person involved in the incident. In addition, all Parties are allowed to drop a course in which both Parties are enrolled without any academic penalty.

Confidentiality. The University will maintain the confidentiality of Supportive Measures provided to either a Complainant or Respondent, to the extent that maintaining such confidentiality does not impair the University's ability to provide the Supportive Measures in question.

IX. Emergency Removal

At any time after receiving a report of Sexual Harassment, the Title IX Coordinator may remove a student Respondent from the University's education programs and activities on a temporary basis if an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal. In the event the Title IX Coordinator imposes an emergency removal, the Title IX Coordinator must offer to meet with the Respondent within 24 hours and provide the Respondent an opportunity to challenge the interim removal.

In the case of a Respondent who is a non-student employee (administrator, faculty, or staff), and in its discretion, the University may place the Respondent on administrative leave at any time after receiving a report of Sexual Harassment, including during the pendency of the investigation and adjudication process.

For all other Respondents, including independent contractors and guests, the University retains broad discretion to prohibit such persons from entering onto its campus and other properties at any time, and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

X. Formal Complaint

A. *Filing a Formal Complaint*

A Complainant may file a Formal Complaint with the Title IX Coordinator requesting that the University investigate and adjudicate a report of Sexual Harassment in accordance with this Policy. Provided, however, that at the time the Complainant submits a Formal Complaint, the Complainant must be participating in, or attempting to participate in, one or more of the University's Education Programs or Activities.

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by regular mail, or by email using the contact information specified above. No person may submit a Formal Complaint on the Complainant's behalf.

In any case, including a case where a Complainant elects not to file a Formal Complaint, the Title IX Coordinator may file a Formal Complaint on behalf of the University if doing so is not clearly unreasonable. Such action will normally be taken in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the University Community. Factors the Title IX Coordinator may consider include (but are not limited to):

1. the seriousness of the alleged incident, including (a) whether a weapon was involved in the incident, (b) whether multiple assailants were involved in the incident, and (c) whether the incident is poses a risk of recurrence;

2. whether the institution has received other reports of Sexual Harassment committed by the Respondent;

3. whether the alleged incident poses a risk of harm to others; and

4. any other factors the University determines relevant.

If the Complainant or the Title IX Coordinator files a Formal Complaint, then the University will commence an investigation and proceed to adjudicate the matter. If the University elects to proceed as a Complainant, the University will inform the alleged victim of the incident of that decision. In all cases where a Formal Complaint is filed, the Complainant will be treated as a Party, irrespective of the Party's level of participation.

B. *Consolidation of Formal Complaints*

The University may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where the investigation and adjudication process involve more than one Complainant or more than one Respondent, references in this policy to the singular "Party," "Complainant," or "Respondent" include the plural, as applicable.

C. *Dismissal Prior to Commencement of Investigation*

In a case where the Complainant files a Formal Complaint, the Title IX Coordinator will evaluate the Formal Complaint and must dismiss it if the Title IX Coordinator determines:

- The conduct alleged in the Formal Complaint would not constitute Sexual Harassment, even if proved; or
- The conduct alleged in the Formal Complaint falls outside the scope of this Policy (*i.e.*, because the alleged conduct did not occur in the University's Education Programs and Activities).

- The conduct alleged in the Formal Complaint took place outside the United States.

In the event the Title IX Coordinator determines the Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination for purposes of this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

D. *Notice of Formal Complaint*

Upon receiving a Formal Complaint, the Title IX Coordinator or designee will promptly transmit a written notice to the Complainant and Respondent that includes:

- A physical copy of or hyperlink to this Policy;
- Sufficient details known at the time so that the Parties may prepare for an initial interview with the investigator, to include the identities of the parties involved in the incident (if known), the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident (if known);
- A statement that the Respondent is presumed not responsible for the alleged Sexual Harassment and that a determination of responsibility will not be made until the

conclusion of the adjudication and any appeal;

- Notifying the Complainant and Respondent of their right to be accompanied by an advisor of their choice;
- Notifying the Complainant and Respondent of their right to inspect and review evidence;
- Notifying the Complainant and Respondent of the University's prohibitions on retaliation and false statements; and
- Information about resources that are available on campus and in the community.

Should the University elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the University will provide a supplemental written notice describing the additional allegations to be investigated.

E. *Presumption of Non-Responsibility*

From the time a report or Formal Complaint is made, a Respondent is presumed not responsible for the alleged misconduct until a determination regarding responsibility is made final.

XI. Investigation

A. *Commencement and Timing*

After the written notice of Formal Complaint is transmitted to the Parties, an investigator selected by the Title IX Coordinator will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination in the adjudication lies with the University and not with the Parties. The investigation will culminate in a written investigation report that will be submitted to the adjudicator during the selected adjudication process. Although the length of each investigation may vary depending on the totality of the circumstances, the University strives to complete each investigation within 100 university business days of the transmittal of the written notice of Formal Complaint.

B. *Equal Opportunity*

During the investigation, the investigator will provide an equal opportunity for the Parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence. Notwithstanding the foregoing, the investigator retains discretion to limit the number of witness interviews the investigator conducts if the investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is not Relevant. The investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.

The investigation is a Party's opportunity to present testimonial and other evidence that the Party believes is relevant to resolution of the allegations in the Formal Complaint. A Party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence

during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

C. *Documentation of Investigation*

The investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the investigator's notes, audio recorded, video recorded, or transcribed. The particular method utilized to record the interviews of parties and witnesses will determined by the investigator in the investigator's sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation.

D. *Access to the Evidence*

At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the investigator will transmit to each Party and their advisor, in either electronic or hard copy form, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence the University may choose not to rely on at any hearing and inculpatory or exculpatory evidence whether obtained from a Party or some other source. The parties will have ten calendar days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

The parties and their advisors are permitted to review the evidence solely for the purposes of this grievance process and may not duplicate or disseminate the evidence to the public.

E. *Investigation Report*

After the period for the parties to provide any written response has expired, the investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the investigator will transmit a copy to the Title IX Coordinator. The investigator will also transmit the investigation report to each Party and their advisor, in either electronic or hard copy form.

XII. Adjudication Process Selection

After the investigator has sent the investigation report to the parties, the Title IX Coordinator will transmit to each Party a notice advising the Party of the two different adjudication processes specified below. The notice will explain that the hearing process is the default process for adjudicating all Formal Complaints and will be utilized unless both parties voluntarily consent to administrative adjudication as a form of informal resolution. The notice will be accompanied by a written consent to administrative adjudication and will advise each Party that, if both parties execute the written consent to administrative adjudication, then the administrative adjudication process will be used in in lieu of the hearing process. Parties are urged to carefully review this Policy, consult with their advisor, and consult with other persons as they deem appropriate (including an attorney) prior to consenting to administrative adjudication.

Each Party will have three calendar days from transmittal of the notice specified below to return the signed written consent form to the Title IX Coordinator. If either Party does not timely return the signed written consent, that Party will be deemed not to have consented to administrative adjudication

and the Formal Complaint will be adjudicated pursuant to the hearing process.

XIII. Adjudication

A. *Hearing Process*

The process for adjudicating Formal Complaints is the hearing process specified in this Section. The hearing process will be used to adjudicate all Formal Complaints unless both parties' timely consent to Informal Resolution.

Non-participation by any party or their advisor at any point in the hearing process shall not delay the adjudication.

1. Hearing Panel

After selection of the hearing process as the form of adjudication, the Title IX Coordinator will promptly appoint a hearing panel which will oversee the hearing process and render a determination of responsibility for the allegations in the Formal Complaint, at the conclusion of the hearing process. The Title IX Coordinator will see that the hearing panel is provided a copy of the investigation report and a copy of all evidence transmitted to the parties by the investigator. The hearing panel is composed of three people selected from a pool of trained panelists, one of whom will serve as the hearing panel chair. Neither the investigator nor the Title IX Coordinator may serve on the hearing panel. Panelists whose relationship with a party in an investigation causes a conflict of interest shall be excluded from the panel. The hearing panel is responsible for conducting a live hearing for alleged violations of this policy and for making a determination of responsibility and, when appropriate, apply sanctions. Hearing panelists shall complete ongoing training regarding the issues contained in this policy.

2. Hearing Notice and Response to the Investigation Report

After the hearing panel is appointed by the Title IX Coordinator, the hearing panel chair will promptly transmit written notice to the parties notifying the parties of the hearing panel's appointment; setting a deadline for the parties to submit any written response to the investigation report; setting a date for the pre-hearing conference; and setting a date and time for the hearing. Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than ten calendar days from the date of transmittal of the written notice.

A Party's written response to the investigation report must include:

- To the extent the Party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that evidence should be excluded from consideration at the hearing based on relevancy.
- A list of any witnesses that the Party contends should be requested to attend the hearing pursuant to an attendance notice issued by the hearing panel chair;
- A list of any witnesses that the Party intends to bring to the hearing without an attendance notice issued by the hearing officer;
- Any request that the parties be separated physically during the pre-hearing conference and/or hearing;

- Any other accommodations that the Party seeks with respect to the pre-hearing conference and/or hearing;
- The name and contact information of the advisor who will accompany the Party at the pre-hearing conference and hearing;
- If the Party does not have an advisor who will accompany the Party at the hearing, a request that the University provide an advisor for purposes of conducting questioning.

A Party's written response to the investigation report may also include:

- Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence;
- Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment;
- Relevant evidence which was not included in the investigation report due to mistake, inadvertence, surprise or excusable neglect;
- Questions which the parties' advisors intend to ask during cross-examination at the hearing to be ruled on for relevancy by the hearing chair prior to the hearing; and
- Concerns of bias or conflict of interest which may exist between a party and a member or members of the hearing panel.

3. Pre-Hearing Conference

Prior to the hearing, the hearing chair will conduct a pre-hearing conference with the parties and their advisors. The pre-hearing conference will be conducted live, with participation by the parties and their advisors. By default, the pre-hearing conference will be conducted with the hearing officer, the parties, the advisors, and other necessary University personnel, if any, together in the same physical location. However, upon request of either Party, the parties will be separated into different rooms with technology enabling the parties to participate by video and audio.

In the hearing chair's discretion, the pre-hearing conference may be conducted virtually, by use of video and audio technology, where all participants participate by use of such technology.

During the pre-hearing conference, the hearing chair will discuss the hearing procedures with the parties; address matters raised in the parties' written responses to the investigation report, as the hearing officer deems appropriate; discuss whether any stipulations may be made to expedite the hearing; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the hearing officer determines, in the hearing chair's discretion, should be resolved before the hearing. Effort shall be made by the hearing chair to conduct pre-hearing conferences that are equitable and present information that is materially the same to all parties and advisors.

4. Issuance of Notices of Attendance

After the pre-hearing conference, the hearing chair will transmit notices of attendance to any University employee (including administrator, faculty, or staff) or student whose attendance is

requested at the hearing as a witness, including those requested by the hearing panel. The notice will advise the subject of the specified date and time of the hearing and advise the subject to contact the hearing chair immediately if there is a material and unavoidable conflict.

The subject of an attendance notice should notify any manager, faculty member, coach, or other supervisor, as necessary, if attendance at the hearing will conflict with job duties, classes, or other obligations. All such managers, faculty members, coaches, and other supervisors are required to excuse the subject of the obligation, or provide some other accommodation, so that the subject may attend the hearing as specified in the notice.

The University is not obligated to issue a notice of attendance to any witness who is not an employee or a student.

5. Hearing

After the pre-hearing conference, the hearing panel will convene and conduct a hearing. The hearing will be audio recorded. The audio recording will be made available to the parties for inspection and review on reasonable notice, including for use in preparing any subsequent appeal.

The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the hearing will be conducted with the hearing panel, the parties, the advisors, witnesses, and other necessary University personnel together in the same physical location. However, upon request of either Party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio. The hearing may, in the hearing chair's discretion, be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

While the rulings from the hearing chair will govern the particulars of the hearing, each hearing will include, at a minimum:

- Opportunity for each Party to address the hearing panel directly and to respond to questions posed by the hearing chair;
- Opportunity for each Party's advisor to ask directly, orally, and in real time, relevant questions, and follow up questions, of the other Party and any witnesses, including questions that support or challenge credibility;
- Opportunity for each Party to raise contemporaneous objections to testimonial or non-testimonial evidence and to have such objections ruled on by the hearing chair and a reason for the ruling provided;
- Opportunity for each Party to submit evidence that the Party did not present during the investigation or pre-hearing conference due to mistake, inadvertence, surprise, or excusable neglect;
- Opportunity for each Party to make a brief closing argument.

Except as otherwise permitted by the hearing chair, the hearing will be closed to all persons except the parties, their advisors, the investigator, the hearing panel, the Title IX Coordinator, and other necessary University personnel. With the exception of the investigator and the parties, witnesses will

be sequestered until such time as their testimony is complete. During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them.

While a Party has the right to attend and participate in the hearing with an advisor, a Party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited at the discretion of the hearing officer.

Subject to the minimum requirements specified in this Section, the hearing chair will have sole discretion to determine the manner and particulars of any given hearing, including with respect to the length of the hearing, the order of the hearing, and questions of admissibility. The hearing chair will independently and contemporaneously screen questions for relevance in addition to resolving any contemporaneous objections raised by the parties and will explain the rational for any evidentiary rulings.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply.

All participants shall be subject to the university's rules of decorum during hearing processes.

6. Subjection to Questioning

In the event that any Party or witness refuses to attend the hearing, or attends but refuses to submit to questioning by the Parties' advisors, the statements of that Party or witness whether given during the investigation or during the hearing, may be considered by the hearing panel in reaching a determination of responsibility. The hearing panel will rely on appropriate training to judge the credibility and weight given to any statement or evidence presented in the hearing or the investigative report in making a determination of responsibility.

In applying this Section, the hearing panel will not draw an inference about the determination of responsibility based solely on a Party or a witness's absence from the live hearing and/or refusal to submit to questioning by the parties' advisors.

7. Deliberation and Determination

After the hearing is complete, the hearing panel will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-testimony evidence received at the hearing, and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The hearing panel will take care to exclude from consideration any evidence that was ruled not Relevant at the pre-hearing conference, during the hearing, or otherwise. The hearing panel will resolve disputed facts using a preponderance of the evidence (i.e., "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

8. Discipline and Remedies

In the event the hearing panel determines that the Respondent is responsible for violating this policy, the hearing chair will, prior to issuing a written decision, consult with an appropriate University

official with disciplinary authority over the Respondent and such official will determine any discipline to be imposed and the process to follow through with such discipline in coordination with other University departments as necessary. The hearing chair will also, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the Complainant.

If a student is found responsible for Sexual Harassment and the sanction imposed makes the student ineligible to reenroll in the University (i.e., suspension or expulsion), the University will include a notation on the student's transcript. The student may request the removal of a transcript notation imposed under this Policy if:

- the student becomes eligible to reenroll at the University; or
- the University determines that good cause exists to remove the notation.

If the University receives an appropriate request by another postsecondary educational institution, the University will provide to the requesting institution information relating to the University's determination that the student violated this Policy.

9. Written Decision

After reaching a determination and consulting with the appropriate University official and Title IX Coordinator as required above, the hearing chair will prepare a written decision that will include:

- Identification of the allegations potentially constituting covered Sexual Harassment made in the Formal Complaint;
- A description of the procedural steps taken by the University upon receipt of the Formal Complaint, through issuance of the written determination, including notification to the parties, interviews with the parties and witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing.
- Findings of fact, made under a preponderance of the evidence standard, that support the determination;
- A statement of, and rationale for, each allegation that constitutes a separate potential incident of Sexual Harassment, including a determination regarding responsibility for each separate potential incident;
- The discipline determined by the appropriate University official;
- Whether the Complainant will receive any ongoing support measures or other remedies as determined by the Title IX Coordinator; and
- A description of the University's process and grounds for appeal.

The hearing chair's written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal.

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the University strives to issue the hearing chair's written determination within 15 business days of the conclusion of the hearing.

B. *Administrative Adjudication*

In lieu of the hearing process and to the extent not prohibited by federal law, the Parties may consent to have a Formal Complaint resolved by administrative adjudication as a form of informal resolution. Administrative adjudication is voluntary and must be consented to in writing by both parties and approved by the Title IX Coordinator. At any time prior to the issuance of the administrative officer's determination, a Party has the right to withdraw from administrative adjudication and request a live hearing.

If administrative adjudication is selected, the Title IX Coordinator will appoint an administrative officer who does not need to be an employee of the University. The Title IX Coordinator will see that the administrative adjudicator is provided a copy of the investigation report and a copy of all the evidence transmitted to the parties by the investigator.

The administrative officer will promptly send written notice to the Parties notifying the parties of the administrative officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; and setting a date and time for each party to meet with the administrative officer separately. The administrative officer's meetings with the parties will not be held any earlier than ten calendar days from the date of transmittal of the written notice specified in this paragraph.

A Party's written response to the investigation report must include:

- To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that a particular piece or class of evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history, or for any other reason;
- Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence;
- Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

After reviewing the Parties' written responses, the administrative officer will meet separately with each party to provide the Party with an opportunity make any oral argument or commentary the Party wishes to make and for the administrative officer to ask questions concerning the Party's written response, the investigative report, and/or the evidence collected during the investigation.

After meeting with each Party, the administrative officer will objectively re-evaluate all relevant evidence, including both inculpatory and exculpatory evidence and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The administrative officer will take care to exclude from consideration any evidence that the administrative officer determines should be ruled inadmissible based on the objections and arguments raised by the Parties in their respective written responses to the investigation report. The administrative officer will resolve disputed facts using a preponderance of the evidence (*i.e.*, "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

Thereafter, the administrative officer will consult with any University official and the Title IX

Coordinator and will prepare and transmit a written decision which shall serve as a resolution for purposes of informal resolution.

Transmittal of the administrative officer's written determination concludes the administrative adjudication, subject to any right of appeal.

Although the length of each administrative adjudication will vary depending on the totality of the circumstances, the University strives to issue the administrative officer's written determination within twenty-one calendar days of the transmittal of the initiating written notice.

XIV. Dismissal During Investigation or Adjudication

The University may dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that any one or more of the following is true:

- The Complainant provides the Title IX Coordinator written notice that the Complainant wishes to withdraw the Formal Complaint or any discrete allegations therein (in which case those discrete allegations may be dismissed);
- The Respondent is no longer enrolled or employed by the University; or
- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint, or any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Title IX Coordinator determines that a Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination as it pertains to this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

XV. Appeal

A. *Grounds for Appeal*

Either Party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

1. A procedural irregularity affected the outcome;

2. There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;

3. The Title IX Coordinator, investigator, hearing panel, or administrative officer had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

No other grounds for appeal are permitted.

B. *Deadline to File Appeal*

A Party must file an appeal within seven calendar days of the date they receive notice of dismissal or determination appealed from or, if the other Party appeals, within three calendar days of the other Party appealing, whichever is later. All parties will be provided a link to the appeal form upon notification of the findings in their case. The appeal must be submitted in writing and must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing Party believes the appeal should be granted, and articulate what specific relief the appealing Party seeks. Appeals should be submitted using the online appeal form which can be found on the Lumberjacks Care webpage at http://www.sfasu.edu/lumberjacks-care.

C. *Resolution of Appeal*

Promptly upon receipt of an appeal, the Title IX Coordinator or designee will appoint an appeal officer who will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other Party that an appeal has been filed and that the other Party may submit a written opposition to the appeal within seven calendar days. The appeal officer shall also promptly obtain from the Title IX Coordinator or designee any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale. The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no Party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision. No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, the University strives to issue the appeal officer's written decision within 21 calendar days of an appeal being filed.

XVI. Informal Resolution

The University may, in the Title IX Coordinator's discretion, facilitate an Informal Resolution in accordance with the protocol outlined below.

A. *Guiding Principles*

Generally, informal resolution involves a structured, supervised interaction between the Parties and/or other affected community members that seeks to identify and meet the needs of the Complainant while providing an opportunity for the Respondent and/or other affected community

members to repair harm (to the extent possible). Informal resolution may not include an investigation, hearing, or disciplinary action against a Respondent (including transcript notations), but may include imposing appropriate and reasonable remedies as agreed to by the Parties. All informal resolutions are facilitated by a trained administrator or outside expert.

B. *Availability of Informal Resolution*

Informal resolution is available in matters in which the Title IX Coordinator, in the Title IX Coordinator's discretion, determines it is appropriate. Factors the University will consider when determining whether a report of Prohibited Conduct is suitable for Informal Resolution include, but are not limited to:

- the nature and severity of the conduct, including whether the use of force or a weapon was involved;
- the Respondent's prior known disciplinary or criminal conduct, including whether the University has received other reports of Prohibited Conduct committed by the Respondent;
- whether the alleged incident poses a risk of harm to other individuals or the community;
- the dynamics of power or control commonly associated with the alleged conduct or the nature of the parties' relationship;
- whether multiple parties are affected or involved;
- any admissions of responsibility by the Respondent; and
- any other factor deemed relevant by the Title IX Coordinator or their designee in the interest of overall campus safety or safety of the parties involved.

Informal resolution will not be permitted if:

- The Respondent is a non-student employee accused of committing Sexual Harassment against a student,
- The allegations include Sexual Assault,
- The allegations include ongoing Dating and/or Domestic Violence, or
- An imminent threat of harm exists.

The Title IX Coordinator's determination on whether the allegations may be resolved with an Informal Resolution is not subject to appeal.

C. *Informal Resolution Process*

At any time after the parties are provided written notice of the Formal Complaint, and before the completion of any appeal, the parties may voluntarily consent, with the Title IX Coordinator's approval, to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties. Administrative Adjudication is a form of informal resolution.

The specific manner of any informal resolution process will be determined by the Parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the Parties that:

- Describes the parameters and requirements of the informal resolution process to be utilized;
- Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University official, or a suitable third-Party);
- Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a Party's ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and
- Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each Party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence. The University will not pressure or compel any individual to engage in mediation, to directly confront the other, or to participate in any particular form of informal resolution. Individuals may be accompanied by an adviser or support person at any meetings related to the informal resolution process.

If the Parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the University, except as otherwise provided in the resolution itself, absent a showing that a Party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either Party or to the University. Notwithstanding the forgoing if the form of informal resolution is Administrative Adjudication, there shall not be an agreed resolution requiring the parties' signatures; instead, the determination issued by the administrative officer shall serve as the resolution and conclude the informal resolution process, subject only to any right of appeal. With the exception of a resolution resulting from the Administrative Adjudication process, all other forms of informal resolution pursuant to this Section are not subject to appeal.

D. Informal Resolution Options

The office of Title IX at Stephen F. Austin State University offers the following informal resolution procedures for addressing Formal Complaints of Sexual Harassment covered in this policy:

Mutual No-Contact Directive: A mutual no-contact directive is a contract provided by the Office of Title IX, the terms of which are that the parties will not initiate contact with each other in person, over text or social media, or through third parties.

Mediation: The purpose of mediation is for the involved parties to identify appropriate remedies to resolve the allegations and maintain equitable access to educational activities. During mediation, a facilitator will guide a conversation between parties in separate meetings; the parties will be asked not to contact each other directly during the process. Mediation may not result in disciplinary action against a Respondent but may include imposing appropriate and reasonable remedies as agreed to by the parties.

Administrative Adjudication: Administrative Adjudication is a form of informal resolution. Notwithstanding the foregoing if the form of informal resolution is administrative adjudication, there shall not be an agreed resolution requiring the parties' signatures; instead, the determination issued by the administrative officer shall serve as the resolution and conclude the informal resolution process, subject only to any right of appeal.

With the exception of a resolution resulting from the Administrative Adjudication process, all other forms of informal resolution are not subject to appeal.

E. *Termination of Informal Resolution*

A Party may withdraw their consent to participate in informal resolution at any time before a resolution has been finalized. If the parties withdraw from the informal resolution process, information disclosed or obtained during the informal resolution may be included as evidence during the formal investigation and live hearing.

F. *Deadlines for Informal Resolution*

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within 15 university business days, unless otherwise deemed by the Title IX Coordinator. If an informal resolution process does not result in a resolution within 21 calendar days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the Formal Complaint will be resolved pursuant to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended.

XVII. Other Investigation and Adjudication Considerations

A. Advisor of Choice

From the point a Formal Complaint is made, and until an investigation, adjudication, and appeal are complete, the Complainant and Respondent will have the right to be accompanied by an advisor of their choice to all meetings, interviews, and hearings that are part of the investigation, adjudication, and appeal process. The advisor may be, but is not required to be, an attorney.

Except for the questioning of witnesses during the hearing, the advisor will play a passive role and is not permitted to communicate on behalf of a Party, insist that communication flow through the

advisor, or communicate with the University about the matter without the Party being included in the communication. In the event a Party's advisor of choice engages in material violation of the parameters specified in this policy, the University may preclude the advisor from further participation, in which case the Party may select a new advisor of their choice.

In the event a Party is not able to secure an advisor to attend the and requests the University to provide an advisor, the University will provide the Party an advisor, without fee or charge, who will conduct questioning on behalf of the Party at the hearing. The University will have sole discretion to select the advisor it provides. The advisor the University provides may be, but is not required to be, an attorney.

The University will provide an advisor to any Party upon receipt of a request to the Title IX Coordinator or their designee. The University will provide an advisor for any Party at a hearing for the purpose of cross-examining a Party or witness.

The role of advisors in cross-examination in Title IX hearings shall not constitute the practice of law as reserved for a licensed attorney. Licensed attorneys retained as advisors for Title IX proceedings shall fill the role of an advisor, not the role of an attorney.

B. *Conflicts of Interest, Bias, and Procedural Complaints*

The Title IX Coordinator, investigator, hearing officer, administrative officer, appeals officer, and informal resolution facilitator will be free of any material conflicts of interest or material bias. Any Party who believes one or more of these University officials has a material conflict of interest or material bias must raise the concern promptly so that the University may evaluate the concern and find a substitute, if appropriate. The failure of a Party to timely raise a concern of a conflict of interest or bias may result in a waiver of the issue for purposes of any appeal.

C. *Objections Generally*

Parties are expected to raise any objections, concerns, or complaints about the investigation, adjudication, and appeals process in a prompt and timely manner so that the University may evaluate the matter and address it, if appropriate.

D. *Treatment Records and Other Privileged Information*

During the investigation and adjudication processes, the investigator and adjudicator are not permitted to access, consider, disclose, permit questioning concerning, or otherwise use:

- a Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party; or
- information or records protected from disclosure by any other legally-recognized privilege, such as the attorney-client privilege

unless the University has obtained the Party's voluntary, written consent to do so for the purposes of the investigation and adjudication process.

Notwithstanding the foregoing, the investigator and/or adjudicator, may consider any such records or information otherwise covered by this Policy if the Party holding the privilege affirmatively discloses the records or information to support their allegation or defense.

E. *Sexual History*

During the investigation and adjudication processes, questioning regarding a Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Notwithstanding the foregoing, a Complainant who affirmatively uses information otherwise considered irrelevant by this Section for the purpose of supporting the Complainant's allegations, may be deemed to have waived the protections of this Section.

F. *Student Withdrawal or Graduation Pending Disciplinary Charges*

If a student withdraws or graduates from the University pending an investigation of a complaint of Sexual Misconduct under this Policy, the University will expedite the disciplinary process as necessary to accommodate both the Complainant and the Respondent's interest in a speedy resolution and continue the investigation with or without the participation of the Respondent.

G. *Academic Freedom*

The University will construe and apply this Policy consistent with the principles of academic freedom specified in policy 7.3, Academic Freedom and Responsibility. In no case will a Respondent be found to have committed Sexual Harassment based on expressive conduct that is protected by the principles of academic freedom specified in university policy.

XVIII. Other Policy Violations

A. *Bad Faith Complaints and False Information*

It is a violation of this policy for any person to submit a report or Formal Complaint that the person knows, at the time the report or Formal Complaint is submitted, to be false or frivolous. It is also a violation of this policy for any person to knowingly make a materially false statement during the course of an investigation, adjudication, or appeal under this policy. Violations of this Section are not subject to the investigation and adjudication processes in this policy; instead, they will be addressed under the Student Code of Conduct in the case of students and other University policies and standards, as applicable, for other persons.

B. *Other Sex-Based Misconduct*

This policy applies only to Sexual Harassment as defined in this Policy. Complaints of other forms of sex discrimination are governed by policy 2.11, Nondiscrimination Policy.

XIX. Sanctions

A. Disciplinary sanctions or other actions that are not supportive measures shall not be imposed on Respondents prior to a determination of responsibility except in cases meeting the requirements for emergency removals.

B. The designated administrator may decide sanctions, if any, or may delegate the sanctioning decision to another authority. Sanctioning decisions involving employees must be determined in consultation with Human Resources.

C. Sanctions may have rehabilitative, educational, and restorative elements for students. In addition, sanctions may have punitive components. Examples of sanctions may include, but are not limited to, written reprimand or warning, required training, no-contact directives, probation, suspension, and employment dismissal and/or expulsion.

D. Students found responsible for committing Dating or Domestic Violence and/or Sexual Assault will be subject to permanent expulsion with a minimum sanction of a one-year suspension, in the absence of signficant mitigating factors.

E. Students found responsible for committing acts of Sexual Harassment, Sexual Assault, Stalking, Dating Violence, Domestic Violence, and/or any other sex-based misconduct who are allowed to return after a suspension of one year or more will be ineligible to represent the university in any way or to hold an office in any recognized student organization. This includes intercollegiate athletics or other competitions, both on and off campus, and ineligible to receive an institutional scholarship, in the absence of significant mitigating factors.

F. When an employee is found to have sexually harassed or engaged in sex-based misconduct as defined in this policy, the sanction will be termination of employment.

G. For sex discrimination complaints, both the Complainant(s) and the Respondent(s) will be informed in writing of any and all sanctions, except when to do so would violate state or federal law (e.g., Family Educational Rights and Privacy Act).

XX. Records Retention

The University shall meet minimum requirements for Title IX processes records retention (whether digital or analog) set forth by federal regulation, state law, and university policy.

XXI. Discretion in Application

A. *Interpretation*

The University retains discretion to interpret and apply this Policy in a manner that is not clearly unreasonable, even if the University's interpretation or application differs from the interpretation of the Parties.

The provisions of this Policy and the Hearing Procedures are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the University retains discretion to revise this Policy and the Hearing Procedures at any time, and for any reason. The University may apply Policy revisions to an active case provided that doing so is not clearly unreasonable.

B. *Outside Appointments, Dual Appointments, and Delegations*

The University retains discretion to retain and appoint suitably qualified persons who are not University employees to fulfill any function of the University under this policy, including, but not limited to, the investigator, hearing officer, administrative officer, informal resolution officer, and/or appeals officer. The University also retains discretion to appoint two or more persons to jointly fulfill the role of investigator, hearing officer, administrative officer, informal resolution officer, and/or appeals officer.

The functions assigned to a given University official under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, hearing officer, administrative officer, informal resolution officer, and appeals officer, may, in the University's discretion, be delegated by such University official to any suitably qualified individual and such delegation may be recalled by the University at any time.

C. *Vendors, Contractors and Third Parties*

The University does business with various vendors, contractors, and other third-parties who are not students or employees of the University. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, the University retains its right to limit any vendor, contractor, or third-party's access to campus for any reason. And the University retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

D. *Recordings*

Wherever this policy specifies that an audio or video recording will be made, the recording will be made only by the University and is considered property of the University, subject to any right of access that a Party may have under this policy, FERPA, and other applicable federal, state, or local laws. Only the University is permitted to make audio or video recordings under this policy. The surreptitious recording of any meeting, interview, hearing, or other interaction contemplated under this policy is strictly prohibited. Should any Party desire a transcription of the recording, a request should be made to the Title IX Office and the requesting Party is responsible for all associated costs.

E. *Relationship With Criminal Process*

This policy sets forth the University's processes for responding to reports and Formal Complaints of Sexual Harassment. The University's processes are separate, distinct, and independent of any criminal processes. While the University may temporarily delay its processes under this policy to avoid interfering with law enforcement efforts if requested by law enforcement, the University will

otherwise apply this policy and its processes without regard to the status or outcome of any criminal process.

XXII. Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, or the invalidated elements of this policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should Policy 2.13, Title IX be revoked in this manner, any conduct covered under Policy 2.13 Title IX shall be investigated and adjudicated under the existing Nondiscrimination Policy 2.11.

Cross Reference: Nondiscrimination (2.11); Academic Freedom and Responsibility (7.3); Faculty Code of Conduct (7.11); Tenure and Continued Employment (7.29); Student Code of Conduct (10.4); Discipline and Discharge (11.4); Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681; 42 U.S.C. § 1981; 34 C.F.R. Part 106; Tex. Educ. Code §§ 51.251-.260, .281-.293; Tex. Fam. Code §§ 71.0021, 004

Responsible for Implementation: President

Contact for Revision: Title IX Coordinator

Forms: Sexual Misconduct Reporting Form, Sexual Misconduct Appeal of Investigation Findings Form, Mandatory Reporter- Title IX Reporting Form

Board Committee Assignment: Academic and Student Affairs

Revision History: July 26, 2022
July 27, 2021
July 21, 2020
July 23, 2019
July 24, 2018
July 25, 2017
July 26, 2016

Building and Grounds Committee

BUILDING AND GROUNDS POLICY REVISIONS

Explanation:

The *Board Rules and Regulations* state that the Building and Grounds Committee will consider: use and occupancy of university property; and planning of, locating of, receiving bids for, awarding contracts for, construction of, and maintenance of buildings, utilities, and other physical facilities of the campus.

The following policies are necessary to incorporate organizational, job title, and regulatory changes and to improve the flow of information in the above areas of responsibility. The general counsel has reviewed the proposed revisions.

Recommendation:

The administration recommends that the Board of Regents adopt the following policies revisions as presented:

Austin Building Conference Rooms 16.5
Homer Bryce Stadium and William R. Johnson Coliseum 16.13
Use of University Facilities 16.33

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Austin Building Conference Rooms

Policy Number: 16.5

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy outlines approved use of Austin 305 and 307.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Steve Westbrook, Interim President
Damon Derrick, General Counsel

Austin Building Conference Rooms

Original Implementation: June 10, 1986
Last Revision: January ~~28, 2020~~*30, 2023*

The provisions of the policy on the Use of University Facilities (16.33) govern the use of all buildings, facilities, equipment, and grounds, hereafter referred to as facilities, under the control of Stephen F. Austin State University. That policy provides that the university may establish additional procedures for the reservation and use of specific facilities; therefore, the following provisions apply to Room 305 and Room 307 in the Austin Building.

These conference rooms will be primarily for the use of ~~the Board of Regents and~~ the president of the university in their conduct of the governance and administration of the university, as well as for visits of dignitaries and official university guests.

Beverages and food are prohibited in conference rooms 305 and 307, except as approved by the president ~~or the chair of the Board of Regents~~.

Cross Reference: Use of University Facilities (16.33)

Responsible for Implementation: President

Contact for Revision: President

Forms: None

Board Committee Assignment: Building and Grounds Committee

Revision History: January 31, 2017
January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Homer Bryce Stadium and William R. Johnson Coliseum

Policy Number: 16.13

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy outlines approved use of Homer Bryce Stadium and William R. Johnson Coliseum.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Ryan Ivey, Director of Athletics
Steve Westbrook, Interim President
Damon Derrick, General Counsel

Homer Bryce Stadium and William R. Johnson Coliseum

Original Implementation: 1972
Last Revision: January ~~28, 2020~~*30, 2023*

The provisions of the policy on the Use of University Facilities (16.33) govern the use of all buildings, facilities, equipment, and grounds, hereafter referred to as facilities, under the control of Stephen F. Austin State University. That policy provides that the university may establish additional procedures for the reservation and use of specific facilities; therefore, the following provisions apply to Homer Bryce Stadium and William R. Johnson Coliseum.

Use of Homer Bryce Stadium or William R. Johnson Coliseum by persons other than the university athletic department will be arranged through the coordinator of athletic operations and approved by the director of athletics. Such usage will be limited to events sponsored by university departments or recognized student organizations conducting activities within their established role and scope. Some events may be sponsored by the university, such as high school and University Interscholastic League events as well as other athletic events, which are sanctioned by an official governing organization. Persons or groups wishing to use either of these facilities should contact the ~~coordinator of athletic operations~~*Associate Athletics Director for Business Affairs* (in person or by phone) concerning the availability of the facility. Questions regarding the use of these facilities for camp/conference participants should be directed to the camps and conferences coordinator, located in the Baker Pattillo Student Center. (See Camps and Conferences, policy 16.7.)

1. Intercollegiate athletic teams have first priority of access to all intercollegiate competition surfaces.
2. The *Associate Athletics Director for Business Affairs* ~~coordinator of athletic operations~~ will complete a facility use application.
3. The *Associate Athletics Director for Business Affairs or designee*~~coordinator of athletic operations~~ will assist university departments and student organizations with coordination of university police department and university physical plant services for upcoming events.
4. A contract will be completed before the date of the event.
5. The William R. Johnson Coliseum marquee will be used to advertise only official university events *and/or official corporate partners/sponsors*. Requests for messages on the marquee should be made to the *Associate Athletics Director for Business Development and Revenue Generation or designee* ~~coordinator of athletic operations~~.
6. Homer Bryce Stadium and William R. Johnson Coliseum competition surfaces (i.e. football field, track surface and basketball court) shall be permitted only through approval through the facility use process. General public use of competition surfaces is strictly prohibited.
7. Grandstands located in Homer Bryce Stadium and William R. Johnson Coliseum shall be opened for general public use at their own risk, between 6am-10pm. Both facilities shall be closed for general public use between 10pm-6am. Those individuals caught using the facilities during unpermitted timeframes may be subject to disciplinary action, including

prosecution by the extent allowed by law.

Cross Reference: Use of University Facilities (16.33); Camps and Conferences (16.7)

Responsible for Implementation: President

Contact for Revision: Director of Intercollegiate Athletics

Forms: None

Board Committee Assignment: Building and Grounds Committee

Revision History: January 28, 2020
November 7, 2016
October 21, 2013
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Use of University Facilities

Policy Number: 16.33

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/23/2019

Unit(s) Responsible for Policy Implementation: President, Vice President for Finance and Administration, Vice President for Student Affairs, Provost and Executive Vice President for Academic Affairs

Purpose of Policy (what does it do): This policy provides guidelines for the use of university facilities by individuals and groups, outlines the process for reserving facilities, and establishes financial policies relating to facility usage.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Significant revision by Student Affairs and Financial Affairs to clarify point-of-contacts for authorization to use facilities. Also, clarified hearing procedure for those individuals/groups suspended from using facilities. Academic Affairs made minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Wording changes, minor additional revisions

Reviewers:

Academic Affairs Policy Committee
Student Affairs Policy Committee

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Brandon Frye, Vice President of Student Affairs
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Use of University Facilities

Original Implementation: April 11, 1980
Last Revision: ~~July 23, 2019~~*January 30, 2023*

Purpose

This policy provides guidelines for the use of university facilities by individuals and groups, outlines the process for reserving facilities, and establishes financial policies relating to facility usage.

Definitions

The following definitions will be utilized for the purpose of this policy:

———Student - ~~is defined as~~ a person who is currently enrolled for academic instruction or research at the university.

———Campus - ~~is defined as~~ all real property over which the university has possession and control by law.

———University group - ~~is defined as~~ a registered student organization, other student group, or faculty ~~and~~ *or* staff group. No group shall be considered a university group if it includes a person who is not a student, faculty member, or employee of the university unless that person is a member of the immediate family of a student, faculty member, or employee of the university.

———Outside group - ~~is defined as~~ any organization or group that is not included within the term university group.

~~"~~Outside individual~~"~~ - ~~is defined as~~ any individual that is not a student, faculty member, or employee of the university, and a student, faculty member, or employee of the university not acting within the scope of their employment.

———Sponsoring organization - ~~will mean~~ a university group that vouches for an outside group's use of a university facility.

———University official - ~~is defined as~~ a person charged with the responsibility for supervising the use of a university facility.

———University agency - ~~is defined as~~ an academic unit, college, or program, or a university council, committee or auxiliary enterprise.

General

All university facilities will be used only in the pursuit of the stated objectives of the university - academic, cultural, and public service. While academic space exists primarily for academic instruction, individuals and groups may utilize available academic space in accordance with this policy. ~~–~~Groups not affiliated with the university may be granted use of university facilities according to the general policies provided herein and an agreement to adhere to the specific rules and procedures governing the use of the individual facilities.

It is the responsibility of the user to become acquainted with and abide by these specific rules.

Priorities and Limitations for Use of University Facilities

All activities associated with the mission of the university will have priority regarding the use of university facilities. ~~u~~*U*niversity agencies/groups and individuals engaged in the educational mission of the university may use university facilities in accordance with federal, state, and local laws, as well as the rules and regulations of the university.

Priority for the use of university facilities will go first to the students and second to the faculty and staff. Exceptions to this rule may be made in certain instances by the university administration.

Outside groups sponsored by a university agency conducting an activity that is within the university agency's established role and scope may be allowed the use of university facilities. Outside individuals and/or groups without a sponsor may be permitted to use the facilities of the *Baker Pattillo S*~~s~~tudent ~~c~~*C*enter, subject to all other appropriate guidelines contained in this policy.

Reservations and Use by University Groups/Agencies

Application for use of university facilities by university groups/agencies will be made to the appropriate university official as follows:

Facility	Appropriate University Official
Academic facilities	Academic Deans with jurisdiction over ~~that~~ *the* space
Baker Pattillo Student Center	Director, *Baker Pattillo* Student Center
Residence halls	Director, Residence Life
Library ~~carrels and seminar~~ rooms	Director, University Library
~~Johnson Coliseum and Homer Bryce Stadium~~*Athletic Facilities*	*Associate Athletics Director for Business Affairs*~~Coordinator of Athletic~~

Health and Physical Education Complex	Chair, Department of Kinesiology, or Director, Campus Recreation; as outlined in Policy 16.18, Norton HPE Complex
Student Recreation Center, intramural fields and other outside recreational facilities	Director, Campus Recreation
All other facilities	*Vice President for Finance and Administration*

Fees for Use: Fees for use by university groups are established at rates which will, at a minimum, ensure recovery of the operating cost of the facility that is attributable directly or indirectly to such use, including but not limited to the proposed facility and expected size of the audience, anticipated need for campus security, any necessary accommodations, and relevant history of compliance or noncompliance with university policies and procedures. Such fees may differ from the fee charged to an outside group. The current fee schedule will be available from the appropriate university official. An advance deposit (specified in the fee schedule) may be required for reservations for an event conducted by an outside group.

Income: Excess income over expenses, including the fee for use of the facility derived from an event sponsored by a university agency/group, may be retained by the university agency/group to further its activities and programs. Excess expenses over income of an event will be absorbed by the sponsoring university agency/group.

Reservations and Use by Outside Individuals and/or Groups

Application for use of university facilities by outside individuals and/or groups will be submitted to the *appropriate university official as stated above*.~~vice president for finance and administration, except for the coliseum, stadium, student recreation center, and student center, which will be submitted to the individual indicated above.~~

Usage: The university may establish additional procedures and/or policies for the reservation and use of each university facility. Consumption of food or beverages in ~~SFA~~ *university* academic buildings is permitted subject to the approval of the appropriate dean or designee, provided such permission does not conflict with other policies or applicable laws.

Identification of Sponsor: The user may not assign or delegate any control or responsibility to any other user or co-sponsor, agent, or third party without prior written approval of the appropriate university official. All users or co-sponsors of an event must be clearly identified prior to confirmation of a

reservation. Reservations for one event may not be modified for a different event without written approval by the appropriate university official.

Fees for Use: Fees for use by outside individuals and/or groups are established at rates which will, at a minimum, ensure recovery of the operating cost of the facility that is attributable directly or indirectly to such use, including but not limited to the proposed facility and expected size of the audience, anticipated need for campus security, any necessary accommodations, and relevant history of compliance or noncompliance with university policies and procedures. The current fee schedule will be available from the appropriate university official. An advance deposit (specified in the fee schedule) may be required for reservations for an event conducted by an outside group.

Income: If an outside individual and/or group (other than a public entity or summer camp) using a university facility charges those attending an event any admission or registration fee, or accepts donations from those in attendance, a complete accounting of all funds collected and of the actual cost of the event must be submitted upon request to the vice president for finance and administration within (30) days after the event. If the funds collected exceed the actual cost of the event, the user is required to remit such excess funds to Stephen F. Austin State University as an additional charge for use of the facility. The university reserves the right to audit all records pertaining to income and expenses, to prescribe methods of collection, and to participate in audits of funds at the point of receipt. Additional cost of maintenance and services, including standbys, custodial services, and utilities will be considered an expense of the event.

Bond and insurance: Outside individuals and/or groups using a university facility may be required to provide a contract performance bond as well as evidence of appropriate levels of liability insurance in amounts and under policies satisfactory to the vice president for finance and administration. Copies of such policies will be furnished to the vice president for finance and administration no later than thirty (30) days prior to the event and in all cases prior to announcement of the event.

Financial Policies Applicable to All Users

Payment for damages: All users and sponsors will be responsible for payment for damages to the university facility, its fixtures, and equipment, whether caused by the user or its patrons, with the exception of ordinary wear and tear.

Broadcast and recording rights: The university reserves all rights and privileges for radio and television broadcasts, whether live or transcribed for delayed transmission, and all visual or audio recordings originating from the university facility. Should the university grant to the user such privilege, the university has the right to require advance payment of any estimated related costs to the university, such as installation of equipment. Such permission must be granted in writing by the university president in advance of broadcast or recording.

General Policies Applicable to All Users

Any proposed use of a university facility must be appropriate and suited to the size, structure, purpose and operating costs of the facility. There must be good reason to expect that a proposed event will require features unique to the facility or which are otherwise unavailable in the community. All proposed events must be conducted in accordance with applicable state and federal laws and regulations, as well as the rules, regulations and policies of the university ~~Board of Regents~~. Users must demonstrate, to the satisfaction of the appropriate university official, that they have the staff, experience, contracting authority, financial status and other qualifications necessary for carrying out the proposed events in a satisfactory manner.

Review of contracts: All contracts related to the presentation of an event, including contracts between user and performers, speakers, sub-contractors, managers, and others, are subject to review and approval by the *office of the* general counsel and the appropriate vice president *or president's cabinet member*.

Hazards: If the university, in its sole discretion, determines that a proposed event poses a potential hazard to public safety, the event may be canceled or denied. No user may install or operate any equipment, fixture or device, nor operate or permit to be operated any engine, motor or other machinery, or use gas, electricity or flammable substances in the facility except with prior written approval of the appropriate university official, and then under such conditions and restrictions as the university official may specify. All electrical connections must be made by university personnel under direction of the staff of the appropriate university official and all house equipment must be operated by university personnel. No equipment, device or fixture may be used which, in the opinion of the university official, endangers the structural integrity of the facility.

Conflict with university activities: An event will not be permitted for any purpose which, although in accordance with the general purposes of the university, is of such character or occurs at such circumstances that they are likely to interfere or cause major conflict with any university activity, program or event, or are inimical to the interests of the university.

Management functions: Management functions are retained by the university and may be delegated to users or others only with the written permission of the appropriate vice president *or president's cabinet member*. The functions include, but are not limited to, all facets of ticketing and ticket policies, including scaling, acquisition, distribution, and sale; and all matters of staffing, crowd control, technical arrangements, promotions, and advertising.

Concessions and catering: Use of the university facility does not carry the right for the user to control

concessions. Sale and distribution of food, beverages, souvenirs, or other concession items are reserved for the university or its concessionaires.

Signs and displays: No signs, messages or other materials may be posted, displayed, distributed or announced in, on or adjacent to, the university facility by user or sponsor without prior written approval of the university official. Such materials may not be fastened to any part of the facility except in spaces provided for this purpose and may not be permitted to interfere with crowd movement and safety.

Religious organizations (Outside Group): A religious organization applying for use of a facility must submit written evidence to the appropriate university official from the Internal Revenue Service that the organization has been granted an exemption from taxation under Section 501(c)(3) of Title 26 of the United States code (Internal Revenue Code), and will be permitted to use the facility no more than one (1) time during a calendar year.

Political organizations (Outside Group): A political organization applying for use of the facility must present written evidence to the appropriate university official that the organization had candidates for either national, state, district or local offices listed on the ballot at the last general election, and will be permitted to use the facility no more than one (1) time during a calendar year.

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

Advertising: All press releases, handbills, advertisements, television and radio announcements, social media or other media utilized to inform the public of a non-university event to be held in a university facility must carry a disclaimer, approved by the *office of the* general counsel, to the effect that use of Stephen F. Austin State University facilities does not imply endorsement of the event or the sponsoring organization by the university.

Amplified Sound: Amplified sound may only be used at indoor campus facilities with prior authorization of the university. Use of these devices is restricted to specific areas. Decibel limits may be imposed on the use of amplified sound at any event. Any event exceeding these sound limits will be first asked to turn the volume down; if the problem persists, the university reserves the right to immediately terminate the event. Use of amplified sound on campus grounds is governed by policy 16.31, Use of Amplified Sound on Campus Grounds.

Penalty and Hearing

Suspension: If a user or sponsor violates the provisions of this policy, or the laws regulating the use of state property, the appropriate university official with the approval of the vice president *or president's cabinet member* to whom he/she reports may suspend the use of university facilities, or certain university facilities, by the user or sponsor for a specified period of time not to exceed one (1) year. Suspension will mean that reservation requests by the user or sponsor will be denied by the university during the specified period of time. *All suspension records will be maintained in the Dean of Students Office as a central location.*

Notice of Suspension: When a university official suspends a user or sponsor from the use of university facilities, the official will notify *in writing* the user or sponsor, ~~in writing and~~ the vice president *or president's cabinet member* responsible for space assignment, *and the Assistant Vice President of Students Affairs/Dean of Students* of the suspension. The written notice will contain all the following:

a. that the user or sponsor may not use university facilities, or certain designated university facilities, for a specified period of time, not to exceed one (1) year from receipt of the notice;
b. the name and title of the university official imposing the suspension, along with an address where the university official may be contacted during regular working hours;
c. a brief statement of the acts or omissions resulting in the suspension; and
d. notification that the suspended user or sponsor is entitled to a hearing on the suspension.

Request for Hearing: A suspended user or sponsor may submit a written request for a hearing on the suspension to the ~~appropriate university official~~*Dean of Students Office* within ~~fourteen~~ *ten* (1*0*~~4~~) *business* days from the date of receipt by the user or sponsor of the notice of suspension. The ~~university official~~*Assistant Vice President of Student Affairs/Dean of Students or their designee* will grant a hearing no~~t~~ later than ~~seven~~ *ten* (~~7~~*10*) *business* days from the date of receipt of the request and will immediately mail written notice of the time, place, and date of the hearing to the requester. The hearing will be held before a ~~discipline~~ committee reviewing the suspension in question. *This ~~discipline~~ committee will be ~~three individuals and~~ chaired by the Assistant Vice President of Student Affairs/Dean of Students who will appoint the other members. The suspended user or sponsor will be notified of the ~~discipline~~ committee's decision within three (3) business days of the hearing. There is no right to an appeal.*

Cross Reference: Course Scheduling *and Room Assignment* (4.1~~3~~*2*); Turner Auditorium (16.30); Norton HPE Complex (16.18); Kennedy Auditorium (16.14); Homer Bryce Stadium and William R. Johnson Coliseum (16.13); ~~Piney Woods Conservation Center (16.21);~~ The Ed and Gwen Cole Art Center and the Griffith Gallery (16.27); Austin Building Conference Rooms (16.5); Academic Facilities for Non-Academic Activities (16.1); Use of Amplified Sound on Campus Grounds (16.31); Tex. Educ. Code § 51.9315

Responsible for Implementation: President, Vice President for Finance and Administration, Vice President ~~for~~ *of* ~~University~~ *Student* Affairs, Provost and *Executive* Vice President for Academic Affairs

Contact for Revision: President

Forms: *Facilities Use Agreement*~~None~~

Board Committee Assignment: Building and Grounds

Revision History: July 23, 2019
January 26, 2016
January 29, 2013
January 25, 2010

NAMING OPPORTUNITY

Pending Executive Session

NAMING OPPORTUNITY

Pending Executive Session

Finance and Audit Committee

ACKNOWLEDGE RECEIPT OF AUDIT SERVICES REPORT

Explanation:

The *Board Rules and Regulations* state that the chief audit executive shall assist the board in carrying out its oversight responsibilities as they relate to the university's a) financial and other reporting practices, b) internal control, and c) compliance with laws, regulations and ethics. The chief audit executive reports to the Board of Regents on the status of the annual audit plan, internal and external reports, risk assessment and audit/compliance issues.

The audit services report as presented includes the following:

Charter School Annual Financial Report Audit
Agreed Upon Procedures Report for the NCAA Financial Statement
Construction Close Out of Basketball Performance Center Audit
Office of Provost Departmental Audit
University Marketing Communications Departmental Audit
Athletic Ticket Office
Internal Projects / Investigations
Update on Audit Plan

Recommendation:

Acknowledge receipt of the audit services report pending consideration by the Finance and Audit Committee.

APPROVAL OF RESOLUTION TO ACKNOWLEDGE REVIEW OF INVESTMENT POLICY AND STRATEGY

Explanation:

In accordance with Chapter 2256 of the Texas Government Code, the university's investment policy and strategy must be annually reviewed by the governing board of the institution. In addition, the law requires the governing body to adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and strategy. The resolution acknowledges the board's annual review of Policy 3.21, Investments. Policy 3.21 is included in the policy revisions.

Recommendation:

The administration recommends approval of the Resolution to Acknowledge Review of Investment Policy and Strategy.

BOARD OF REGENTS
OF
STEPHEN F. AUSTIN STATE UNIVERSITY
Nacogdoches. Texas
RESOLUTION TO ACKNOWLEDGE
REVIEW OF INVESTMENT POLICY AND STRATEGY

WHEREAS, The Texas Public Funds Investment Act requires that each university's investment policy and strategy must be annually reviewed by the governing board of the institution; and

WHEREAS, the law also requires the governing body to adopt a written instrument stating that is has reviewed the investment policy and strategy;

NOW THEREFORE BE IT RESOLVED that the Stephen F. Austin State University Board of Regents, by the issuance of this resolution, does hereby approve the investment policy and strategy as reviewed on January 30, 2023, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the January 30, 2023 meeting of the board.

Attest:

_____ _____

Board of Regents, Chair Board of Regents, Secretary

_____

Date

RESOLUTION TO APPROVE QUALIFIED FINANCIAL INSTITUTIONS AND INVESTMENT BROKERS

Explanation:

Chapter 2256 of the Texas Government Code requires the university to adopt a resolution by the governing body of the institution that approves qualified investment brokers. The financial institutions and brokers/investment managers are listed in the following resolution.

Recommendation:

The administration recommends approval of the financial institutions, investment managers and brokers presented.

BOARD OF REGENTS
OF
STEPHEN F, AUSTIN STATE UNIVERSITY
Nacogdoches, Texas

RESOLUTION APPROVING
FINANCIAL INSTITUTIONS AND BROKERS FOR INVESTMENT TRANSACTIONS

WHEREAS, the Texas Public Funds Investment Act requires the university to submit a resolution approving a list of qualified investment brokers and financial institutions to the governing body of the institution for adoption and/or review; and

WHEREAS, the following firms are approved investment brokers:

Texas A&M University System
Bank of America
Hilltop Securities
The University of Texas/Texas A&M Investment Management Company (UTIMCO)

WHEREAS, the following firms are approved financial institutions:

Citizens 1st Bank
Austin Bank
Cadence Bank (formerly BancorpSouth Bank)
Bank of America
Commercial Bank of Texas, NA
Southside Bank
Regions Bank
UBank
Wells Fargo Bank
US Bank
Texas Bank
TexPool
TexSTAR
Texas CLASS
Texas Range
JPMorgan Chase & Co
Wilmington Trust, N.A.
UBS Financial Services Inc.
FTN Financial Capital Markets
Stephens Inc.
Citigroup Global Markets, Inc.
LOGIC
Water Walker Investment
Prosperity Bank

NOW THEREFORE BE IT RESOLVED that the Stephen F. Austin State University Board of Regents, by the issuance of this resolution, does hereby approve the above listed firms for investment transactions by Stephen F. Austin State University; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the January 30, 2023 meeting of the board.

_____	_____	_____	_____
Chair, Board of Regents	Date	Secretary, Board of Regents	Date

TUITION, FEES, EXEMPTIONS, AND WAIVERS FOR FY 2023-2024

Explanation:

Board of Regents policy 1.4, Items Requiring Board of Regents Approval states the following must be approved: Establishment (or change) of tuition, student fees, room and board fees, and all optional statutory tuition exemptions or waivers. Approval must be provided on no less than an annual basis, or when there is any change to the items listed.

A schedule of current tuition and fee items are included. The tables listed represent the charges for specific student classifications or cohorts:

a) Texas Resident Undergraduate Annual Fixed Price Plan (AFPP)

b) Texas Resident Graduate Annual Fixed Price Plan (AFPP)

c) Border State Tuition and Fee Plan

d) Non-Resident Tuition and Fee Plan

e) Texas Resident Undergraduate Guaranteed Price Plan (GPP)

f) Texas Resident Undergraduate Fixed Rate Tuition Plan (FRTP) for the FY2019 continuing cohort

g) Texas Resident Undergraduate Fixed Rate Tuition Plan (FRTP) for the FY2020 continuing cohort

h) ROTC Military Science Course(s) Rate Table

i) Dual Credit Rate (after Dual Credit exemption)

j) Out-of-State Fully Online Tuition and Fee Plan

k) RELLIS Program Rates

j) RN to BSN Program Rates

No changes to the current SFA tuition and fee rates are proposed for FY2024.

Also included is the 2022 Texas Public Higher Education almanac data of average tuition and fees by University; lists other student fees; and a summary of exemption and waiver programs authorized by the Texas Legislature and SFASU. While many exemptions and waivers are mandated

for all public institutions, some programs are optional and implementation is left to the discretion of the governing board of the institution.

Recommendation:

The administration recommends approval of the tuition and fee rate schedules for the fiscal year 2023-2024.

The administration also recommends that the board affirm the university’s implementation of mandatory and optional exemptions and waivers for the fiscal year 2023-2024.

Texas Residents UG AFPP
FY 2024 (202410, 202420, 202430)

Num. of Hrs.	Tx Res	Designated Tuition	Univ Svc Fee	Stud. Svc.	Stud. Cntr.	Int'l Ed. Fee	Reg Records	Rec Sports Fee	Env Svc Fee	Diff Tui	Num. of Hrs.	Total Tx Res
										UG		Undergrad
1	$ 50.00	$ 204.00	$ 83.00	$ 13.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	1	$ **561.50**
2	$ 100.00	$ 408.00	$ 166.00	$ 27.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	2	$ **912.00**
3	$ 150.00	$ 762.00	$ 249.00	$ 40.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	3	$ **1,412.50**
4	$ 200.00	$ 614.50	$ 332.00	$ 54.00	$ 36.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	4	$ **1,412.50**
5	$ 250.00	$ 459.00	$ 415.00	$ 67.50	$ 45.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	5	$ **1,412.50**
6	$ 300.00	$ 1,524.00	$ 498.00	$ 81.00	$ 54.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	6	$ **2,633.00**
7	$ 350.00	$ 1,308.50	$ 581.00	$ 94.50	$ 63.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	7	$ **2,633.00**
8	$ 400.00	$ 1,153.00	$ 664.00	$ 108.00	$ 72.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	8	$ **2,633.00**
9	$ 450.00	$ 1,836.00	$ 747.00	$ 121.50	$ 81.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	9	$ **3,471.50**
10	$ 500.00	$ 2,040.00	$ 830.00	$ 135.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	10	$ **3,826.00**
11	$ 550.00	$ 2,244.00	$ 913.00	$ 148.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	11	$ **4,176.50**
12	$ 600.00	$ 3,221.00	$ 996.00	$ 162.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	12	$ **5,300.00**
13	$ 650.00	$ 3,074.50	$ 1,079.00	$ 175.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	13	$ **5,300.00**
14	$ 700.00	$ 3,074.00	$ 1,016.00	$ 189.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	14	$ **5,300.00**
15	$ 750.00	$ 3,074.00	$ 952.50	$ 202.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	15	$ **5,300.00**
16	$ 800.00	$ 3,074.00	$ 889.00	$ 216.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	16	$ **5,300.00**
17	$ 850.00	$ 3,074.00	$ 825.50	$ 229.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	17	$ **5,300.00**
18	$ 900.00	$ 3,074.00	$ 762.00	$ 243.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	18	$ **5,300.00**
19	$ 950.00	$ 3,074.00	$ 705.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	19	$ **5,300.00**
20	$ 1,000.00	$ 3,074.00	$ 655.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	20	$ **5,300.00**
21	$ 1,050.00	$ 3,074.00	$ 605.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	21	$ **5,300.00**

IMPORTANT: Texas Residents taking some or all on-line courses will be charged a $33 per credit hour Distance Learning fee up to $396 BUT Designated Tuition will be reduced by that same amount - STUDENTS TOTAL CHARGES WILL NOT CHANGE

Texas Residents GR AFPP
FY 2024 (202410, 202420, 202430)

Num. of Hrs.	Tx Res	Designated Tuition	Discretionary Graduate Rate	Univ Svc Fee	Stud. Svc.	Stud. Cntr.	Int'l Ed. Fee	Reg Records	Rec Sports Fee	Env Svc Fee	Diff Tui	Num. of Hrs.	Total Tx Res
	Please Note: Graduate Students are charged an additional $33 per credit hour for each on-line course up to $396										GR		GRAD
1	$ 50.00	$ 204.00	$ 30.00	$ 83.00	$ 13.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	75.00	1	$ **566.50**
2	$ 100.00	$ 408.00	$ 60.00	$ 166.00	$ 27.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	75.00	2	$ **947.00**
3	$ 150.00	$ 762.00	$ 90.00	$ 249.00	$ 40.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	75.00	3	$ **1,477.50**
4	$ 200.00	$ 614.50	$ 120.00	$ 332.00	$ 54.00	$ 36.00	$ 3.00	$ 8.00	$ 60.00	5.00	75.00	4	$ **1,507.50**
5	$ 250.00	$ 459.00	$ 150.00	$ 415.00	$ 67.50	$ 45.00	$ 3.00	$ 8.00	$ 60.00	5.00	75.00	5	$ **1,537.50**
6	$ 300.00	$ 1,524.00	$ 180.00	$ 498.00	$ 81.00	$ 54.00	$ 3.00	$ 8.00	$ 60.00	5.00	75.00	6	$ **2,788.00**
7	$ 350.00	$ 1,308.50	$ 210.00	$ 581.00	$ 94.50	$ 63.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	7	$ **2,818.00**
8	$ 400.00	$ 1,153.00	$ 240.00	$ 664.00	$ 108.00	$ 72.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	8	$ **2,848.00**
9	$ 450.00	$ 1,836.00	$ 270.00	$ 747.00	$ 121.50	$ 81.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	9	$ **3,716.50**
10	$ 500.00	$ 2,040.00	$ 300.00	$ 830.00	$ 135.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	10	$ **4,101.00**
11	$ 550.00	$ 2,244.00	$ 330.00	$ 913.00	$ 148.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	11	$ **4,481.50**
12	$ 600.00	$ 3,221.00	$ 360.00	$ 996.00	$ 162.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	12	$ **5,635.00**
13	$ 650.00	$ 3,074.50	$ 390.00	$ 1,079.00	$ 175.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	13	$ **5,665.00**
14	$ 700.00	$ 3,074.00	$ 420.00	$ 1,016.00	$ 189.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	14	$ **5,695.00**
15	$ 750.00	$ 3,074.00	$ 450.00	$ 952.50	$ 202.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	15	$ **5,725.00**
16	$ 800.00	$ 3,074.00	$ 480.00	$ 889.00	$ 216.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	16	$ **5,755.00**
17	$ 850.00	$ 3,074.00	$ 510.00	$ 825.50	$ 229.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	17	$ **5,785.00**
18	$ 900.00	$ 3,074.00	$ 540.00	$ 762.00	$ 243.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	18	$ **5,815.00**
19	$ 950.00	$ 3,074.00	$ 570.00	$ 705.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	19	$ **5,845.00**
20	$ 1,000.00	$ 3,074.00	$ 600.00	$ 655.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	20	$ **5,875.00**
21	$ 1,050.00	$ 3,074.00	$ 630.00	$ 605.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	75.00	21	$ **5,905.00**

BORDER STATE
FY 2024 (202410, 202420, 202430)

Num. of Hrs.	Tx Res	Border Res	Designated Tuition	Discretionary Graduate Rate	Univ Svs Fee	Stud. Svc.	Env Svc Advising	Fee Cntr.	Int'l Ed. Fee	Reg Records	Rec Sports Fee	Diff Tui UG	Diff Tui GR	Num. of Hrs.	Total - Non-Res	
Please Note: Border State Students are charged an additional $33 per credit hour for each on-line course up to $396												*UG*	*GR*		**UG**	**GR**
1	$ 50.00	$ 80.00	$ 204.00	$ 30.00	$ 83.00	$ 13.50	$ 5.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	$ 100.00	$ 75.00	1	$ **591.50**	$ **596.50**
2	$ 100.00	$ 160.00	$ 408.00	$ 60.00	$ 166.00	$ 27.00	$ 5.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	$ 100.00	$ 75.00	2	$ **972.00**	$ **1,007.00**
3	$ 150.00	$ 240.00	$ 762.00	$ 90.00	$ 249.00	$ 40.50	$ 5.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	$ 100.00	$ 75.00	3	$ **1,502.50**	$ **1,567.50**
4	$ 200.00	$ 320.00	$ 614.50	$ 120.00	$ 332.00	$ 54.00	$ 5.00	$ 36.00	$ 3.00	$ 8.00	$ 60.00	$ 100.00	$ 75.00	4	$ **1,532.50**	$ **1,627.50**
5	$ 250.00	$ 400.00	$ 459.00	$ 150.00	$ 415.00	$ 67.50	$ 5.00	$ 45.00	$ 3.00	$ 8.00	$ 60.00	$ 100.00	$ 75.00	5	$ **1,562.50**	$ **1,687.50**
6	$ 300.00	$ 480.00	$ 1,524.00	$ 180.00	$ 498.00	$ 81.00	$ 5.00	$ 54.00	$ 3.00	$ 8.00	$ 60.00	$ 100.00	$ 75.00	6	$ **2,813.00**	$ **2,968.00**
7	$ 350.00	$ 560.00	$ 1,308.50	$ 210.00	$ 581.00	$ 94.50	$ 5.00	$ 63.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	7	$ **2,843.00**	$ **3,028.00**
8	$ 400.00	$ 640.00	$ 1,153.00	$ 240.00	$ 664.00	$ 108.00	$ 5.00	$ 72.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	8	$ **2,873.00**	$ **3,088.00**
9	$ 450.00	$ 720.00	$ 1,836.00	$ 270.00	$ 747.00	$ 121.50	$ 5.00	$ 81.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	9	$ **3,741.50**	$ **3,986.50**
10	$ 500.00	$ 800.00	$ 2,040.00	$ 300.00	$ 830.00	$ 135.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	10	$ **4,126.00**	$ **4,401.00**
11	$ 550.00	$ 880.00	$ 2,244.00	$ 330.00	$ 913.00	$ 148.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	11	$ **4,506.50**	$ **4,811.50**
12	$ 600.00	$ 960.00	$ 3,221.00	$ 360.00	$ 996.00	$ 162.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	12	$ **5,660.00**	$ **5,995.00**
13	$ 650.00	$ 1,040.00	$ 3,074.50	$ 390.00	$ 1,079.00	$ 175.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	13	$ **5,690.00**	$ **6,055.00**
14	$ 700.00	$ 1,120.00	$ 3,074.00	$ 420.00	$ 1,016.00	$ 189.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	14	$ **5,720.00**	$ **6,115.00**
15	$ 750.00	$ 1,200.00	$ 3,074.00	$ 450.00	$ 952.50	$ 202.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	15	$ **5,750.00**	$ **6,175.00**
16	$ 800.00	$ 1,280.00	$ 3,074.00	$ 480.00	$ 889.00	$ 216.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	16	$ **5,780.00**	$ **6,235.00**
17	$ 850.00	$ 1,360.00	$ 3,074.00	$ 510.00	$ 825.50	$ 229.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	17	$ **5,810.00**	$ **6,295.00**
18	$ 900.00	$ 1,440.00	$ 3,074.00	$ 540.00	$ 762.00	$ 243.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	18	$ **5,840.00**	$ **6,355.00**
19	$ 950.00	$ 1,520.00	$ 3,074.00	$ 570.00	$ 705.00	$ 250.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	19	$ **5,870.00**	$ **6,415.00**
20	$ 1,000.00	$ 1,600.00	$ 3,074.00	$ 600.00	$ 655.00	$ 250.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	20	$ **5,900.00**	$ **6,475.00**
21	$ 1,050.00	$ 1,680.00	$ 3,074.00	$ 630.00	$ 605.00	$ 250.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	$ 100.00	$ 75.00	21	$ **5,930.00**	$ **6,535.00**

Non-Residents
FY 2024 (202410, 202420, 202430)

Num. of Hrs.	Non-Res Statutory	Designated Tuition	Discretionary Graduate Rate	Univ Svs Fee	Stud. Svc.	Env Svc Advising	Fee Cntr.	Int'l Ed. Fee	Reg Records	Rec Sports Fee	Diff Tui UG	Diff Tui GR	Num. of Hrs.	Total - Non-Res	
Note: Non-Resident Students will be charged an additional $33 per credit hour for each on-line course up to $396											*UG*	*GR*		**UG**	**GR**
1	$ 470.00	$ 204.00	$ 30.00	$ 83.00	$ 13.50	$ 5.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	100.00	75.00	1	$ 981.50	$ 986.50
2	$ 940.00	$ 408.00	$ 60.00	$ 166.00	$ 27.00	$ 5.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	100.00	75.00	2	$ 1,752.00	$ 1,787.00
3	$ 1,410.00	$ 762.00	$ 90.00	$ 249.00	$ 40.50	$ 5.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	100.00	75.00	3	$ 2,672.50	$ 2,737.50
4	$ 1,880.00	$ 614.50	$ 120.00	$ 332.00	$ 54.00	$ 5.00	$ 36.00	$ 3.00	$ 8.00	$ 60.00	100.00	75.00	4	$ 3,092.50	$ 3,187.50
5	$ 2,350.00	$ 459.00	$ 150.00	$ 415.00	$ 67.50	$ 5.00	$ 45.00	$ 3.00	$ 8.00	$ 60.00	100.00	75.00	5	$ 3,512.50	$ 3,637.50
6	$ 2,820.00	$ 1,524.00	$ 180.00	$ 498.00	$ 81.00	$ 5.00	$ 54.00	$ 3.00	$ 8.00	$ 60.00	100.00	75.00	6	$ 5,153.00	$ 5,308.00
7	$ 3,290.00	$ 1,308.50	$ 210.00	$ 581.00	$ 94.50	$ 5.00	$ 63.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	7	$ 5,573.00	$ 5,758.00
8	$ 3,760.00	$ 1,153.00	$ 240.00	$ 664.00	$ 108.00	$ 5.00	$ 72.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	8	$ 5,993.00	$ 6,208.00
9	$ 4,230.00	$ 1,836.00	$ 270.00	$ 747.00	$ 121.50	$ 5.00	$ 81.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	9	$ 7,251.50	$ 7,496.50
10	$ 4,700.00	$ 2,040.00	$ 300.00	$ 830.00	$ 135.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	10	$ 8,026.00	$ 8,301.00
11	$ 5,170.00	$ 2,244.00	$ 330.00	$ 913.00	$ 148.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	11	$ 8,796.50	$ 9,101.50
12	$ 5,640.00	$ 3,221.00	$ 360.00	$ 996.00	$ 162.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	12	$ 10,340.00	$ 10,675.00
13	$ 6,110.00	$ 3,074.50	$ 390.00	$ 1,079.00	$ 175.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	13	$ 10,760.00	$ 11,125.00
14	$ 6,580.00	$ 3,074.00	$ 420.00	$ 1,016.00	$ 189.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	14	$ 11,180.00	$ 11,575.00
15	$ 7,050.00	$ 3,074.00	$ 450.00	$ 952.50	$ 202.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	15	$ 11,600.00	$ 12,025.00
16	$ 7,520.00	$ 3,074.00	$ 480.00	$ 889.00	$ 216.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	16	$ 12,020.00	$ 12,475.00
17	$ 7,990.00	$ 3,074.00	$ 510.00	$ 825.50	$ 229.50	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	17	$ 12,440.00	$ 12,925.00
18	$ 8,460.00	$ 3,074.00	$ 540.00	$ 762.00	$ 243.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	18	$ 12,860.00	$ 13,375.00
19	$ 8,930.00	$ 3,074.00	$ 570.00	$ 705.00	$ 250.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	19	$ 13,280.00	$ 13,825.00
20	$ 9,400.00	$ 3,074.00	$ 600.00	$ 655.00	$ 250.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	20	$ 13,700.00	$ 14,275.00
21	$ 9,870.00	$ 3,074.00	$ 630.00	$ 605.00	$ 250.00	$ 5.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	100.00	75.00	21	$ 14,120.00	$ 14,725.00

Texas Residents UG GUARANTEED PRICE PLAN (GPP)
FY 2024 (202410, 202420, 202430)

Num. of Hrs.	Tx Res	Designated Tuition	Univ Svc Fee	Stud. Svc.	Stud. Cntr.	Int'l Ed. Fee	Reg Records	Rec Sports Fee	Env Svc Fee	Diff Tui	Num. of Hrs.	Total Tx Res
												Undergrad
1	$ 50.00	$ 255.00	$ 83.00	$ 13.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	1	$ 612.50
2	$ 100.00	$ 510.00	$ 166.00	$ 27.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	2	$ 1,014.00
3	$ 150.00	$ 765.00	$ 249.00	$ 40.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	3	$ 1,415.50
4	$ 200.00	$ 1,020.00	$ 332.00	$ 54.00	$ 36.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	4	$ 1,818.00
5	$ 250.00	$ 1,275.00	$ 415.00	$ 67.50	$ 45.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	5	$ 2,228.50
6	$ 300.00	$ 1,530.00	$ 498.00	$ 81.00	$ 54.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	6	$ 2,639.00
7	$ 350.00	$ 1,785.00	$ 581.00	$ 94.50	$ 63.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	7	$ 3,109.50
8	$ 400.00	$ 2,040.00	$ 664.00	$ 108.00	$ 72.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	8	$ 3,520.00
9	$ 450.00	$ 2,295.00	$ 747.00	$ 121.50	$ 81.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	9	$ 3,930.50
10	$ 500.00	$ 2,550.00	$ 830.00	$ 135.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	10	$ 4,336.00
11	$ 550.00	$ 2,805.00	$ 913.00	$ 148.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	11	$ 4,737.50
12	$ 600.00	$ 3,596.00	$ 996.00	$ 162.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	12	$ 5,675.00
13	$ 650.00	$ 3,449.50	$ 1,079.00	$ 175.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	13	$ 5,675.00
14	$ 700.00	$ 3,449.00	$ 1,016.00	$ 189.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	14	$ 5,675.00
15	$ 750.00	$ 3,449.00	$ 952.50	$ 202.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	15	$ 5,675.00
16	$ 800.00	$ 3,449.00	$ 889.00	$ 216.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	16	$ 5,675.00
17	$ 850.00	$ 3,449.00	$ 825.50	$ 229.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	17	$ 5,675.00
18	$ 900.00	$ 3,449.00	$ 762.00	$ 243.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	18	$ 5,675.00
19	$ 950.00	$ 3,449.00	$ 705.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	19	$ 5,675.00
20	$ 1,000.00	$ 3,449.00	$ 655.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	20	$ 5,675.00
21	$ 1,050.00	$ 3,449.00	$ 605.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	21	$ 5,675.00

IMPORTANT: GPP Students taking some or all on-line courses will be charged $33 per credit hour for Distance Learning Fee but Designated Tuition will be reduced by that same amount - STUDENTS TOTAL CHARGE WILL NOT CHANGE

Texas Residents UG FRTP
202020, 202030 FRTP (202410, 202420)

Num. of Hrs.	Tx Res	Designated Tuition	Univ Svc Fee	Stud. Svc.	Stud. Cntr.	Int'l Ed. Fee	Reg Records	Rec Sports Fee	Env Svc Fee	Diff Tui	Num. of Hrs.	Total Tx Res
Note: FRTP Students will be charged an additional $33 per credit hour for each on-line course										UG		Undergrad
1	$ 50.00	$ 233.00	$ 83.00	$ 13.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	1	$ **590.50**
2	$ 100.00	$ 466.00	$ 166.00	$ 27.00	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	2	$ **970.00**
3	$ 150.00	$ 699.00	$ 249.00	$ 40.50	$ 35.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	3	$ **1,349.50**
4	$ 200.00	$ 932.00	$ 332.00	$ 54.00	$ 36.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	4	$ **1,730.00**
5	$ 250.00	$ 1,165.00	$ 415.00	$ 67.50	$ 45.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	5	$ **2,118.50**
6	$ 300.00	$ 1,398.00	$ 498.00	$ 81.00	$ 54.00	$ 3.00	$ 8.00	$ 60.00	5.00	100.00	6	$ **2,507.00**
7	$ 350.00	$ 1,631.00	$ 581.00	$ 94.50	$ 63.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	7	$ **2,955.50**
8	$ 400.00	$ 1,864.00	$ 664.00	$ 108.00	$ 72.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	8	$ **3,344.00**
9	$ 450.00	$ 2,097.00	$ 747.00	$ 121.50	$ 81.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	9	$ **3,732.50**
10	$ 500.00	$ 2,330.00	$ 830.00	$ 135.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	10	$ **4,116.00**
11	$ 550.00	$ 2,563.00	$ 913.00	$ 148.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	11	$ **4,495.50**
12	$ 600.00	$ 2,796.00	$ 996.00	$ 162.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	12	$ **4,875.00**
13	$ 650.00	$ 3,029.00	$ 1,079.00	$ 175.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	13	$ **5,254.50**
14	$ 700.00	$ 3,262.00	$ 1,016.00	$ 189.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	14	$ **5,488.00**
15	$ 750.00	$ 3,495.00	$ 952.50	$ 202.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	15	$ **5,721.00**
16	$ 800.00	$ 3,728.00	$ 889.00	$ 216.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	16	$ **5,954.00**
17	$ 850.00	$ 3,728.00	$ 825.50	$ 229.50	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	17	$ **5,954.00**
18	$ 900.00	$ 3,728.00	$ 762.00	$ 243.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	18	$ **5,954.00**
19	$ 950.00	$ 3,728.00	$ 705.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	19	$ **5,954.00**
20	$ 1,000.00	$ 3,728.00	$ 655.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	20	$ **5,954.00**
21	$ 1,050.00	$ 3,728.00	$ 605.00	$ 250.00	$ 85.00	$ 3.00	$ 8.00	$ 120.00	5.00	100.00	21	$ **5,954.00**

ROTC (MILS) Military Sciense Course(s) Rate for FY 2024**						
Hour		**Statutory**		**Designated**		**Total**
1		50.00		194.00		**244.00**
2		100.00		388.00		**488.00**
3		150.00		582.00		**732.00**
4		200.00		776.00		**976.00**
5		250.00		970.00		**1,220.00**
6		300.00		1,164.00		**1,464.00**
7		350.00		1,358.00		**1,708.00**
8		400.00		1,552.00		**1,952.00**
9		450.00		1,746.00		**2,196.00**
10		500.00		1,940.00		**2,440.00**

** Rates shown are the current rates in effect for FY22-23. The rate for FY 23-24 will be calculated by the Texas Higher Education Coordinating Board and communicated in late February 2023.

Dual Credit FY 2024 (202410, 202420, 202430)						
Hour		**Statutory**		**Univ Svc Fee**		**Total**
1		50.00		36.00		**86.00**
2		100.00		72.00		**172.00**
3		150.00		108.00		**258.00**
4		200.00		144.00		**344.00**
5		250.00		180.00		**430.00**
6		300.00		216.00		**516.00**
7		350.00		252.00		**602.00**
8		400.00		288.00		**688.00**
9		450.00		324.00		**774.00**
10		500.00		360.00		**860.00**

Out of State Fully On-Line
FY 2024 (202410, 202420, 202430)

Grad student (Non-Resident Electronic Fee)

HOURS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Diff Tuition - GR	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00
NR - OUT of State Electronic	120.00	240.00	360.00	480.00	600.00	720.00	840.00	960.00	1,080.00	1,200.00	1,320.00	1,440.00	1,560.00	1,680.00	1,800.00	1,920.00	2,040.00	2,160.00	2,280.00	2,400.00
Statutory Tuition - R	50.00	100.00	150.00	200.00	250.00	300.00	350.00	400.00	450.00	500.00	550.00	600.00	650.00	700.00	750.00	800.00	850.00	900.00	950.00	1,000.00
Designated Tuition	204.00	408.00	762.00	614.50	459.00	1,524.00	1,308.50	1,153.00	1,836.00	2,040.00	2,244.00	3,221.00	3,074.50	3,074.00	3,074.00	3,074.00	3,074.00	3,074.00	3,074.00	3,074.00
Univ Services Fee	83.00	166.00	249.00	332.00	415.00	498.00	581.00	664.00	747.00	830.00	913.00	996.00	1,079.00	1,016.00	952.50	889.00	825.50	762.00	705.00	655.00
Registration Fee	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00
Rec Sports Fee	60.00	60.00	60.00	60.00	60.00	60.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00
International Edu Fee	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Student Center Fee	35.00	35.00	35.00	36.00	45.00	54.00	63.00	72.00	81.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00
Student Service Fee	13.50	27.00	40.50	54.00	67.50	81.00	94.50	108.00	121.50	135.00	148.50	162.00	175.50	189.00	202.50	216.00	229.50	243.00	250.00	250.00
Env Services Fee	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
Distance Education Fee	33.00	66.00	99.00	132.00	165.00	198.00	231.00	264.00	297.00	330.00	363.00	396.00	396.00	396.00	396.00	396.00	396.00	396.00	396.00	396.00
Graduate Tuition	30.00	60.00	90.00	120.00	150.00	180.00	210.00	240.00	270.00	300.00	330.00	360.00	390.00	420.00	450.00	480.00	510.00	540.00	570.00	600.00
TOTAL	**719.50**	**1,253.00**	**1,936.50**	**2,119.50**	**2,302.50**	**3,706.00**	**3,889.00**	**4,072.00**	**5,093.50**	**5,631.00**	**6,164.50**	**7,471.00**	**7,621.00**	**7,771.00**	**7,921.00**	**8,071.00**	**8,221.00**	**8,371.00**	**8,521.00**	**8,671.00**

UG student (Non-Resident Electronic Fee)

HOURS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Diff Tuition - UG	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
NR - OUT of State Electronic	120.00	240.00	360.00	480.00	600.00	720.00	840.00	960.00	1,080.00	1,200.00	1,320.00	1,440.00	1,560.00	1,680.00	1,800.00	1,920.00	2,040.00	2,160.00	2,280.00	2,400.00
Statutory Tuition - R-UG	50.00	100.00	150.00	200.00	250.00	300.00	350.00	400.00	450.00	500.00	550.00	600.00	650.00	700.00	750.00	800.00	850.00	900.00	950.00	1,000.00
Designated Tuition -R-UG	204.00	408.00	762.00	614.50	459.00	1,524.00	1,308.50	1,153.00	1,836.00	2,040.00	2,244.00	3,221.00	3,074.50	3,074.00	3,074.00	3,074.00	3,074.00	3,074.00	3,074.00	3,074.00
Univ Services Fee	83.00	166.00	249.00	332.00	415.00	498.00	581.00	664.00	747.00	830.00	913.00	996.00	1,079.00	1,016.00	952.50	889.00	825.50	762.00	705.00	655.00
Registration Fee	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00
Rec Sports Fee	60.00	60.00	60.00	60.00	60.00	60.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00
International Edu Fee	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Student Center Fee	35.00	35.00	35.00	36.00	45.00	54.00	63.00	72.00	81.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00
Student Service Fee	13.50	27.00	40.50	54.00	67.50	81.00	94.50	108.00	121.50	135.00	148.50	162.00	175.50	189.00	202.50	216.00	229.50	243.00	250.00	250.00
Env Services Fee	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
Distance Education Fee	33.00	66.00	99.00	132.00	165.00	198.00	231.00	264.00	297.00	330.00	363.00	396.00	396.00	396.00	396.00	396.00	396.00	396.00	396.00	396.00
TOTAL	**714.50**	**1,218.00**	**1,871.50**	**2,024.50**	**2,177.50**	**3,551.00**	**3,704.00**	**3,857.00**	**4,848.50**	**5,356.00**	**5,859.50**	**7,136.00**	**7,256.00**	**7,376.00**	**7,496.00**	**7,616.00**	**7,736.00**	**7,856.00**	**7,976.00**	**8,096.00**

RELLIS Rates for FY 2024

		Resident						Non-Resident					
		Statutory	Designated	Univ Ser Fee	Total Rellis	Diff SFA	Total All	Statutory	Designated	Univ Ser Fee	Total Rellis	Diff SFA	Total All
Base		50.00	168.50	96.50	315.00	100.00	415.00	458.00	183.00	96.50	737.50	100.00	837.50
Hours	**3**	150.00	505.50	289.50	945.00	100.00	1,045.00	1,374.00	549.00	289.50	2,212.50	100.00	2,312.50
Hours	**4**	200.00	674.00	386.00	1,260.00	100.00	1,360.00	1,832.00	732.00	386.00	2,950.00	100.00	3,050.00
Hours	**5**	250.00	842.50	482.50	1,575.00	100.00	1,675.00	2,290.00	915.00	482.50	3,687.50	100.00	3,787.50
Hours	**6**	300.00	1,011.00	579.00	1,890.00	100.00	1,990.00	2,748.00	1,098.00	579.00	4,425.00	100.00	4,525.00
Hours	**7**	350.00	1,179.50	675.50	2,205.00	100.00	2,305.00	3,206.00	1,281.00	675.50	5,162.50	100.00	5,262.50
Hours	**8**	400.00	1,348.00	772.00	2,520.00	100.00	2,620.00	3,664.00	1,464.00	772.00	5,900.00	100.00	6,000.00
Hours	**9**	450.00	1,516.50	868.50	2,835.00	100.00	2,935.00	4,122.00	1,647.00	868.50	6,637.50	100.00	6,737.50
Hours	**10**	500.00	1,685.00	965.00	3,150.00	100.00	3,250.00	4,580.00	1,830.00	965.00	7,375.00	100.00	7,475.00
Hours	**11**	550.00	1,853.50	1,061.50	3,465.00	100.00	3,565.00	5,038.00	2,013.00	1,061.50	8,112.50	100.00	8,212.50
Hours	**12**	600.00	2,022.00	1,158.00	3,780.00	100.00	3,880.00	5,496.00	2,196.00	1,158.00	8,850.00	100.00	8,950.00
Hours	**13**	650.00	2,190.50	1,254.50	4,095.00	100.00	4,195.00	5,954.00	2,379.00	1,254.50	9,587.50	100.00	9,687.50
Hours	**14**	700.00	2,359.00	1,351.00	4,410.00	100.00	4,510.00	6,412.00	2,562.00	1,351.00	10,325.00	100.00	10,425.00
Hours	**15**	750.00	2,527.50	1,447.50	4,725.00	100.00	4,825.00	6,870.00	2,745.00	1,447.50	11,062.50	100.00	11,162.50
Hours	**16**	800.00	2,696.00	1,544.00	5,040.00	100.00	5,140.00	7,328.00	2,928.00	1,544.00	11,800.00	100.00	11,900.00
Hours	**17**	850.00	2,864.50	1,640.50	5,355.00	100.00	5,455.00	7,786.00	3,111.00	1,640.50	12,537.50	100.00	12,637.50
Hours	**18**	900.00	3,033.00	1,737.00	5,670.00	100.00	5,770.00	8,244.00	3,294.00	1,737.00	13,275.00	100.00	13,375.00
Hours	**19**	950.00	3,201.50	1,833.50	5,985.00	100.00	6,085.00	8,702.00	3,477.00	1,833.50	14,012.50	100.00	14,112.50

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

M	Impacted	TEC 54.351	Exemption	Children of Disabled Firefighters/Law Enforcement Officers (Previously called Orphans of Public Employment)	Active	Tuition and fees (120 attempted hours or until student's 26th birthday)	Letter/certificate from the Coordinatinginating board as evidence to grant the exemption. Children only not spouse TEC 54.351 - maintain GPA, excessive hour limit. Children of eligible persons who have been killed in the line of duty prior to September 1, 2000, or who have been disabled in the line of duty. Apply
M	Impacted	TEC 54.355	Exemption	Children of Nurse Faculty	Active	Tuition and designated tuition - 10 semesters only	Must be 25 years or younger, Texas resident, does not already has degree, enroll at same college the parent is currently employed, letter form HR stating parent is full time employee, register for selective service or be exempt from requirement, parent must have mater's or doctoral and be employed fulltime. student shall maintain GPA, meet excessive hour rule.
M	Impacted	TEC 54.343	Exemption	Children of POWs & MIAs	Not Active	Tuition and fees	Children of POW's
M	Excluded	TEC 54.011	Exemption	Concurrent Enrollment	Not Active	Tuition and fees; less course fees, distance learning and dual credit tuition. This difference between school A and school B	enrolled in classes for which the college receives tax support, meets college's regular requirements, Apply at SFA Admissions office 468-2504. Enrolled at more than one Higher Ed school at the same time
M	Impacted	TEC.54.354	Exemption	Dependents of Deceased Public Servants	Active	Tuition, mandatory fees and textbooks. (200 hours or until bachelors degree) If the student is eligible to live in university housing, the university will also provide the student room and	Full time student, Student must be under 18 year of age at time of parent' s death. Certification from employer stating death in the line of duty and copy of death certificate. The public employee must have died in the performance of his/her duty on or after September 1, 2000 and student is a surviving spouse or
M	Impacted	TEC.54.352	Exemption	Disabled Peace Officers and Firefighters	Not Active	Tuition and required fees	If spaces is available, must be residents of Texas, permanently disabled as a result of injury suffered during performance of duty, no more than 12 semesters in unger grad work - Masters and Doctoral are not eligible.
M	Exempt	TEC.54.342	Exemption	Ex-Prisoners of War	Not Active	"tuition and required fees" includes tuition, service fees, lab fees, building use fees, and all other required fees except room, board, or clothing fees or deposits in the nature of security for the	"tuition and required fees" includes tuition, service fees, lab fees, building use fees, and all other required fees except room, board, or clothing fees or deposits in the nature of security for the return or proper care of property.(b) For each semester or summer session and for a total number of semester credit hours
M	Exempt	TEC 54.366	Exemption	Foster Care Aged Out Exemption	Active	Tuition and fees	Tuition Waiver from Texas Dept. of Family and Protective Services. Were NOT adopted before their 18th birthday
M	Exempt	TEC 54.367	Exemption	Foster Care (Adopted)	Active	Tuition and fees	Tuition Waiver Letter from Texas Dept. of family and protective services. Must maintain GPA and meet excessive hour requirements Adopted before they turned 18
M	Exempt	TEC 54.341 (a-2),(b)(1)	Exemption	Hazlewood - 100% Disabled Veteran-Spouse/Child	Active	Tuition and fees; less student service fee	Veteran must have a Home of Record or Place of Entry in TX, be honorably discharged and 100% disabled due to military conditions. Must be a biological child, adopted child, claimed as a dependent on taxes or be the veterans spouse, a TX resident and not be in excessive hours.

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

M	Exempt	TEC 54.341 (a-2),(b)(1)	Exemption	Hazlewood - Deceased Veteran-Spouse/Child	Active	Tuition and fees; less student service fee	Veteran must have a Home of Record or Place of Entry in TX, be honorably discharged and deceased due to military conditions. Must be a biological child, adopted child, claimed as a dependent on taxes or be the veterans spouse, a TX resident and not be in excessive hours.
M	Impacted	TEC 54.341,(k)	Exemption	Hazlewood Dependents Legacy	Active	Tuition and fees; less student service fee	Veteran must have a Home of Record or Place of Entry in TX, served at least 181 active duty days, be honorably discharged, and be a TX resident. Must be a biological child, adopted child, or claimed as a dependent on taxes, a TX resident and not be in excessive hours and must have passing GPA.
M	Exempt	TEC 54.341, (a)	Exemption	Hazlewood Veteran	Active	Tuition and fess, less student service fee	Veteran must have a Home of Record or Place of Entry in TX, served at least 181 active duty days, be honorably discharged, and a TX resident, not be in excessive hours and must have passing GPA.
M	Impacted	TEC 54.364	Exemption	Hearing Impaired	Active	Tuition and fees	Must turn in a copy of Certified Disability. Must maintain GPA and meet excessive hour requirements
M	Impacted	TEC.54.345	Exemption	National Guard Waiver (Members of state Military Forces)	Not Active	Tuition up to 12 hours	Military shall certify (never been used)
M	Impacted	TEC 54.3531	Exemption	Peace Officers	Active	Tuition and Lab Fees	Courses for BA Degree only. Employed as a Peace Officer by the state of Texas. Undergraduate student. Enroll Fall 2011 or later. Meet GA requirements. Must apply for exemption at least 1 week before the last day to register. Must meet the excessive hour rule.
M	Impacted	TEC.54.344	Exemption	Performers of "Taps"	Not Active	$25 Exemption	Voucher from Student
M	Impacted	TEC 54.356	Exemption	Preceptor and their Children	Active	$500.00 tuition exemption per semester for 8 hours	Preceptor or Children of Preceptor 25 and under: Resident of Texas, Not have a degree. Meet GPA and excessive hour rule. Copy of parents preceptor agreement. See Business Office for more information on eligibility requirements.
M	Excluded	TEC 54.624	Exemption	Texas Tomorrow Fund Exemption	Active	Tuition and required fees in excess of the weighted average amount of tuition and required fees for all public senior colleges and universities	Student must contact provider to authorize SFA to bill/use their funds and turn in a copy of the card
M	Impacted	TEC 54.364	Exemption	Vision Impaired	Active	Tuition and fees	Must turn in a copy of Certified Disability. Must maintain GPA and meet excessive hour requirements
M	Exempt	TEC 54.233	Waiver	Academic Common Market	Not Active	In State Rate	The governing board of an institutin of higher education shall charge nonresident students participating in the Academic Common Market and enrolled in programs designated under Section 160.07 the same amount charged resident students in such programs.
M	Exempt	TEC 231(g)	Waiver	Border County/Parish	Not Active	In State Rate with governing board approval	With governing board approval, the nonresident tuition fee does not apply to a nonresident student who is a resident of a county or parish of Arkansas, Lousiana, New Mexico, or Oklahoma.

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

M	Exempt	TEC 54.211	Waiver	College Teachers, Professors (and the spouse and children of such a teacher or professor)	Active	In State Rate	Employed at least hone-half time on a regular monthly salary basis by an institution of higher education.
M	Exempt	TEC.54.222	Waiver	Economic Developments	Not Active	Economic Rules for residency	Meet Economic Rules for residency
M	Exempt	TEC.54.206	Waiver	Foreign Service Officers	Not Active	In State Rate	A foreign service officer employed by the United States Department of State and enrolled in an institution of higher education is entitled to pay the tuition and fees at the rates provided for Texas residents if the person is assigned to an office of the department of state that is located in a foreign
M	Exempt	TEC.54.241,(b,c,f,g) (d,I,k)	Waiver	Military in Texas	Active	In State Rate	A person who is an officer, enlisted person, selectee, or draftee of the Army, Army Reserve, Army National Guard, Air National Guard, Air Force, Air Force Reserve, Navy, Navy Reserve, Marine Corps, Marine Corps Reserve, Coast Guard, or Coast Guard Reserve of the United States, who is assigned to duty in Texas.
M	Exempt	TEC.54.232	Waiver	NATO Members and Families	Not Active	In state Rate	A nonimmigrant alien who resides in this state in accordance with the Agreement between the Parties to the North Atlantic Treaty Regarding the Status of Their Forces (4 U.S.T. 1792) and the spouse or children of that alien are considered to be residents for tuition and fee purposes under this title.
M	Exempt	TEC.54.212	Waiver	Teaching and Research Assistants	Active	In state Rate	Teaching assistant or research assistant
M	Excluded	TEC 54.621	Waiver	Texas Tomorrow Fund Contract	Active	In state Rate for nonresident child of a parent who is a Texas resident when contract was purchased	Student must contact provider to authorize SFA to bill/use their funds and turn in a copy of the card
M	Impacted	TEC 54.353	Exemption	FireFighters taking Fire Science Courses	Active	Tuition and Lab Fees	Must be employed as a paid Firefighter and provide letter from supervisor, courses must be Fire Science Curriculum, college must receive tax support on the class, maintain GPA, excessive hour limit.
O	Impacted	TEC.54.2031	Exemption	Combat Exemption	Not Active	Tuition is exempted	Dependent children of residents who are members of the Armed Forces and on combat duty - limit of 150 hours, must not be in default on loan and proof of combat duty
O	Impacted	TEC.54.261	Exemption	Designated Tuition Exemption	Not Active	All or part Tuition	A governing board may waive all or part of the tuition charged to a student under Section 54.0513 if it finds that the payment of such tuition would cause an undue economic hardship on the student.
O	Impacted	TEC.54.218	Exemption	Distance Learning Exemption from Fees	Active	Exempts Rec Sports Fee and Student Center	Student is enrolled in only Distance Ed Courses, and meets SB1210 requirements. Study Abroad students enrolled in Summer that last longer than four weeks
O	Exempt	TEC.54.216 B.O 21-35	Exemption	Dual Credit	Active	Per BO 21-35, Dual Credit Tuition and Fees are exempted except for $50 per semester credit hour for statutory tuition and $36 per semester credit hour for university services fee.	May waive all or part of the tuition and fees charged by the institution for a student enrolled in a course for which the student simultaneously receives credit toward high school requirements and a degree offered by the institution

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

O	Impacted	TEC 54.363	Exemption	Educational Aide	Not Active	Tuition and fees other than class or laboratory fees.	Must be a resident of this state; be a school employee serving in any capacity; have worded as an educational aide for at least one school year during the five preceding that term or semester
O	Impacted	TEC.54.217	Exemption	Fully Funded Courses	Not Active	Tuition and Fees	Students attending courses that are fully funded by federal or other sources
O	Impacted	TEC.54.331	Exemption	Good Neighbor Program	Active	Tuition and Fees	Up to 235 non-residents from an eligible country, born in and are current residents of a nation of Western hemisphere other than Cuba or the US. Intend to return to country upon completion of program of study, are qualified for admission. Must maintain GPA and meet excessive hour rule. Cannot have another Waiver on account.
O	Excluded	TEC.54.5035,	Exemption	Governing Board Waivers	Not Active	Waive mandatory and discretionary fees	The governing board of an institution of higher education may waive a mandatory or discretionary fee for a student if the board determines that the student is not reasonably able to participate in or use the activity, service, or facility for which the fee is charged. The governing board must ensure that a waiver under this section does not result in the institution's inability to service a debt to which revenue from the fee is obligated or to support an activity, service, or facility for which the fee is charged.
O	Impacted	TEC.54.301	Exemption	Highest Ranking HS (Valedictorian)	Active	Tuition during both semesters of the first school year immediately following graduation	Certificate from High School
O	Excluded	TEC.54.0601	Exemption	Hundred (100) Mile	Active	Lower nonresident tuition rate.	Institution within 100 miles from the boundary of this state with another state may set a nonresident tuition rate that is lower than the nonresident tuition rate otherwise charged.
O	Impacted	TEC.54.368	Exemption	Inter-Institutional Academic Programs	Not Active	Tuition and Fees	(1) "Interinstitutional academic program" means a program under which a student may, in accordance with a written agreement between an institution of higher education and one or more other institutions of higher education or private or independent institutions of higher education, take courses at each institution that is a party to the agreement as necessary to fulfill the program's degree or certificate requirements.
O	Impacted	TEC.54.225	Exemption	Non-Semester-Length Developmental Education Courses	Not Active	Tuition	The governing board of an institution of higher education may exempt from the payment of tuition authorized by this chapter a student who is participating in an approved non-semester-length developmental education intervention (including course-based, non-course-based, alternative-entry/exit, and other intensive developmental education activities).
O	Excluded	TEC.54.5025	Exemption	Prorated Fees for Term Length	Not Active	Prorated amount is set by BOR	Based on the length of the semester or term for which a student is enrolled, the governing board of an institution of higher education may prorate the amount of any fee charged to the student under this chapter.
O	Impacted	TEC 54.365, (c)	Exemption	Senior Citizen 65+ for 6 hours free tution	Active	Tuition and designated tuition (6 hours)	Must maintain SAP and meet the excessive hour rule. Must be 65 or older. Student should contact the business office.
O	Impacted	TEC 54.365,(b)	Exemption	Senior Citizen 65+ for Audit Hours	Not Active	Tuition and fees	If space is available.

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

O	Impacted	TEC.54.263	Exemption	Senior Citizen Lowered Tuition 55+	Not Active	All or part Tuition and Fee's	(a) An institution of higher education may charge a student 55 years of age or older tuition and fees at rates that are lower than the rates otherwise provided by this chapter, under the condition that a student under 55 years of age will not be precluded from enrolling in a course for credit toward a degree or certificate. The institution may set additional qualifications that a student must meet to qualify for tuition and fees at rates set under this section and may set different rates for different programs, campuses, or courses. The institution may set rates under this section for resident students, nonresident students, or both, and may set different rates for resident students and nonresident students.
O	Impacted	TEC 54.262	Exemption	Student Services Fee	Not Active	Mandatory Fees	The governing board of an institution of higher education may waive all or part of any cumpulsory fee or fees authorized by Section 54.503 in the case of any student for whom the payment of the fee would cause an undue financial hardship, provided the number of the students to whom the waiver is granted for a semester or term does not exceed 10 percent of the institution's total enrollment for that semester or term. The board may limit accordingly the participation of a studet in the activities financed by the fee so waived.
O	Impacted	TEC.54.361	Exemption	TANF Exemption	Not Active	Tuition and Fees	A student is exempt from the payment of tuition and fees authorized by this chapter for the first academic year in which the student enrolls at an institution of higher education if the student:(1) graduated from a public high school in this state;(2) successfully completed the attendance requirements under Section 25.085;(3) during the student's last year of public high school in this state, was a dependent child receiving financial assistance under Chapter 31, Human Resources Code, for not less than six months;(4) is younger than 22 years of age on the date of enrollment;(5) enrolls at the institution as an undergraduate student not later than the second anniversary of the date of graduation from a public high school in this state;(6) has met the entrance examination requirements of the institution before the date of enrollment; and(7) is classified as a resident under Subchapter B.
O	Excluded	TEC.54.014,(f)	Exemption	Three-peat Penalty Hardship	Not Active	Waive 3-Peat Fee	(f) An institution of higher education may charge a resident undergraduate student tuition at a higher rate than the rate charged to other resident undergraduate students, not to exceed the rate charged to nonresident undergraduate students, for any course in which the student enrolls that is the same as or substantively identical to a course for which the student previously completed. The Texas Higher Education Coordinating Board shall adopt a rule that exempts a resident undergraduate student from this subsection if the student enrolls in a course that is the same as or substantially similar to a course that the student previously completed, solely as a result of a hardship or other good cause.

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

O	Excluded	TEC.54.010	Exemption	Tuition Reduction for 15+ Hours	Not Active	Reduction in Tuition (set by BOR)	(1) offers the tuition reduction to the student as part of an institutional policy adopted by the board to:(A) increase the average semester credit hour course load of students enrolled at the institution; or(B) improve the retention and graduation rate of students enrolled at the institution; and(2) determines that the student is:(A) enrolled in, and making satisfactory progress toward completion of, a degree program offered at the institution; and (B) enrolled in at least 15 semester credit hours at the institution during the semester or term for which the reduction is offered.(b) The governing board may offer a tuition reduction under this section in a fixed dollar amount, a percentage amount, or any other manner that the board considers appropriate.(c) The amount of tuition reduction offered to a student under this section for a semester or term may not exceed the amount of tuition that would have been charged to the student under this chapter for enrollment in three semester credit hours during that semester or term.(d) For a tuition reduction offered to a student under this section, the governing board may prorate the amount of the reduction based on:(1) the number of semester credit hours in which the student is enrolled; or (2) the length of the semester or term for which the student is enrolled. (e) The governing board is not required to offer a tuition reduction under this section to all institutions of higher education under its governance or to all degree programs offered at an institution of higher education under its governance.
O	Exempt	TEC.54.213	Waiver	Competitive Scholarship	Active	In state rate	Nonresident students receiving a $1,000.00 or more in competative scholarships
O	Exempt	TEC.54.251	Waiver	Nursing Graduate Students Planning to Teach	Not Active	In State Tuition	An institution of higher education may permit a registered nurse authorized to practice professional nursing in Texas to register by paying the tuition fees and other fees or charges required for Texas residents under Section 54.051, without regard to the length of time the registered nurse has resided in Texas, if the registered nurse:(1) is enrolled in a program designed to lead to a master's degree or other higher degree in nursing; and(2) intends to teach in a program in Texas designed to prepare students for licensure as registered nurses.
SFA		B.O. 16-28	Exemption	Educational Leadership	Active	Reduced Rate by waiving all fees and not charging the board designated graduate tuition.	Students enrolled in this program who met all entrance requirements would only be charged statutory tuition, designated tuition and course fees.
SFA		Policy 12.5	Exemption	LEAP - Employees	Active	Designated tuition and mandatory fees are exempted for eligible participants.	Lumberjack Educational Assistance Program
SFA		Policy 12.5	Exemption	LEAP - GRA and GTAs	Active	Designated tuition and mandatory fees are exempted for eligible participants.	Lumberjack Educational Assistance Program
SFA		Policy 12.5	Exemption	LEAP - Spouse/Dependents	Active	Designated tuition and mandatory fees are exempted for eligible participants.	Lumberjack Educational Assistance Program
SFA		-	Exemption	LEAP Retiree Employee	Active	Designated tuition and mandatory fees are exempted for eligible participants.	Lumberjack Educational Assistance Program
SFA		-	Exemption	LEAP Retiree Spouse/Dep	Active	Designated tuition and mandatory fees are exempted for eligible participants.	Lumberjack Educational Assistance Program

M Mandatory

Exemptions & Waivers

FY 2024 (202410, 202420, 202430)

[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

O Optional

FY2024 ROOM AND BOARD RATES

Explanation:

Projected on-campus student housing and food service operating costs support the need for revised room and board rates for fiscal year (FY) 2024 (24).

Pursuant to the relevant provisions of our current food service contract, the administration and Chartwells, our food service provider, annually negotiate necessary rate increases for the upcoming fiscal year.

A fair market research assessment that focused on trends, the Consumer Price Index (CPI) [Food Away from Home South Region], the Employment Cost Index (ECI), and benchmark comparisons to similar institutions was completed to determine if board rate increases were warranted.

During the past year CPI has increased 8.4% and the ECI (wages and salary accommodation and food service) has increased 7.7%. Thus, a decision was made to increase board rates.

The proposed board rates for FY24, reflect an 8.0% increase, excluding dining dollars.

The administration reviewed the FY24 housing budget proforma, current debt coverage needs, the CPI, and benchmark comparisons to similar institutions. In order to cover debt coverage demands, CPI increases, and best meet budget obligations, a room rate increase is being recommended.

The proposed on-campus room rates for FY2024, reflect an 8.0% increase.

If approved, these revised rates will become effective for the fall semester of 2023.

Recommendation:

The administration recommends approval of an 8.0% increase for board rates and an 8.0% increase for room rates for FY2024 as presented.

Stephen F. Austin State University
Room and Board Rates for 2023-2024

Residence Hall Rates	Fall or Spring Rate
Wisely (Hall 5)	$2,737
Steen (Hall 17)	$3,106
Hall 20	$3,504
Griffith (15) and Kerr (18)	$2,433
Hall 14	$2,525
Lumberjack Landing	$4,107
Lumberjack Lodge 4 br	$4,699
Lumberjack Lodge 2 br	$4,991
Lumberjack Village (Building 2) quads	$3,657
Lumberjack Village (Building 1) 2br	$4,991
Lumberjack Village (Buildings 1 & 2) 1 br	$6,146
Lumberjack Village (Building 3) 2br	$5,595
Lumberjack Village (Building 3) 1 br	$6,670

Meal plans (rates include sales tax)

	All Access Premium w/$275	7/14 Premium w/$350	Basic 7/14 w/$125	All Access w/$50	7/12 w/$200
Campus Resident	$2,298	$2,230	$2,032	$2,100	$1,857
Summer Resident	7/14 w/$75 $741	7/20 w/$50 $935			

Combined Room and Board

	Fall and Spring Semester				
Residence Hall	All Access Premium	7/14 Premium	7/14 Basic	All Access	7/12
Wisely Hall (Hall 5)	$5,035	$4,967	$4,769	$4,837	$4,594
Hall 14	$4,823	$4,755	$4,557	$4,625	$4,382
Griffith Hall (Hall 15)	$4,731	$4,663	$4,465	$4,533	$4,290
Steen Hall (Hall 17)	$5,404	$5,336	$5,138	$5,206	$4,963
Kerr Hall (Hall 18)	$4,731	$4,663	$4,465	$4,533	$4,290
Hall 20	$5,802	$5,734	$5,536	$5,604	$5,361
Lumberjack Landing	$6,405	$6,337	$6,139	$6,207	$5,964
Lodge 4br	$6,997	$6,929	$6,731	$6,799	$6,556
Lodge 2br	$7,289	$7,221	$7,023	$7,091	$6,848
Village (2) quads	$5,955	$5,887	$5,689	$5,757	$5,514
Village (1) 2br	$7,289	$7,221	$7,023	$7,091	$6,848
Village (3) 2 br	$7,893	$7,825	$7,627	$7,695	$7,452
Village (1 & 2) 1br	$8,444	$8,376	$8,178	$8,246	$8,003
Village (3) 1 br	$8,968	$8,900	$8,702	$8,770	$8,527

Students living in the halls listed above are required to have a board plan
Rates above include sales tax for Board

ACKNOWLEDGE RECEIPT OF CONTRACT MONITORING REPORT

Explanation:

In accordance with Texas Government Code 2261.253-255, the following contract monitoring report includes information on identified contracts that require enhanced contract or performance monitoring for reporting to the Board of Regents.

The contract monitoring report as presented includes the following contracts:

D2L, Ltd (Desire2Learn)
Kirksey Architects, Inc.
Kingham Dalton Wilson, Ltd

Recommendation:

Approve and acknowledge receipt of the contract monitoring report.

Stephen F. Austin State University
Board of Regents – Finance Committee
Texas Government Code Contract Reporting
January 30, 2023

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Texas Government Code Contract Reporting

In accordance with Texas Government Code 2261.253-255, the following contract monitoring report includes information on identified contracts that require enhanced or performance monitoring for reporting to the Board of Regents.

Vendor contract: *D2L, Ltd (Desire2Learn)*

Description of Contract: Brightspace Learning Management System hosted software services and support for five years.

Vendor Awarded Contract: D2L, Ltd

Procurement Method: Exempt Policy 17.1 - Direct Publications

Department Responsible for Contract: Center for Teaching and Learning

Serious issue or risk with contract: None

Total Current Fiscal Year Amount: $206,073.66

Total Estimated Aggregate Amount: $1,030,368.30

Contract Period: 12/17/2022 – 12/16/2027

Board Approved: July 2022

Director Certification: Not Applicable

President Attestation: Not Applicable

Statutory Reporting Requirement: Government Code 2261.253, 2261.254

Vendor contract: *Kirksey Architects, Inc.*

Description of Contract: Architectural services related to the design for the fine arts expansion, welcome center and student services one stop shop, and residence hall and dining hall in accordance with RFQ#AE-BLDG PROJECTS-2018 opened 9/06/2018 and Architect Agreement and Addenda. Addendum 1-Fine Arts in the amount of $2,518,500 for basic services, $65,800 for additional services and reimbursable expenses not to exceed $77,000. Addendum 1- Welcome Center and Student Support Services Once Stop Shop in the amount of $780,000 for basic services, $164,900 for additional services, and reimbursable expenses not to exceed $24,600. Addendum 1-Construct and Renovate Student Residential and Dining Facilities in the amount of $2,275,200 for basic services, $99,250 for additional services, and reimbursable expenses not to exceed $68,000. Subsequent Amendment No. 1 to Addendum 1-Residence Hall in the amount of $128,000 for redesign services. Subsequent Amendment No. 1-Welcome Center and Student Support Services One Stop Shop termination of project ($884,459). Subsequent Amendment No. 1 to Addendum 1-Fine Arts in the amount of $624,000 for redesign services. Subsequent Amendment No. 2-Fine Arts in the amount of $7,000 for additional services related to redesign. Subsequent Amendment No. 3-Fine Arts in the amount of $159,605 for additional services related to hydronic piping, increase in architect and engineering fee for increased construction cost, reallocation of reimbursable expenses to A-E fee, and required updates to contract documents for updated finishes and extended delivery date. Dining Hall project closed in the amount of ($1,012,000). Residence Hall project closed in the amount of ($372,050). Subsequent Amendment No. 4-Fine Arts in the amount of $143,355 for extended basic services and additional services for updates related to requested changes to contract documents. Subsequent Amendment No. 2-Dining hall in the amount of $1,166,300 for extended basic services.

Vendor Awarded Contract: Kirksey Architects, Inc.

Procurement Method: Request for Qualifications

Department Responsible for Contract: Physical Plant

Serious issue or risk with contract: None

Total Current Fiscal Year Amount: $1,309,655.00

Total Estimated Aggregate Amount: $6,033,001.00

Contract Period: 3/5/2019 - 10/31/2023

Board Approved: October 2018, October 2019, July 2021, November 2021, October 2022

Director Certification: Completed

President Attestation: Not Applicable

Statutory Reporting Requirement: Government Code 2261.253, 2261.254, 2261.255

Vendor contract: *Kingham Dalton Wilson, Ltd.*

Description of Contract: Construction of a fine arts expansion, welcome center and student support services one stop shop, basketball practice facility, and the construction of a new student residence hall, a new dining hall, and renovations to residence hall and dining facilities in accordance with RFP#CMR-BLDG PROJECTS-2019 opened 9/20/18 and construction manager agreement dated 2/07/19 with estimated substantial completion date for all projects of 2/23/21 which may change upon final schedules and final project GMP's. Subsequent amendment for preconstruction services in the amount of $209,744. **Subsequent amendments**: *Basketball Practice Facility* Amendment No.1 effective 7/22/19 for phase 1 of the GMP in the amount of $1,369,388, Amendment No.2 effective 10/29/2019 for phase 2 of the GMP in the amount of $23,818,986. *Welcome Center and Student Support Services One Stop Shop*-Amendment No. 1 to remove project in its entirety effective 2/27/2020. *Preconstruction services* Amendment No. 2 in the amount of $113,928. *Fine Arts Expansion Initiative* Amendment No. 3 for phase 1 of the GMP in the amount of $725,912. *Basketball Practice Facility* Amendment No. 4 for additional services added to Phase 2 GMP in the amount of $274,320. *Fine Arts Expansion Initiative* Amendment No. 5 for additional services added to Phase 1 GMP in the amount of $71,336.63. *Residence Hall* project closed as of 08/31/20 in the amount of ($12,464.12). *Fine Arts Expansion Initiative* Amendment No. 6 for Phase II GMP in the amount of $41,159,676.37. *Fine Arts Expansion Initiative* Amendment No. 7 for transferring an amount from Phase 1 GMP to Phase II GMP in the amount of $17,409.98. *Basketball Practice Facility* Amendment No. 8 to extend final completion date. *Basketball Practice Facility*-Amendment No. 9 to extend final completion date to 1/22/22. *Dining Hall* project closed in the amount of ($59,956.90). *Basketball Practice Facility* encumbrance closed in the amount of ($655,603.42). *Preconstruction services* Amendment No. 3 for Dining Services in the amount of $140,777.00. *Residence Hall* Amendment No. 10 for the demolition of Hall 16 in the amount of $1,123,291. *Fine Arts Expansion Initiative* Amendment No. 11 to increase Phase II GMP in the amount of $842,729.

Vendor Awarded Contract: Kingham Dalton Wilson, Ltd.

Procurement Method: Request for Proposal

Department Responsible for Contract: Physical Plant

Serious issue or risk with contract: None

Total Current Fiscal Year Amount: $2,106,797.00

Total Estimated Aggregate Amount: $69,121,973.56

Contract Period: 2/07/2019-8/31/2023

Board Approved: October 2018, May 2019, October 2019, January 2020, February 2021, July 2021, November 2021, July 2022, October 2022

Director Certification: Completed

President Attestation: Completed

Statutory Reporting Requirement: Government Code 2261.253, 2261.254, 2261.255, GAA Article IX, Section 7.11

Summary of Contracts

Stephen F. Austin State University

Summary of Contracts

Summary of Goods and Services Contracts Greater than $1Million(including Construction)

Finance Committee -January 30, 2023

Description of contract	Vendor Awarded Contract	Procurement method	Department responsible for Contract	Serious issue or risk with contract	Total Current Fiscal Year Amount	Total Estimated Aggregate Amount	Contract period	Board Approved
Brightspace Learning Management System hosted software services and support for five years.	D2L (Desire2Learn)	Exempt Policy 17.1 -Direct Publications	Center for Teaching and Learning	None	$ 206,073.66	$ 1,030,368.30	12/17/2022 - 12/16/2027	July 2022
Architectural services related to the design for the fine arts expansion, welcome center and student services one stop shop, and residence hall and dining hall in accordance with RFQ#AE-BLDG PROJECTS-2018 opened 9/06/2018 and Architect Agreement and Addenda. Addendum 1-Fine Arts in the amount of $2,518,500 for basic services, $65,800 for additional services and reimbursable expenses not to exceed $77,000. Addendum 1- Welcome Center and Student Support Services One Stop Shop in the amount of $780,000 for basic services, $164,900 for additional services, and reimbursable expenses not to exceed $24,600. Addendum 1-Construct and Renovate Student Residential and Dining Facilities in the amount of $2,275,200 for basic services, $99,250 for additional services, and reimbursable expenses not to exceed $68,000. Subsequent Amendment No. 1 to Addendum 1-Residence Hall in the amount of $128,000 for redesign services. Subsequent Amendment No. 1-Welcome Center and Student Support Services One Stop Shop termination of project ($884,459). Subsequent Amendment No. 1 to Addendum 1-Fine Arts in the amount of $624,000 for redesign services. Subsequent Amendment No. 2-Fine Arts in the amount of $7,000 for additional services related to redesign. Subsequent Amendment No. 3-Fine Arts in the amount of $159,605 for additional services related to hydronic piping, increase in architect and engineering fee for increased construction cost, reallocation of reimbursable expenses to A-E fee, and required updates to contract documents for updated finishes and extended delivery date. Dining Hall project closed in the amount of ($1,012,000). Residence Hall project closed in the amount of ($372,050). Subsequent Amendment No. 4-Fine Arts in the amount of $143,355 for extended basic services and additional services for updates related to requested changes to contract documents. Subsequent Amendment No. 2-Dining hall in the amount of $1,166,300 for extended basic services.	Kirksey Architects, Inc.	Request for Qualifications	Physical Plant	None	$ 1,309,655.00	$ 6,033,001.00	3/05/2019 - 10/31/2023	October 2018, October 2019, July 2021, November 2021, October 2022
Construction of a fine arts expansion, welcome center and student support services one stop shop, basketball practice facility, and the construction of a new student residence hall, a new dining hall, and renovations to residence hall and dining facilities in accordance with RFP#CMR-BLDG PROJECTS-2019 opened 9/20/18 and construction manager agreement dated 2/07/19 with estimated substantial completion date for all projects of 2/17/23 which may change upon final schedules and final project GMP's. Subsequent amendment for preconstruction services in the amount of $209,744. Subsequent amendments for **Basketball Practice Facility**: Amendment No. 1 effective 7/22/19 for phase 1 of the GMP in the amount of $1,369,388, Amendment No. 2 effective 10/29/2019 for phase 2 of the GMP in the amount of $23,818,986. Subsequent amendment for **Welcome Center and Student Support Services One Stop Shop**-Amendment No. 1 to remove project in its entirety effective 2/27/2020. Subsequent Amendment No. 2 for preconstruction services in the amount of $113,928. Subsequent amendment for **Fine Arts Expansion Initiative**-Amendment No. 3 for phase 1 of the GMP in the amount of $725,912. Subsequent Amendment for **Basketball Practice Facility**-Amendment No. 4 for additional services added to Phase 2 GMP in the amount of $274,320. Subsequent amendment for **Fine Arts Expansion Initiative**-Amendment No. 5 for additional services added to Phase 1 GMP in the amount of $71,336.63. **Residence Hall** project closed as of 08/31/20 in the amount of ($12,464.12). Subsequent amendment for **FIne Arts Expansion Initiative**-Amendment No. 6 for Phase II of the GMP in the amount of $41,159,676.37. **Dining Hall original** project closed as of 8/31/22 in the amount of ($59,956.90). **Basketball Practice Facility** encumbrance closed in the amount of ($655,603.42). Subsequent amendment for **Preconstruction services-** Amendment No. 3 for new Dining Services in the amount of $140,777.00. Subsequent amendment for **Residence Hall-** Amendment No. 10 for the demolition of Hall 16 in the amount of $1,123,291. Subsequent amendment for **Fine Arts Expansion Initiative-** Amendment No. 11 to increase Phase II GMP in the amount of $842,729.	Kingham Dalton Wilson, Ltd	Request for Proposal	Physical Plant	None	$ 2,106,797.00	$ 69,121,973.56	2/07/19 -8/31/2023	October 2018, May 2019, October 2019, January 2020, February 2021, July 2021, November 2021, July 2022, October 2022

ACKNOWLEDGE RECEIPT OF 2021-2022 ANNUAL FINANCIAL REPORT

Explanation:

As required by Texas Government Code, Section 2101.011, Stephen F. Austin State University submitted the Fiscal Year 2021-22 Annual Financial Report to the Office of the Governor, Comptroller of Public Accounts, Legislative Budget Board, Legislative Reference Library, and the Texas State Auditor's Office. The report reflected the university's financial activities for the period September 1, 2021 through August 31, 2022.

Additionally, as required by university policy 3.19 Institutional Reserves Fund, the administration reports the primary reserve ratio information to the Board of Regents with the Annual Financial Report.

Recommendation:

The administration requests that the Board of Regents acknowledge receipt of the Stephen F. Austin State University Fiscal Year 2021-22 Annual Financial Report and primary reserve ratio information.

STEPHEN F. AUSTIN STATE UNIVERSITY
NACOGDOCHES, TEXAS















ANNUAL FINANCIAL REPORT

For the year ended August 31, 2022

STEPHEN F. AUSTIN STATE UNIVERSITY

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STEPHEN F. AUSTIN STATE UNIVERSITY

Stephen F. Austin State University
Office of the President
P. O. Box 6078, SFA Station • Nacogdoches, TX 75962
Phone: (936) 468-2201 • Fax: (936) 468-2202

November 20, 2022

The Honorable Greg Abbott, Governor of Texas
The Honorable Glenn Hegar, Texas Comptroller of Public Accounts
Jerry McGinty, Director, Legislative Budget Board
Lisa Collier, CPA, State Auditor

Dear Governor Abbott, Mr. Hegar, Mr. McGinty, and Ms. Collier:

We are pleased to submit the Annual Financial Report of Stephen F. Austin State University for the year ended August 31, 2022, in compliance with Texas Government Code Annotated, Section 2101.011, and the requirements established by the Texas Comptroller of Public Accounts.

Due to the statewide requirements embedded in Governmental Accounting Standards Board (GASB) Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments*, the Comptroller of Public Accounts does not require the accompanying Annual Financial Report to comply with all the requirements in this statement. The Annual Financial Report will be considered for audit by the State Auditor as part of the State of Texas Annual Comprehensive Financial Report (ACFR); therefore, an opinion has not been expressed on the financial statements and related information contained in the report.

Sincerely,

Steve Westbrook
Interim President

STEPHEN F. AUSTIN STATE UNIVERSITY

Vice President for Finance and Administration
P.O. Box 6108, SFA Station • Nacogdoches, Texas 75962-6108
Phone (936) 468-2203 • Fax (936) 468-7027

November 20, 2022

Dr. Steve Westbrook
Interim President
Stephen F. Austin State University
P. O. Box 6078, SFA Station
Nacogdoches, Texas 75962

Dear Dr. Westbrook:

Submitted herein is the Annual Financial Report of Stephen F. Austin State University for the fiscal year ended August 31, 2022.

The financial statements in this report have been prepared in conformity with the General Provisions of the Appropriations Act, Article IX, and the requirements established by the Texas Comptroller of Public Accounts.

The Annual Financial Report will be considered for audit by the State Auditor as part of the State of Texas Annual Comprehensive Financial Report (ACFR); therefore, an opinion has not been expressed on the financial statements and related information contained in the report.

Sincerely,

Judi Kruwell, CPA
Associate Vice President for Finance and Administration

Gina Oglesbee, CPA, CFE, CIA
Vice President for Finance and Administration

STEPHEN F. AUSTIN
STATE UNIVERSITY
NACOGDOCHES, TEXAS

Organizational Data
August 31, 2022

Board of Regents

Officers

Karen G. Gantt, Chair
M. Thomas Mason, Vice Chair
Jennifer W. Winston, Secretary

Members

Name	Town	Term Expires
David R. Alders	Nacogdoches, Texas	January 31, 2025
Robert A. Flores	Nacogdoches, Texas	January 31, 2027
Karen G. Gantt	McKinney, Texas	January 31, 2023
Brigettee C. Henderson	Lufkin, Texas	January 31, 2023
M. Thomas Mason	Dallas, Texas	January 31, 2023
Judy L. Olson	The Woodlands, Texas	January 31, 2025
Laura Rectenwald	Longview, Texas	January 31, 2027
Nancy C. Windham	Nacogdoches, Texas	Januray 31, 2027
Jennifer W. Winston	Lufkin, Texas	January 31, 2025
Paige Vadnais (student)	Forney, Texas	May 31, 2023

Interim President

Steve Westbrook, Ed.D.

Finance and Administration

Vice President – Gina Oglesbee, CPA, CFE, CIA
Associate Vice President – Judith Kruwell, CPA

STEPHEN F. AUSTIN STATE UNIVERSITY

Management's Discussion and Analysis

For the Year Ended August 31, 2022

INTRODUCTION

Stephen F. Austin State University (the University) is a comprehensive regional public institution of higher education and an agency of the State of Texas (State). Founded in 1923, the University is named for the "Father of Texas," Stephen Fuller Austin. It is located in the city of Nacogdoches, a part of the East Texas forested region. The main campus has more than 400 acres, including part of the original homestead of Thomas J. Rusk, early Texas patriot and United States Senator. In fall 2021, the University enrolled 11,946 students in 31 academic units and 6 colleges. The University offers baccalaureate, masters, and doctoral degrees.

The University is accredited by the Southern Association of Colleges and Schools Commission on Colleges. Specific academic programs hold numerous other accreditations.

The University does not include any blended components in the Financial Statements.

OVERVIEW OF THE FINANCIAL STATEMENTS AND FINANCIAL ANALYSIS

The objective of Management's Discussion and Analysis is to help readers of the University's Financial Statements better understand the financial position and operating activities for the fiscal year ended August 31, 2022, with selected comparative information for the fiscal year ended August 31, 2021. This discussion should be read in conjunction with the Letter of Transmittal, Financial Statements, and Notes to the Financial Statements. Management has prepared the Financial Statements and Notes to the Financial Statements along with the discussion and analysis. Responsibility for the completeness and fairness of this information rests with the University administration.

Three primary statements are presented: Statement of Net Position; Statement of Revenues, Expenses, and Changes in Net Position; and Statement of Cash Flows. The Financial Statements are prepared in accordance with requirements established by the Texas Comptroller of Public Accounts.

FISCAL YEAR 2022 HIGHLIGHTS

- Enrollment for the fall 2021 semester was 11,946. This figure represents a decrease of 5.3 percent from the enrollment of 12,620 recorded in fall 2020. Retention rates and persistence to graduation are two metrics by which the Texas Legislature evaluates State universities. The University reported an undergraduate retention rate of 76.2 percent for the fall 2021.

- In spring 2019, the University began construction of a basketball training facility and improvements to the fine arts building as part of the initiatives funded by the 2019 revenue bonds. The basketball training facility was completed in October 2021, and the capital improvements to the fine arts building are expected to be complete in March 2023. The SFA Board of Regents has reaffirmed and approved the use of remaining bond proceeds to construct a new dining facility, various deferred maintenance projects for residence hall facilities, and academic and university projects.

- In April 2022, President Scott Gordon and the University mutually agreed to end the employment relationship. Dr Steve Westbrook, long-time SFA senior administrator and former Interim President, was appointed until a permanent president assumes office. Additionally, the SFA Board of Regents appointed Gina Oglesbee as Vice President for Finance and Administration. Ms. Oglesbee previously served as the University's Chief Audit Executive.

- Based on instructions from the Texas Comptroller of Public Accounts, change in the reporting requirement for residual appropriations from Higher Education Funds (HEF) was implemented in Fiscal Year (FY) 2022. Net position for residual HEF was previously reported as Unrestricted Net Position. Beginning FY 2022, unexpended HEF is reported as Restricted Net Position-Capital Projects. FY 2021 net position information has been restated to reflect this change as well.

- The University's financial position at August 31, 2022 reflected total assets and deferred outflows of $599.7 million and total liabilities and deferred inflows of $558.7 million. Overall, the net position of the University decreased $37.6 million. This decrease in overall net position is primarily attributable to the recording of non-cash accounting adjustments related to Governmental Accounting Standards Board (GASB) Statement Nos. 68 and 75 totaling $15.7 million, and a decrease in fair market value of university operating and endowment investments of $14.9 million. The remaining decrease in net position was due to variances in operating revenues and expenditures.

CONDENSED FINANCIAL INFORMATION AND FINANCIAL HIGHLIGHTS

Statement of Net Position

The Statement of Net Position provides a snapshot view of assets available for use in the University's continuing operations and enables readers to determine the amounts owed to others. Over time, increases or decreases in net position are indicators of the improvement or decline of the financial health of the University. The Statement of Net Position presents the assets, liabilities, deferred outflows and inflows of resources, and net position of the University at a specific point in time, in this case August 31, 2022. Net position represents the residual interest in the University's assets and deferred outflows of resources after deducting liabilities and deferred inflows of resources.

"Net Position" displays three major categories: Invested in Capital Assets, Net of Related Debt; Restricted Net Position; and Unrestricted Net Position. The Invested in Capital Assets, Net of Related Debt category identifies the equity in property, plant, and equipment owned by the University net of debt owed on those capital assets. Restricted Net Position is either expendable or non-expendable. Restricted Net Position-Expendable may be expended only for the purposes designated by the external donor or provider of the assets. Restricted Net Position-Non-expendable is comprised entirely of funds held as permanent endowments. Unrestricted Net Position is available for any lawful purpose of the University. Although Unrestricted Net Position assets are not subject to externally imposed stipulations, these assets may have other commitments for various future uses in support of the University's mission. These include commitments for encumbrances outstanding at year-end. Previously classified in Unrestricted Net Position, unspent HEF have been reclassified in FY 2022 as Restricted for Capital Projects. Assets and liabilities are generally measured using current values, except capital assets, which are stated at historical cost less an allowance for depreciation.

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A summarized comparison of the University's Statement of Net Position at August 31, 2022 and 2021 follows:

Statement of Net Position

	August 31, 2022	August 31, 2021 Restated
Assets		
Current Assets	$ 177,197,342.31	$ 224,674,951.43
Noncurrent Assets		
Other Noncurrent Assets	117,957,578.93	121,691,817.23
Capital Assets, Net of Depreciation	235,365,221.59	223,697,209.76
Total Assets	530,520,142.83	570,063,978.42
Deferred Outflows of Resources	69,213,394.00	98,671,719.00
Liabilities		
Current Liabilities	120,143,324.89	122,848,921.51
Noncurrent Liabilities	378,508,073.74	411,403,433.99
Total Liabilities	498,651,398.63	534,252,355.50
Deferred Inflows of Resources	60,045,841.00	55,831,468.00
Net Position		
Invested in Capital Assets, Net of Related Debt	$ 81,292,960.67	$ 81,340,280.21
Restricted Net Position		
Capital Projects*	6,453,067.78	11,006,727.25
Expendable and Other	30,533,565.41	31,478,693.17
Non-expendable	6,348,033.52	6,107,043.66
Unrestricted Net Position*	(83,591,330.18)	(51,280,870.37)
	$ 41,036,297.20	$ 78,651,873.92

*Unrestricted Net Position restated to reclassify residual HEF and other restricted capital projects as Restricted for Capital Projects.

Statement of Revenues, Expenses, and Changes in Net Position

The change in total net position was calculated from the activity shown on the Statement of Revenues, Expenses, and Changes in Net Position. This statement presents operating revenues and expenses; non-operating revenues and expenses; and other revenues, expenses, gains (losses), and transfers.

Operating revenues are receipts for providing goods and services to the various constituencies of the University. Operating expenses include salaries, wages, and goods and services needed to carry out the mission of the University. Non-operating revenues and expenses include non-exchange transactions for which no goods or services were provided. This category includes State appropriations, Pell grants, gifts, investment income, and interest payments on long-term debt.

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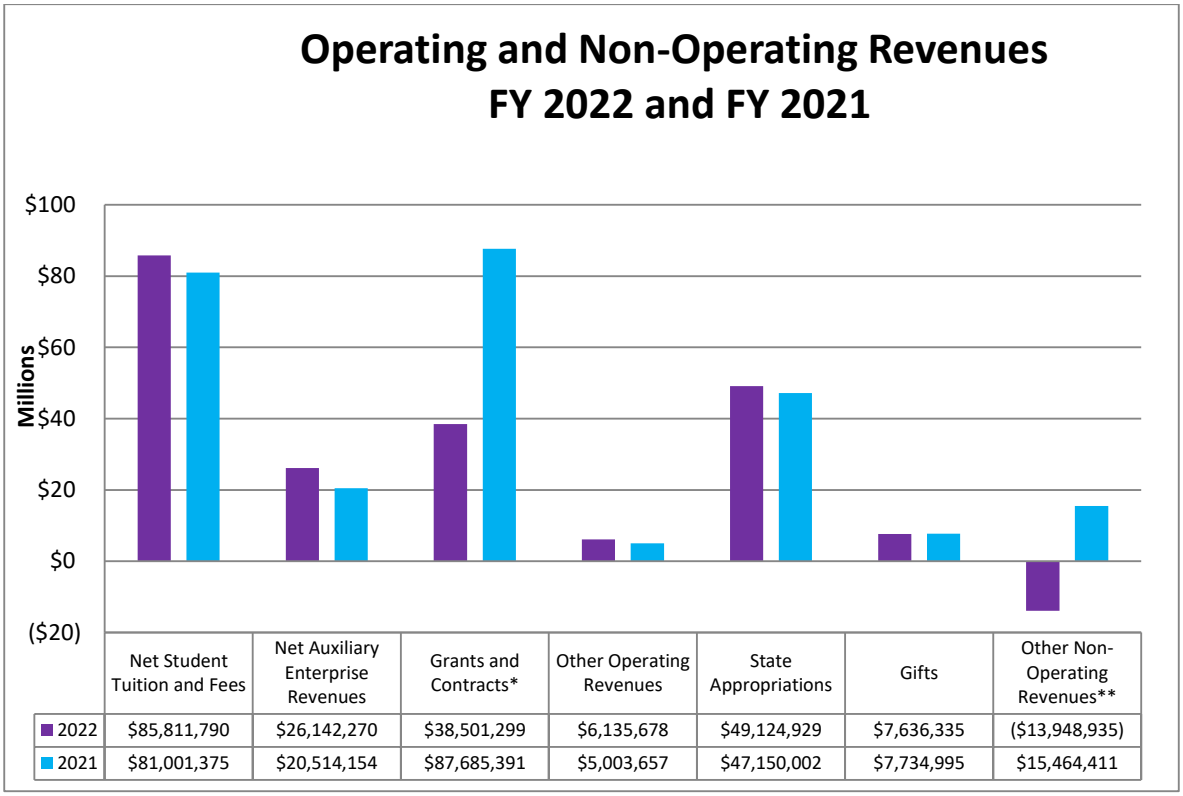
A summarized comparison of the University's Statement of Revenues, Expenses, and Changes in Net Position for the years ended August 31, 2022 and 2021 follows:

Statement of Revenues, Expenses, and Changes in Net Position

	2022	2021
Operating Revenues:		
Net Student Tuition and Fees	$ 85,811,789.79	$ 81,001,375.27
Net Auxiliary Enterprise Revenues	26,142,269.61	20,514,154.12
Grants and Contracts	15,393,225.93	17,393,019.07
Other Operating Revenues	6,135,678.46	5,003,657.22
Total Operating Revenues	133,482,963.79	123,912,205.68
Total Operating Expenses	242,962,200.97	255,853,495.43
Operating Income (Loss)	(109,479,237.18)	(131,941,289.75)
Legislative Revenue (State)	39,152,020.00	36,406,556.72
Additional Appropriations	9,972,909.04	10,743,445.23
Federal Revenues - Non-Operating	23,108,073.51	70,292,372.06
Gifts	7,636,335.27	7,734,994.56
Net Investment Income (Loss)	225,944.56	4,685,714.28
Net Increase (Decrease) in Fair Value of Investments	(14,865,333.18)	9,833,946.93
Interest Expenses and Fiscal Charges	(6,244,379.50)	(7,243,290.68)
Net Other Non-Operating Revenues (Expenses)	690,453.29	944,749.58
Total Non-Operating Revenues (Expenses)	59,676,022.99	133,398,488.68
Income (Loss) Before Other Revenues, Expenses, Gains or Losses	(49,803,214.19)	1,457,198.93
Other Revenues, Expenses, Gains (Losses) and Transfers	12,287,693.08	16,154,684.53
Change in Net Position	(37,515,521.11)	17,611,883.46
Net Position, Beginning of Year	78,651,873.92	61,007,067.24
Restatements	(100,055.61)	32,923.22
Restated Net Position, Beginning of Year	78,551,818.31	61,039,990.46
Net Position, End of Year	$ 41,036,297.20	$ 78,651,873.92

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The following graph exhibits operating and non-operating revenues by major source:



	Net Student Tuition and Fees	Net Auxiliary Enterprise Revenues	Grants and Contracts*	Other Operating Revenues	State Appropriations	Gifts	Other Non-Operating Revenues**
2022	$85,811,790	$26,142,270	$38,501,299	$6,135,678	$49,124,929	$7,636,335	($13,948,935)
2021	$81,001,375	$20,514,154	$87,685,391	$5,003,657	$47,150,002	$7,734,995	$15,464,411

** Grants and Contracts includes both Operating and Non-Operating Grants and Contracts.*
***Other Non-Operating Revenues includes Net Investment Income, Net Increase (Decrease) in Fair Value of Investments, and Net Other Non-Operating Revenues.*

Fiscal year 2022 highlights presented in the Statement of Revenues, Expenses, and Changes in Net Position are as follows:

- Fall 2021 headcount decreased approximately five percent. However, net tuition and fees increased $4.8 million due to the effect of COVID-19 related federal economic relief funding on tuition discounting in FY 2021.
- The University reinstated the housing residency requirements for applicable students which were suspended in FY 2021 due to COVID-19. As a result, occupancy rates increased and auxiliary revenues increased approximately 27 percent.
- Grants and contracts decreased $49.2 million due to the effect of receiving COVID-19 federal aid in FY 2021.
- Increase in state appropriations was attributed to increased funding for special items, as well as additions to the formula funding provided by The Higher Education Coordinating Board (THECB).
- Net investment income (loss) and net increase (decrease) in Fair Value of Investments resulted in a decrease in non-operating revenues of $29.2 million as a result of the investment market.

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Discounts and allowances reported as offsets for both tuition and fees and auxiliary enterprise revenues include exemptions, tuition discounts, and the allowance for doubtful accounts, which is a calculated estimate of the uncollectible student and other receivables. The chart below reflects these amounts and the related variances from FY 2021.

Gross Student Revenues, Exemptions, Discounts and Allowances

	2022	2021	Net Change
Tuition and Fees - Pledged	$115,572,126.15	$124,442,914.99	$(8,870,788.84)
Tuition and Fees - Non-Pledged	4,036,093.74	4,331,692.36	(295,598.62)
Exemptions	(13,071,283.11)	(16,240,363.52)	3,169,080.41
Tuition Discounts	(20,621,716.18)	(31,059,972.75)	10,438,256.57
Allowances for Doubtful Accounts	(103,430.81)	(472,895.81)	369,465.00
Net Student Tuition and Fees	$85,811,789.79	$ 81,001,375.27	$4,810,414.52
Auxiliary Enterprises - Pledged	$ 32,631,194.03	$ 29,480,475.10	$3,150,718.93
Auxiliary Enterprises - Non-Pledged	3,027,433.92	2,122,908.61	904,525.31
Discounts	(9,420,663.45)	(10,732,932.93)	1,312,269.48
Allowances for Doubtful Accounts	(95,694.89)	(356,296.66)	260,601.77
Net Auxiliary Enterprise Revenues	$26,142,269.61	$ 20,514,154.12	$5,628,115.49

State and federal loans to students have continued to decrease for the fourth year in a row. Gross scholarships awarded to students from grants and outside organizations decreased significantly by approximately $20.9 million, primarily reflecting the loss of the FY 2021 COVID-19 student aid. Net scholarships decreased by approximately $9.1 million. Pell grants decreased by four percent to $20.1 million. A portion of scholarships has been reclassified as either tuition discounts or auxiliary discounts using the National Association of College and University Business Officers (NACUBO) discount formula.

The discount calculation involves various types of aid to the student as shown below:

Gross Scholarships and Related Discounts Applied to Revenues

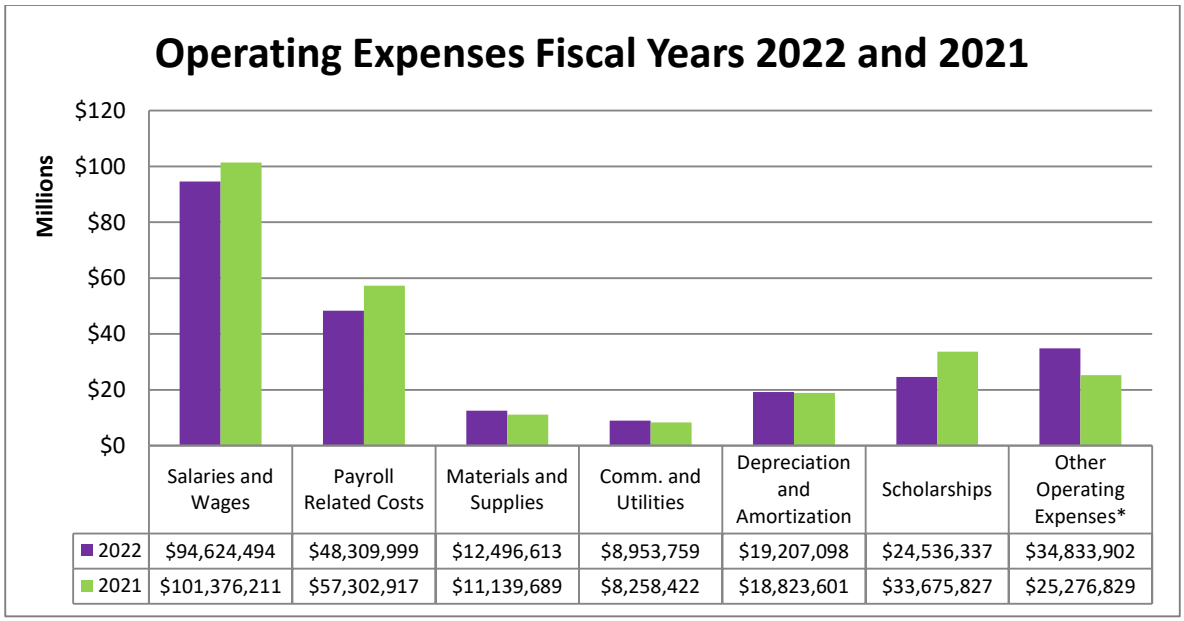
	2022	2021	Net Change
State and federal student loans	$ 57,386,007.08	$ 62,991,803.80	$ (5,605,796.72)
Gross Scholarships	54,578,716.14	75,468,732.95	(20,890,016.81)
Scholarships - Reclassified to Tuition/Fee Discounts	(20,621,716.18)	(31,059,972.75)	10,438,256.57
Scholarships - Reclassified to Auxiliary Enterprises	(9,420,663.45)	(10,732,932.93)	1,312,269.48
Scholarships (as reported)	$ 24,536,336.51	$ 33,675,827.27	$ (9,139,490.76)

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The following data summarizes the operating expenses in the natural classification expense categories for the fiscal years ended August 31, 2022 and 2021:

	2022	2021
Cost of Goods Sold	$ 11,655,157.79	$ 7,845,744.90
Salaries and Wages	94,624,493.68	101,376,210.74
Payroll-Related Costs	48,309,998.57	57,302,916.97
Professional Fees and Services	2,787,981.70	2,348,434.84
Travel	3,173,510.71	1,109,966.07
Materials and Supplies	12,496,612.69	11,139,689.02
Communication and Utilities	8,953,759.42	8,258,422.27
Repairs and Maintenance	5,624,618.04	5,028,834.93
Rentals and Leases	3,183,696.34	2,576,824.25
Printing and Reproduction	504,939.29	285,270.69
Federal Pass-Through Expenditures	16,837.84	0.00
Depreciation	19,207,098.24	18,823,600.63
Scholarships	24,536,336.51	33,675,827.27
Other Operating Expenses	7,887,160.15	6,081,752.85
	$ 242,962,200.97	$ 255,853,495.43

The following is a graphic presentation of the major operating expense categories for the fiscal years ended August 31, 2022 and 2021:

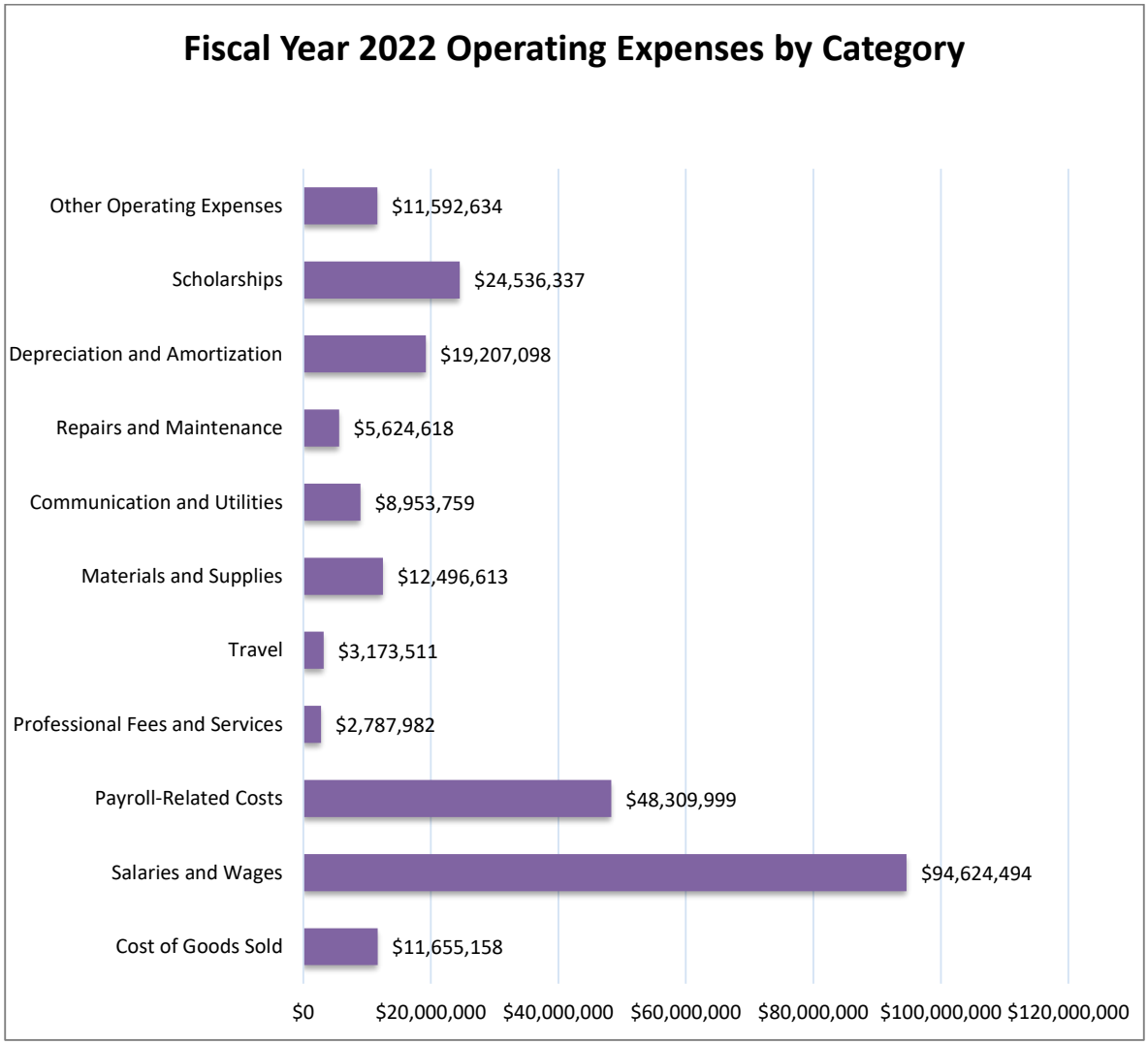


**Other Operating Expenses includes Cost of Goods Sold, Professional Fees and Services, Travel, Repairs and Maintenance, Rentals and Leases, Printing and Reproduction, Federal Pass-Through Expenditures, and Other Operating Expenses.*

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Fiscal year 2022 significant changes from the prior year for all other operating expenses include:

- Travel costs increased $2.1 million due to lifting of travel restrictions after the pandemic.
- Cost of Goods Sold increased $3.8 million related to increased meal plan participation and higher on-campus occupancy of residence halls.
- Scholarship expense decreased $9.1 million as explained previously in this report.
- Salaries and wages decreased $6.8 million due primarily to the FY 2021 $3.5 million one-time payout for the Voluntary Separation Incentive Program (VSIP). Additionally, a lag in filling authorized key positions vacated by VSIP resulted in reduced FY 2022 salaries and wages.
- Payroll-related costs decreased $9.0 million primarily due to calculations for VSIP and vacant positions, and a decrease in TRS pension liability.



Other Operating Expenses includes Rentals and Leases, Federal Pass-Thru Expenditures, Printing and Reproduction costs, Bad Debt expense, and Other Operating Expenses.

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For the Year Ended August 31, 2022

Statement of Cash Flows

The purpose of a Statement of Cash Flows is to provide relevant information about the University's cash receipts and payments during the fiscal year. The Statement of Cash Flows, when used with related disclosures and information in the other financial statements, provides relevant information about the University, such as:

- Its ability to generate future net cash flows.
- Its ability to meet obligations when due.
- Its needs for external financing.
- The reason for differences between operating income and associated cash receipts and payments.
- The effects on the University's financial position of its cash and its non-cash investing, capital, and financing transactions.

The Statement of Cash Flows provides details about the University's major sources and uses of cash during the year. It presents detailed information about the cash activity and an indication of the University's liquidity and ability to meet cash obligations. There are four categories of cash flow activity:

1. Cash Flows from Operating Activities – cash flows from operating activities result from providing services and producing and delivering goods. They include all other transactions not defined as non-capital financing, capital and related financing, or investing activities.
2. Cash Flows from Non-Capital Financing Activities – cash flows from non-capital financing activities include borrowing money and repaying the principal and interest on amounts borrowed for purposes other than to acquire, construct, or improve capital assets.
3. Cash Flows from Capital and Related Financing Activities – cash flows from capital and related financing activities include acquiring and disposing of capital assets; borrowing money to acquire, construct, or improve capital assets; and repaying the principal and interest amounts.
4. Cash Flows from Investing Activities – cash flows from investing activities include making and collecting loans (except program loans) and the acquisition and disposition of debt or equity instruments.

The Statement of Cash Flows reports net cash provided or used in each of the four categories of classifying cash transactions. It also reports the net effect of these flows on cash and cash equivalents during the fiscal year in a manner that reconciles beginning and ending cash and cash equivalents for the year.

The final section of the Statement of Cash Flows reconciles the Net Cash Provided (Used) by Operating Activities to the Operating Income (Loss) reflected on the Statement of Revenues, Expenses, and Changes in Net Position. When transactions are part cash and part non-cash, only the cash portion is reported within the Statement of Cash Flows. Non-cash items include information about investing, capital, and financing activities that affect assets and liabilities but do not result in cash receipts or cash payments in the fiscal period. The non-cash portion is reported in the non-cash transaction section supplemental to the Statement of Cash Flows.

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Management's Discussion and Analysis
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For the Year Ended August 31, 2022

A summarized comparison of the Statement of Cash Flows at August 31, 2022 and 2021 follows:

Statement of Cash Flows

	2022	2021
Net Cash Provided (Used) by:		
Operating Activities	$ (55,578,231.10)	$ (61,067,759.22)
Non-Capital Financing Activities	55,764,359.07	98,854,795.74
Capital and Related Financing Activities	(37,701,802.62)	(40,129,096.68)
Investing Activities	11,648,514.30	31,099,641.35
Increase (Decrease) in Cash and Cash Equivalents	$ (25,867,160.35)	$ 28,757,581.19
Cash and Cash Equivalents, Beginning of Year	85,736,446.05	56,978,864.86
Restatements	-	-
Cash and Cash Equivalents, as Restated, Sept. 1, 2021	85,736,446.05	56,978,864.86
Increase (Decrease) in Cash and Cash Equivalents	(25,867,160.35)	28,757,581.19
Cash and Cash Equivalents, End of Year	$ 59,869,285.70	$ 85,736,446.05

Net cash provided (used) by operating activities should be viewed together with net cash provided (used) by non-capital financing activities because State appropriations are significant sources of recurring revenue in support of operating expenses but, under GASB Statement No. 35, they must be classified as non-capital financing activities instead of operating activities. Additionally, federal financial aid revenues, including Pell grants and Higher Education Emergency Relief Fund (HEERF) grants, are classified as a non-operating activity since these are considered non-exchange activities, but the offsetting expenditures are recognized as operating expenses. Overall, the University experienced a decrease of $25.8 million in cash and cash equivalents due almost entirely to the use of federal HEERF funds for student aid and lost revenue caused by the pandemic.

Cash used by operating activities decreased by approximately $5.5 million due largely to the decrease in operating expenses and reduction in student aid provided from the HEERF funding in 2021.

Net cash flows provided by non-capital financing activities in FY 2022 decreased $43.1 million from the prior year. As mentioned before, the economic HEERF recovery funds provided in 2021 to the institution and to the students made up the decrease.

Net cash used for capital and related financing activities decreased $2.4 million due mainly to the use of bond proceeds to complete the basketball training facility and the construction of the fine arts addition.

Net cash provided from investing activities decreased $19.5 million due to changes in the investment of bond proceeds and the decrease in fair market value of operating long-term investments.

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For the Year Ended August 31, 2022

ECONOMIC OUTLOOK

The SFA Board of Regents approved an operating budget of $273,720,925 for the 2022-23 fiscal year.

In FY 2022, the legislature approved a Capital Construction Assistance Project of $44,922,833. In FY 2023, the University is in the planning stage of developing the interdisciplinary projects for these funds.

In September 2022, Fitch downgraded to A+ from AA- the bond rating on various Revenue Financing System (RFS) bonds issued by the SFA Board of Regents. The downgrade to A+ from AA- reflects the current trend of declining headcount; however, the rating outlook of stable reflects the expectation that the University will continue to benefit from solid state support and have sufficient financial flexibility at the 'A+' rating level to absorb current year enrollment pressures.

Enrolled headcount for Fall 2022 decreased by 5.2 percent when compared to Fall 2021, and semester credit hours decreased 5.7 percent.

At the July 2022 meeting of the SFA Board of Regents, the Board Chair appointed a subcommittee to evaluate potential affiliation with other Texas state university systems. A process was rolled out to address questions posed by campus constituents including students, faculty, staff, and alumni. The SFA Board of Regents is expected to make their decision regarding system affiliation at a special called meeting scheduled for November 29, 2022.

In 2016, the University began a capital fundraising campaign to coincide with the University's 100-year anniversary on September 18, 2023. At of the end of calendar year 2022, it is expected that 100% of the campaign target will be achieved. To kick off the centennial celebration in 2023, the results of the capital fundraising campaign will be announced at the SFA Gala event which will be held in January.

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Statement of Net Position
For the Fiscal Year Ended August 31, 2022

	2022	2021 Restated
ASSETS		
Current Assets		
Cash and Cash Equivalents:		
Cash on Hand	$ 15,315.00	$ 29,476.00
Cash in Bank	31,490,923.51	65,972,117.69
Cash in Transit/Reimburse from Treasury	350,875.64	1,071,841.18
Cash in State Treasury	813,773.46	882,360.90
Cash Equivalents	0.00	0.00
Short-Term Investments	0.00	0.00
Restricted:		
Cash and Cash Equivalents		
Cash in Bank	27,198,398.09	17,780,650.28
Short-Term Investments		
Endowment	1,428,147.23	987,610.19
Proceeds from Bond Sales	60,187,258.46	86,177,928.36
Legislative Appropriations	17,889,345.01	13,553,366.89
Receivables:		
Intergovernmental Receivables		
Federal	1,570,369.26	2,057,482.06
State	12,311.60	18.00
Other Intergovernmental	253,134.31	634,799.95
Student Accounts Receivable	11,017,807.99	12,233,136.79
Allowance for Student Receivables	0.00	0.00
Accounts Receivable	4,496,897.48	2,571,653.53
Gifts/Pledges Receivables	330,000.00	2,500,000.00
Due From Other Agencies:		
Federal	232,116.73	307,402.04
State	72,995.67	59,767.92
Consumable Inventories	551,867.93	476,330.54
Merchandise Inventories	432,583.08	469,335.98
Prepaid Items	17,189,640.61	15,243,368.00
Student Loans Receivables	1,663,581.25	1,666,305.13
Allowance for Loans/Contracts	0.00	0.00
Total Current Assets	177,197,342.31	224,674,951.43

See accompanying Notes to the Financial Statements

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Statement of Net Position
For the Fiscal Year Ended August 31, 2022

	2022	2021 Restated
Noncurrent Assets		
Restricted:		
Cash Equivalents	$ 0.00	$ 992,733.81
Investments		
Endowments	14,883,361.32	17,128,181.87
Proceeds from Bonds	0.00	0.00
Student Loans Receivables	4,301,419.77	4,148,126.38
Allowance for Doubtful Accounts	(1,757,761.27)	(896,969.74)
Unrestricted:		
Investments		
Operating	92,021,688.35	89,771,722.27
Quasi-Endowments	7,198,720.10	8,687,846.60
Student Accounts Receivables	12,591,491.05	12,942,390.73
Allowance for Doubtful Accounts	(11,281,340.39)	(11,082,214.69)
Capital Assets		
Land and Land Improvements	8,419,438.29	8,419,438.29
Construction in Progress	33,819,462.49	39,882,121.21
Other Capital Assets	831,858.23	831,858.23
Non-Depreciable or Non-Amortizable	43,070,759.01	49,133,417.73
Capital Assets, Depreciable:		
Buildings and Building Improvements	473,188,012.36	439,273,030.06
Less Accumulated Depreciation	(304,292,188.60)	(288,950,270.20)
Infrastructure	17,469,304.46	17,469,304.46
Less Accumulated Depreciation	(13,483,913.17)	(12,838,516.81)
Facilities and Other Improvements	37,381,456.30	36,034,506.30
Less Accumulated Depreciation	(24,506,806.15)	(23,208,111.14)
Furniture and Equipment	23,372,711.77	23,173,385.82
Less Accumulated Depreciation	(18,492,759.08)	(18,401,027.64)
Vehicles, Boats, and Aircraft	6,486,862.00	6,577,193.60
Less Accumulated Depreciation	(5,242,236.30)	(5,047,090.51)
Other Capital Assets	13,777,437.28	13,803,372.40
Less Accumulated Depreciation	(13,363,418.29)	(13,321,984.31)
Intangible Assets	4,475,809.57	4,502,623.77
Less Accumulated Amortization	(4,475,809.57)	(4,502,623.77)
Depreciable or Amortizable, Net	192,294,462.58	174,563,792.03
Total Noncurrent Assets	353,322,800.52	345,389,026.99
Total Assets	530,520,142.83	570,063,978.42
DEFERRED OUTFLOWS OF RESOURCES		
Deferred Outflows of Resources (Note 28)	69,213,394.00	98,671,719.00

See accompanying Notes to the Financial Statements

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Statement of Net Position
For the Fiscal Year Ended August 31, 2022

	2022	2021 Restated
LIABILITIES		
Current Liabilities:		
Payables:		
Accounts Payable	$ 9,336,343.50	$ 7,677,340.55
Payroll Payable	4,463,050.33	6,596,596.64
Deposits	2,692,566.62	3,304,014.88
Benefits Payable	5,470,282.99	4,468,397.33
Interagency Payable	90.00	0.00
Due to Other Agencies	597,648.54	467,934.09
Unearned Revenues:		
Tuition and Fees	45,665,284.95	50,683,027.78
Sales and Services	20,574,216.82	15,960,945.21
Grants and Contracts	1,613,920.33	519,948.13
Employees' Compensable Leave	860,902.71	593,977.34
Capital Lease Obligations	0.00	26,473.21
Notes and Loans Payable	805,017.97	762,756.42
Revenue Bonds Payable	10,463,615.32	9,873,876.46
Tuition Revenue Bonds Payable	4,207,090.50	4,145,124.07
Accrued Bond Interest Payable	3,135,686.66	3,304,937.16
Funds Held for Others	5,870,959.65	9,320,445.24
Other Current Liabilities	4,386,648.00	5,143,127.00
Total Current Liabilities	120,143,324.89	122,848,921.51
Noncurrent Liabilities:		
Employees' Compensable Leave	3,274,601.15	2,920,730.91
Notes and Loans Payable	6,433,519.97	7,238,537.94
Revenue Bonds Payable	143,673,215.34	154,741,871.36
Tuition Revenue Bonds Payable	45,854,096.28	50,061,186.78
ERS OPEB Liability	158,613,526.00	149,043,885.00
TRS Net Pension Liability	20,659,115.00	47,397,222.00
Total Noncurrent Liabilities	378,508,073.74	411,403,433.99
Total Liabilities	498,651,398.63	534,252,355.50
DEFERRED INFLOWS OF RESOURCES		
Deferred Inflows of Resources (Note 28)	60,045,841.00	55,831,468.00
NET POSITION		
Invested in Capital Assets, Net of Related Debt	81,292,960.67	81,340,280.21
Restricted for:		
Capital Projects	6,453,067.78	11,006,727.25
Endowment Funds		
Nonexpendable	6,348,033.52	6,107,043.66
Expendable	4,025,773.16	5,712,932.57
Other	26,507,792.25	25,765,760.60
Unrestricted	(83,591,330.18)	(51,280,870.37)
Total Net Position	$ 41,036,297.20	$ 78,651,873.92

See accompanying Notes to the Financial Statements

UNAUDITED

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Statement of Revenues, Expenses, and Changes in Net Position
For the Fiscal Year Ended August 31, 2022

	2022	2021
Operating Revenues:		
Sales of Goods and Services		
Tuition and Fees - Pledged	$ 115,572,126.15	$ 124,442,914.99
Tuition and Fees - Non-Pledged	4,036,093.74	4,331,692.36
Discounts and Allowances	(33,796,430.10)	(47,773,232.08)
Auxiliary Enterprise - Pledged	32,631,194.03	29,480,475.10
Auxiliary Enterprise - Non-Pledged	3,027,433.92	2,122,908.61
Discounts and Allowances	(9,516,358.34)	(11,089,229.59)
Other Sales of Goods and Svcs - Pledged	4,982,370.36	4,218,198.59
Other Sales of Goods and Svcs - Non-Pledged	815,888.37	571,352.25
Federal Revenue	1,510,072.10	1,320,021.93
Federal Pass-Through Rev from Non-State Entities	67,199.89	245,454.69
Federal Pass-Through Revenue	944,524.76	2,632,795.31
State Grant Revenue	0.00	0.00
State Pass-Through Revenue	11,910,766.38	11,746,070.64
Local Contracts and Grants	620,543.92	1,129,224.27
Other Contracts and Grants	340,118.88	319,452.23
Other Operating Revenues - Pledged	334,074.73	209,967.10
Other Operating Revenues - Non-Pledged	3,345.00	4,139.28
Total Operating Revenues	133,482,963.79	123,912,205.68
Operating Expenses:		
Cost of Goods Sold	11,655,157.79	7,845,744.90
Salaries and Wages	94,624,493.68	101,376,210.74
Payroll-Related Costs	48,309,998.57	57,302,916.97
Professional Fees and Services	2,787,981.70	2,348,434.84
Travel	3,173,510.71	1,109,966.07
Materials and Supplies	12,496,612.69	11,139,689.02
Communication and Utilities	8,953,759.42	8,258,422.27
Repairs and Maintenance	5,624,618.04	5,028,834.93
Rentals and Leases	3,183,696.34	2,576,824.25
Printing and Reproduction	504,939.29	285,270.69
Federal Pass-Through Expenditure	0.00	0.00
Federal Pass-Through Expenditure to Non-State Entities	16,837.84	0.00
State Pass-Through Expenditure	0.00	0.00
Amortization	-	0.00
Depreciation	19,207,098.24	18,823,600.63
Bad Debt Expense	859,605.08	-
Interest Expense	575.82	124.54
Scholarships	24,536,336.51	33,675,827.27
Claims and Judgments	35,000.00	0.00
Other Operating Expenses	6,991,979.25	6,081,628.31
Total Operating Expenses	242,962,200.97	255,853,495.43
Operating Income (Loss)	(109,479,237.18)	(131,941,289.75)

See accompanying Notes to the Financial Statements
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UNAUDITED

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Statement of Revenues, Expenses, and Changes in Net Position
For the Fiscal Year Ended August 31, 2022

	2022	2021
Non-Operating Revenues (Expenses):		
Legislative Revenue	$ 39,152,020.00	$ 36,406,556.72
Additional Appropriations	9,972,909.04	10,743,445.23
Federal Revenue	23,108,073.51	70,292,372.06
State Pass Through Revenue	0.00	0.00
Gifts - Non-Pledged	7,398,660.78	6,734,994.56
Gifts - Pledged	237,674.49	1,000,000.00
Land Income	0.00	0.00
Other Rental Income	151,246.40	178,907.54
Investment Income - Pledged	207,536.91	3,498,009.77
Investment Income - Non-Pledged	75,573.66	1,572,555.14
Net Increase (Decrease) Fair Value - Pledged	(12,873,383.07)	7,862,028.18
Net Increase (Decrease) Fair Value - Non-Pledged	(1,991,950.11)	1,971,918.75
Investing Activities Expenses	(474,932.82)	(457,037.12)
Income on Loans Receivable	24,615.21	(168,136.33)
Interest Income on Capital Investments-Pledged	393,151.60	240,322.82
Net Increase (Decrease) Fair Value-Capital Investments-Pledged	0.00	0.00
Interest Expenses and Fiscal Charges	(6,244,379.50)	(7,243,290.68)
Gain (Loss) on Sale of Capital Assets	(28,235.11)	417,201.68
Settlement of Claims	310,669.20	293.52
Other Non-Operating Revenues (Expenses)	256,772.80	348,346.84
Total Non-Operating Revenues (Expenses)	59,676,022.99	133,398,488.68
Income (Loss) Before Other Revenues, Expenses, Gains/Losses, and Transfers	(49,803,214.19)	1,457,198.93
Other Revenues, Expenses, Gains/Losses, and Transfers		
Capital Contributions	149,608.00	4,183,278.05
Capital Appropriations (Higher Education Fund)	11,277,793.00	11,277,793.00
Additions to Permanent and Term Endowments	240,989.86	23,478.00
Lapsed Appropriations	(4,600.00)	(100.00)
Legislative Transfers In	381,499.00	403,398.00
Legislative Transfers Out	0.00	0.00
Transfers In	248,437.00	265,086.00
Transfers Out	(6,033.78)	1,751.48
Legislative Financing Uses	0.00	(0.00)
Total Other Revenue, Expenses, Gain/Losses, and Transfers	12,287,693.08	16,154,684.53
Change in Net Position	(37,515,521.11)	17,611,883.46
Net Position, Beginning of Year	78,651,873.92	61,007,067.24
Restatements	(100,055.61)	32,923.22
Net Position, Beginning of Year, as Restated	78,551,818.31	61,039,990.46
Net Position, August 31, 2022	$ 41,036,297.20	$ 78,651,873.92

See accompanying Notes to the Financial Statements

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Matrix of Operating Expenses by Function
For the Fiscal Year Ended August 31, 2022

Operating Expenses	Instruction	Research	Public Service	Academic Support	Student Services
Cost of Goods Sold	$ 12,537.15	$ 0.00	$ 15,421.04	$ 219,343.03	$ 20,959.94
Salaries and Wages	47,971,026.84	1,794,799.38	506,405.19	9,179,570.99	11,358,670.43
Payroll Related Costs	12,583,580.52	350,842.65	85,982.04	2,358,057.36	2,969,344.87
Payroll Related Costs-TRS Pension	(1,508,859.94)	(40,986.65)	(12,837.72)	(329,944.86)	(414,915.04)
Payroll Related Costs-OPEB	6,446,987.19	292,239.69	62,710.75	1,609,740.25	2,453,024.78
Professional Fees and Services	140,992.95	117,727.85	159,488.38	84,615.06	930,580.83
Travel	246,886.28	149,067.17	14,851.73	265,411.02	2,442,709.67
Materials and Supplies	1,634,218.63	260,411.33	295,447.13	1,372,951.15	3,347,047.38
Communication and Utilities	232,965.22	43,691.53	2,890.99	1,531,894.75	398,784.41
Repairs and Maintenance	395,245.01	8,644.21	61,867.23	208,650.60	569,463.10
Rentals and Leases	377,904.31	78,685.39	92,684.81	293,064.47	1,138,830.38
Printing and Reproduction	48,631.74	1,156.65	42,635.41	84,732.35	152,704.42
Federal Pass-Through Expenditures	0.00	16,837.84	0.00	0.00	0.00
State Pass-Through Expenditures	0.00	0.00	0.00	0.00	0.00
Depreciation and Amortization	0.00	0.00	0.00	0.00	0.00
Bad Debt Expense	0.00	0.00	0.00	0.00	859,605.08
Interest Expense	0.00	0.23	0.00	133.52	0.00
Scholarships	0.00	0.00	0.00	0.00	0.00
Claims and Judgments	0.00	0.00	0.00	0.00	0.00
Other Operating Expenses	333,979.23	85,135.45	(652,091.35)	510,273.10	1,100,601.94
Total Operating Expenses	$ 68,916,095.13	$ 3,158,252.72	$ 675,455.63	$ 17,388,492.79	$ 27,327,412.19

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Matrix of Operating Expenses by Function
For the Fiscal Year Ended August 31, 2022

Operating Expenses	Institutional Support	Operation and Maintenance of Plant	Scholarships and Fellowships	Auxiliary Enterprises	Depreciation and Amortization	Total Expenses
Cost of Goods Sold	$ 0.00	$ 0.00	$ 0.00	$ 11,386,896.63	$ 0.00	$ 11,655,157.79
Salaries and Wages	12,466,069.29	4,388,319.58	0.00	6,959,631.98	0.00	94,624,493.68
Payroll Related Costs	8,876,037.61	1,560,173.26	0.00	3,771,031.26	0.00	32,555,049.57
Payroll Related Costs-TRS Pension	104,750.74	(256,169.63)	0.00	(338,043.90)	0.00	(2,797,007.00)
Payroll Related Costs-OPEB	3,070,150.00	1,673,050.27	0.00	2,944,053.07	0.00	18,551,956.00
Professional Fees and Services	409,772.43	764,903.76	0.00	179,900.44	0.00	2,787,981.70
Travel	85,734.90	(203,703.01)	0.00	172,552.95	0.00	3,173,510.71
Materials and Supplies	1,795,538.34	2,532,098.08	0.00	1,258,900.65	0.00	12,496,612.69
Communication and Utilities	819,888.27	3,018,939.99	0.00	2,904,704.26	0.00	8,953,759.42
Repairs and Maintenance	1,310,415.06	1,740,009.75	0.00	1,330,323.08	0.00	5,624,618.04
Rentals and Leases	258,716.90	767,750.24	0.00	176,059.84	0.00	3,183,696.34
Printing and Reproduction	106,735.01	100.14	0.00	68,243.57	0.00	504,939.29
Federal Pass-Through Expenditures	0.00	0.00	0.00	0.00	0.00	16,837.84
State Pass-Through Expenditures	0.00	0.00	0.00	0.00	0.00	0.00
Depreciation and Amortization	0.00	0.00	0.00	0.00	19,207,098.24	19,207,098.24
Bad Debt Expense	0.00	0.00	0.00	0.00	0.00	859,605.08
Interest Expense	376.95	65.12	0.00	0.00	0.00	575.82
Scholarships	0.00	0.00	24,536,336.51	0.00	0.00	24,536,336.51
Claims and Judgments	35,000.00	0.00	0.00	0.00	0.00	35,000.00
Other Operating Expenses	2,966,088.47	2,064,969.20	0.00	583,023.21	0.00	6,991,979.25
Total Operating Expenses	$ 32,305,273.97	$ 18,050,506.75	$ 24,536,336.51	$ 31,397,277.04	$ 19,207,098.24	$ 242,962,200.97

STEPHEN F. AUSTIN STATE UNIVERSITY
Statement of Cash Flows
For the Fiscal Year Ended August 31, 2022

	2022	2021
Cash Flows from Operating Activities		
Proceeds from Tuition and Fees	$ 82,559,401.14	$ 80,713,138.37
Proceeds from Auxiliary Services	30,755,541.22	19,953,760.39
Proceeds from Other Sales and Services	5,759,474.24	4,883,631.58
Proceeds from Grants and Contracts	17,535,544.98	16,574,773.05
Proceeds from Other Revenues	337,419.73	214,106.38
Proceeds from Loan Programs	710,222.02	99,039.64
Payments to Suppliers for Goods and Services	(55,655,334.07)	(40,146,373.70)
Payments to Employees for Salaries and Benefits	(107,001,381.57)	(108,242,521.19)
Payments to Students for Scholarships	(30,543,542.97)	(35,117,189.20)
Payments for Other Expenses	(35,575.82)	(124.54)
Net Cash Provided (Used) by Operating Activities	(55,578,231.10)	(61,067,759.22)
Cash Flows from Noncapital Financing Activities		
Proceeds from State Appropriations	24,088,128.20	19,203,328.68
Proceeds from Non-Operating Grants and Contracts	23,108,073.51	70,292,372.06
Proceeds from Gifts	7,636,335.27	7,734,994.56
Proceeds(Payments) for Student Loan Funds	(834,989.87)	(168,136.33)
Proceeds of Transfers from Other Agencies	629,936.00	668,484.00
Proceeds from Claims and Settlements	310,669.20	293.52
Proceeds from Other Revenue (Expense)	256,772.80	348,346.84
Proceeds from Endowment Investments	569,433.96	775,112.41
Net Cash Provided (Used) by Noncapital Financing Activities	55,764,359.07	98,854,795.74
Cash Flows from Capital and Related Financing Activities		
Proceeds from Sale of Capital Assets	7,794.40	401,732.82
Proceeds from Debt Issuance	-	-
Proceeds from State Appropriations-Higher Education Funds (HEF)	11,277,793.00	11,975,309.05
Proceeds from Capital Contributions	2,469,216.00	1,683,278.05
Payments from Other Financing Activities	992,733.81	(992,733.81)
Proceeds from Other Rental Income	151,246.40	178,907.54
Proceeds from Interest on Capital Investments	393,151.60	240,322.82
Payments for Additions to Capital Assets	(31,160,803.19)	(28,367,443.41)
Payments for Interfund Payables	-	(1,692,373.31)
Payments of Principal on Capital Debt	(15,386,797.65)	(16,040,893.51)
Payments for Capital Leases	(32,506.99)	(60,333.69)
Payments of Interest on Capital Debt	(6,413,630.00)	(7,454,869.23)
Net Cash Provided (Used) by Capital and Related Financing Act	(37,701,802.62)	(40,129,096.68)
Cash Flows from Investing Activities		
Proceeds for Investments	11,915,910.21	28,058,668.70
Payments from Interest Income from Investments	(267,395.91)	3,040,972.65
Proceeds from Bond Investments	-	-
Net Cash Provided (Used) by Investing Activities	11,648,514.30	31,099,641.35
Increase (Decrease) in Cash and Cash Equivalents	$ (25,867,160.35)	$ 28,757,581.19
Cash and Cash Equivalents, August 31, 2021	$ 85,736,446.05	$ 56,978,864.86
Restatements		
Cash and Cash Equivalents, as Restated at Sept. 1, 2021	85,736,446.05	56,978,864.86
Increase (Decrease) in Cash and Cash Equivalents	(25,867,160.35)	28,757,581.19
Cash and Cash Equivalents, August 31, 2022	$ 59,869,285.70	$ 85,736,446.05

See accompanying Notes to the Financial Statements

STEPHEN F. AUSTIN STATE UNIVERSITY
Statement of Cash Flows
For the Fiscal Year Ended August 31, 2022

	2022	2021
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities		
Operating Income (Loss)	$ (109,479,237.18)	$ (131,941,289.75)
Adjustments to Reconcile Operating Income (Loss) to Net Cash used by Operating Activities		
Amortization and Depreciation	19,207,098.24	18,823,600.63
Bad Debt Expense	859,605.08	-
Benefits Paid on Behalf of the University	-	-
Pension Expense	20,696,222.72	28,412,413.00
Operating Income (Loss) and Cash Flow Categories		
Changes in Current Assets and Liabilities		
(Increase) Decrease in Receivables	2,316,551.69	(714,744.93)
(Increase) Decrease in Inventories	(38,784.49)	94,080.74
(Increase) Decrease in Loans to Students	2,723.88	302,076.01
(Increase) Decrease in Prepaid Expenses	(1,946,272.61)	(1,702,252.93)
(Increase) Decrease in Due from Other Agencies	62,075.56	(58,518.62)
Increase (Decrease) in Payables	(474,543.36)	2,732,597.89
Increase (Decrease) in Deposits Payable	(611,448.26)	423,598.09
Increase (Decrease) in Due to Other Agencies	129,804.45	125,445.30
Increase (Decrease) in Unearned Revenue	689,500.98	(3,482,872.46)
Increase (Decrease) in Compensable Leave	266,925.47	174,648.51
Increase (Decrease) in Benefits Payable	1,001,885.66	790,896.16
Increase (Decrease) in Funds Held for Others	(3,449,485.59)	260,891.00
Increase (Decrease) in Other Current Liabilities	(756,479.00)	-
Changes in Non-Current Assets and Liabilities		
Increase (Decrease) in Compensable Leave	353,870.14	(1,226,747.84)
Increase (Decrease) in Deferred Inflows	4,214,373.00	(2,574,436.00)
Increase (Decrease) in Deferred Outflows	29,458,325.00	24,913,342.00
Increase (Decrease) in Liabilities to NPL	(17,168,466.00)	1,091,097.00
(Increase) Decrease in Student Receivables	550,025.38	191,453.35
(Increase) Decrease in Loans to Students	707,498.14	(203,036.37)
Cash Reported in Other Categories		
Increase (Decrease) of Gifts Receivable	(2,170,000.00)	2,500,000.00
Total Adjustments	53,901,006.08	70,873,530.53
Net Cash Provided (Used) by Operating Activities	$ (55,578,231.10)	$ (61,067,759.22)
Displayed as:		
Cash on Hand	$ 15,315.00	$ 29,476.00
Cash in Bank	31,490,923.51	65,972,117.69
Cash in Transit/Reimb. Due from Treasury	350,875.64	1,071,841.18
Cash in State Treasury	813,773.46	882,360.90
Cash in Bank, Restricted	27,198,398.09	17,780,650.28
Cash Equivalents, Restricted	-	-
	$ 59,869,285.70	$ 85,736,446.05
Non-Cash Transactions		
Other	$ -	$ -
Net Change in Fair Value of Investments	(14,865,333.18)	9,833,946.93
	$ (14,865,333.18)	$ 9,833,946.93

See accompanying Notes to the Financial Statements

Stephen F. Austin State University-755
UNAUDITED
Notes to the Financial Statements
August 31, 2022

NOTE 1: Summary of Significant Accounting Policies

Entity

Stephen F. Austin State University (the University) is an agency of the State of Texas (the State). The University's financial records comply with State statutes and regulations including compliance with the Texas Comptroller of Public Accounts' *Reporting Requirements for Annual Financial Reports of State Agencies and Universities*.

The University serves the State as a public institution of higher education.

The University has three related entities. The University has determined no related entity is a reportable component unit of Stephen F. Austin State University.

Due to the statewide requirements embedded in Governmental Accounting Standards Board (GASB) Statement No. 34, *Basic Financial Statements — and Management's Discussion and Analysis — for State and Local Governments* and GASB Statement No. 35, *Basic Financial Statements — and Management's Discussion and Analysis — for Public Colleges and Universities,* the Comptroller of Public Accounts does not require the accompanying annual financial report to comply with all the requirements in these Statements. The financial report will be considered for audit by the State Auditor as part of the audit of the State of Texas *Comprehensive Annual Financial Report*; therefore, an audit opinion has not been expressed on the financial statements and related information contained in this report.

The University follows the "business-type activities" reporting requirement of GASB Statement No. 34 that specifies all the financial statements required for enterprise funds.

Blended Component Units
No component unit has been identified which should be reported as a blended unit.

Discretely Presented Component Units
No component unit has been identified which should be discretely presented.

Fund Structure

Basis of Accounting – Proprietary Fund Accounting
Proprietary fund reporting focuses on the determination of operating income, changes in net position, financial position, and cash flows. The financial statements of the University have been prepared on the full accrual basis of accounting. Accrual accounting attempts to record a transaction's financial effects in the period in which the transaction occurred, rather than when the funds were received or paid by the University. Revenues are recorded when they are earned or when the University has a right to receive the revenues. Expenses are recognized when incurred. The date related cash was received or paid is of no consequence.

Four essential elements of accrual accounting are:

- Recognition of expenditures when incurred and the subsequent amortization of the deferred outflows
- Recognition of revenues when they are earned
- Capitalization of certain expenses and the subsequent depreciation of the capitalized costs
- Accruals of revenues earned and expenses incurred

Proprietary funds use the flow of economic resources measurement focus, which is similar to the focus used by commercial entities. Proprietary funds focus on whether the enterprise is economically better off as a result of the events and transactions that occurred during the fiscal period reported. Transactions and events that improved an enterprise's financial position are reported as revenues or gains. Transactions and events that diminished the economic position of the enterprise are reported as expenses or losses. Both current and long-term assets and liabilities are presented on the Statement of Net Position.

Stephen F. Austin State University-755
UNAUDITED
Notes to the Financial Statements
August 31, 2022

The Statement of Revenues, Expenses, and Changes in Net Position is segregated into non-operating and operating sections.

Generally, operating activities are those that directly result from the provision of goods and services to customers or are directly related to the principal and usual activity of a fund. GASB Statement No. 34 indicates that a consideration for defining a proprietary fund's operating revenues and expenditures is how individual transactions would be classified for purposes of preparing a Statement of Cash Flows according to GASB Statement No. 9, *Reporting Cash Flows of Proprietary and Nonexpendable Trust Funds and Governmental Entities That Use Proprietary Fund Accounting*. Transactions for which cash flows are reported as capital and related financing activities, or investing activities normally would not be reported as components of operating income. This includes most revenues considered to be non-exchange transactions.

Since certain grants are actually contracts for services, they are classified as operating activities. State appropriations and certain grants, such as the Pell grants, are reported as non-operating activities even though they are directly related to the principal and usual activity of the University. These are considered non-exchange transactions and are, therefore, considered non-operating revenues.

Budget and Budgetary Accounting

The University prepares an annual budget which represents anticipated sources of revenue and authorized uses. This budget is approved by the University's Board of Regents (the Board). Unencumbered appropriations are generally subject to lapse 60 days after the end of the fiscal year for which they were appropriated. Budget information is not included in the Annual Financial Report.

Assets, Liabilities, and Net Position

The statement of net position reports the following elements of financial statements:

- Assets
- Deferred Outflow of Resources
- Liabilities
- Deferred Inflow of Resources
- Net Position

Assets

Assets are reported separately as either current or noncurrent in the Statement of Net Position.

Cash and Cash Equivalents

Short-term highly liquid investments with an original maturity of three months or less are considered cash equivalents.

Restricted Assets

Restricted assets include monies or other resources restricted by legal or contractual requirements. These assets include proceeds of proprietary fund general obligation and revenue bonds and revenues set aside for statutory or contractual requirements.

Inventories

Inventories include both merchandise inventories on hand for sale and consumable inventories. Inventories are valued using the average cost method. The consumption method of accounting is used to account for inventories and prepaid items. The cost of these items is expensed when the items are sold or consumed.

Prepaid Items

Prepaid items include prepaid expenses attributable to a subsequent fiscal year, including scholarships for fiscal year 2023. The cost of these items is expensed when the items are used or consumed.

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Capital Assets
Equipment with an initial, individual cost of $5,000.00 or more and an estimated useful life in excess of one year is capitalized. Other categories of capital assets have capitalization thresholds that are set by the State. These assets are capitalized and reported at cost or, if not purchased, at appraised fair value on the date of acquisition. Donated assets are reported at fair value on the acquisition date. Depreciation is reported on all "exhaustible" assets. “Inexhaustible" assets, such as works of art and historical treasures, are not depreciated. Assets are depreciated over the estimated useful life of the asset using the straight-line method of depreciation.

Other Receivables – Current and Noncurrent
Current receivables are specified in the Statement of Net Position. They include amounts that are reasonably expected to be received in fiscal year 2023. Noncurrent receivables are those receivables that are not expected to be collected within one year. Included in this category are student accounts receivable and loan receivables that are not expected to be received during fiscal year 2023. The disaggregation of other receivables as reported in the financial statements is shown in Note 24, “Disaggregation of Receivable and Payable Balances.”

Liabilities

Liabilities are reported separately as either current or noncurrent in the Statement of Net Position.

Accounts Payable
Accounts Payable represents the liability for the value of assets or services received at the balance sheet date for which payment is pending.

Other Payables – Current and Noncurrent
The disaggregation of other payables as reported in the financial statements is shown in Note 24, “Disaggregation of Receivable and Payable Balances.”

Employees' Compensable Leave
Employees' Compensable Leave represents the liability that becomes “due” upon the occurrence of relevant events such as resignations, retirements, and uses of leave balances by covered employees. These obligations are normally paid from the same funding source from which the covered employee’s salary or wage compensation was paid.

Capital Lease Obligations
Capital Lease Obligations represent the liability for future lease payments under capital lease contracts. Liabilities are reported separately in the Statement of Net Position as either current, for the amounts due within one year, or noncurrent, for the amounts due thereafter.

Bonds Payable – Revenue Bonds
The principal of revenue bonds is reported separately in the Statement of Net Position as either current, for the amounts due within one year, or noncurrent, for the amounts due thereafter. Bonds payable are recorded at par value, net of unamortized premiums, discounts, issuance costs, and gains/(losses) on bond refunding activities. Interest expense is reported on the accrual basis.

Bonds Payable – Tuition Revenue Bonds
The principal of tuition revenue bonds is reported separately in the Statement of Net Position as either current, for the amounts due within one year, or noncurrent, for the amounts due thereafter. Bonds payable are recorded at par value, net of unamortized premiums, discounts, issuance costs, and gains/(losses) on bond refunding activities. Interest expense is reported on the accrual basis.

Bonds Payable – General Obligation Bonds
The principal of general obligation bonds is reported separately in the Statement of Net Position as either current, for the amounts due within one year, or noncurrent, for the amounts due thereafter. Bonds payable are recorded at par value, net of unamortized premiums, discounts, issuance costs, and gains/(losses) on bond refunding activities. Interest expense is reported on the accrual basis.

Deferred Outflows of Resources
Deferred Outflows of Resources represent the University's net position consumption that is applicable to a future fiscal year.

Deferred Inflows of Resources
Deferred Inflows of Resources represent the University's net position acquisition that is applicable to a future fiscal year.

Net Pension and OPEB Liability
As required by GASB Statement No. 68, *Accounting and Financial Reporting for Pensions*, the University reports a reserve for the University's share of the State's overall pension liability as it relates to its own ex-employees. When the total pension liability is greater than the pension plan's assets there is a net pension liability. GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, provides the same guidance and requirements for Other Postemployment Benefits (OPEB). Both liabilities are determined by the actuarial consultants employed by the State.

Net Position

The difference between assets plus deferred outflows of resources and liabilities plus deferred inflows of resources is "Net Position" on the Statement of Net Position.

Invested in Capital Assets, Net of Related Debt
Net investment in capital assets consists of capital assets, net of accumulated depreciation and reduced by outstanding balances for bonds, notes, and other debt that are attributed to the acquisition, construction, or improvement of those assets.

Restricted Net Position
Restricted net position results when constraints placed on net resources are either externally imposed by creditors, grantors, contributors, and the like or imposed by law through constitutional provisions or enabling legislation.

Unrestricted Net Position
Unrestricted net position consists of net resources that do not meet the definition of the two preceding categories. Unrestricted net position often has constraints on resources that are imposed by management but can be removed or modified.

The amortized balance of accretion on capital appreciation bonds is included as part of unrestricted net position unless a sinking fund was established, in which case the balance is reported as part of the restricted net position balance.

Interagency Activities and Transactions

The University has the following types of transactions among State appropriated funds and other State agencies:

- **Transfers** – Legally required transfers that are reported when incurred as "Transfers In" by the recipient fund or State agency and as "Transfers Out" by the disbursing fund or State agency.
- **Reimbursements** – Reimbursements are repayments from funds responsible for expenditures or expenses to funds that made the actual payment. Reimbursements of expenditures made by one State agency for another are recorded as expenditures by the reimbursing State agency and as a reduction of expenditures by the reimbursed State agency. Reimbursements are not displayed in the financial statements.
- **Interagency Receivables and Payables** – Most receivables and payables from or to other State agencies are recorded as "Due from Other Agencies" or "Due to Other Agencies" on the Statement of Net Position.

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NOTE 2: Capital Assets

A summary of changes in Capital Assets for the year ended August 31, 2022, is presented below:

	Balance 9/1/2021	Adjustments	Reclassifications Completed CIP	Additions	Deletions	Balance 8/31/2022
BUSINESS-TYPE ACTIVITIES						
Non-depreciable or Non-amortizable Assets						
Land and Land Improvements	$ 8,419,438.29	$ -	$ -	$ -	$ -	$ 8,419,438.29
Construction in Progress	39,882,121.21	(100,055.61)	(34,994,575.03)	29,031,971.92	-	33,819,462.49
Other Tangible Capital Assets	831,858.23	-	-	-	-	831,858.23
Total Non-depreciable or Non-amortizable Assets	49,133,417.73	(100,055.61)	(34,994,575.03	29,031,971.92	-	43,070,759.01
Depreciable Assets						
Buildings and Building Improvements	439,273,030.06	-	33,647,625.03	267,357.27	-	473,188,012.36
Infrastructure	17,469,304.46	-	-	-	-	17,469,304.46
Facilities and Other Improvements	36,034,506.30	-	1,346,950.00	-	-	37,381,456.30
Furniture and Equipment	23,173,382.82	-	-	1,581,842.90	(1,382,516.95)	23,372,711.77
Vehicle, Boats, and Aircraft	6,557,193.60	-	-	94,878.65	(185,210.25)	6,486,862.00
Other Capital Assets	13,803,372.40	-	-	35,800.05	(61,735.17)	13,777,437.28
Total Depreciable Assets	536,330,792.64	-	34,994,575.03	1,979,878.87	(1,629,462.37)	571,675,784.17
Less Accumulated Depreciation for:						
Buildings and Building Improvements	(288,950,270.20)	-	-	(15,341,918.40)	-	(304,292,188.60)
Infrastructure	(12,838,516.81)	-	-	(645,396.66)	-	(13,483,913.17)
Facilities and Other Improvements	(23,208,111.14)	-	-	(1,298,695.01)	-	(24,506,806.15)
Furniture and Equipment	(18,401,027.64)	-	-	(1,439,825.36)	1,348,093.92	(18,492,759.08)
Vehicle, Boats, and Aircraft	(5,047,090.51)	-	-	(380,356.04)	185,210.25	(5,242,236.30)
Other Capital Assets	(13,321,984.31)	-	-	(100,907.07)	59,473.09	(13,363,418.29)
Total Accumulated Depreciation	(361,767,000.61)	-	-	(19,207,098.24)	1,592,777.26	(379,381,321.59)
Depreciable Assets, Net	174,563,792.03	-	34,994,575.03	(17,227,219.37)	(36,685.11)	192,294,462.58
Amortizable Assets - Intangible						
Computer Software	4,492,998.57	-	-	-	(17,189.00)	4,475,809.57
Total Amortizable Assets - Intangible	4,492,998.57	-	-	-	(17,189.00)	4,475,809.57
Less Accumulated Amortization for:						
Computer Software	(4,492,998.57)	-	-	-	17,189.00	(4,475,809.57)
Total Accumulated Amortization	(4,492,998.57)	-	-	-	17,189.00	(4,475,809.57)
Amortizable Assets - Intangible, Net	-	-	-	-	-	-
Capital Assets, Net	$ 223,697,209.76	$ (100,055.61)	$ -	$ 11,804,752.55	$ (36,685.11)	$ 235,365,221.59

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NOTE 3: Deposits, Investments and Repurchase Agreements

The University is authorized by statute to make investments following the "prudent person rule." There were no significant violations of legal provisions during the period.

Deposits of Cash in Bank

As of August 31, 2022, the carrying amount of deposits was $58,689,321.60 as presented below:

CASH IN BANK – CARRYING AMOUNT	$ 58,689,321.60
Less: Certificates of Deposit included in carrying amount and reported as Cash Equivalents	-
Less: Uninvested Securities Lending Cash Collateral included in carrying amount and reported as Securities Lending Collateral	-
Less: Securities Lending CD Collateral included in carrying amount and reported as Securities Lending Collateral	-
Total Cash in Bank per AFR	$ 58,689,321.60

Proprietary Funds Current Assets Cash in Bank	$ 31,490,923.51
Proprietary Funds Current Assets Restricted Cash in Bank	27,198,398.09
Proprietary Funds Noncurrent Restricted Cash in Bank	-
Cash in Bank per AFR	$ 58,689,321.60

These amounts consist of all cash in local banks. These amounts are included on the Statement of Net Position as part of the "Cash and Cash Equivalents" accounts, except for certificates of deposit, which are recorded as Cash Equivalents, Short-Term or Long-Term Investments, based on their maturity date and management's intent. Certificates of deposits with maturity dates of three months or less are recorded as cash equivalents.

As of August 31, 2022, the total bank balance was as follows:

Business-Type Activities	$ 60,853,220.53	Fiduciary Funds	-

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, the University will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. The Board Policy 3.21, *Investments*, states that all deposits shall be secured by a pledge of collateral with a market value equal to no less than 100% of the deposits plus accrued interest less any amount insured by the FDIC. Pledged collateral must conform to Chapter 2257 of the Texas Government Code, *Collateral for Public Funds*.

At August 31, 2022, amounts insured by the FDIC were $1,000,000.00. The bank balances at August 31, 2022, that were exposed to custodial credit risks were as follows:

Fund Type	Uninsured and uncollateralized	Uninsured and collateralized with securities held by the pledging financial institution	Uninsured and collateralized with securities held by the pledging financial institution's trust department or agent but not in the University's name
05	$ -	$ 59,853,220.53	$ -

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Investments

As of August 31, 2022, the fair value of investments was:

	Fair Value Hierarchy					
	Level 1 Inputs	Level 2 Inputs	Level 3 Inputs	Amortized Cost	Net Asset Value	Fair Value
U.S. Treasury Securities	5,265,982.61	-	-	-	-	$ 5,265,982.61
U.S. Treasury TIPS	-	-	-	-	-	-
U.S. Government Agency Obligations (Ginnie Mae, Fannie Mae, Freddie Mac, etc.)	-	4,478,421.81	-	-	-	4,478,421.81
Corporate Obligations	-	7,117,160.91	294,588.49	-	-	7,411,749.40
Corporate Asset and Mortgage Backed Securities	-	2,959,088.55	-	-	-	2,959,088.55
Equity (Domestic)	13,313,480.93	-	-	-	-	13,313,480.93
International Obligations (Govt and Corp)	-	3,443,558.56	302,805.48	-	-	3,746,364.04
International Equity	5,891,533.22	-	-	-	-	5,891,533.22
Fixed Income Money Market and Bond Mutual Funds	1,274,183.69	-	-	-	-	1,274,183.69
International Other Commingled Funds - Equity	4,757,157.87	-	3,464,819.37	-	3,352,185.27	11,574,162.51
Other Commingled Funds	772,282.78	-	329,869.72	-	51,654,165.26	52,756,317.76
Other Commingled Funds – TexPool	-	-	-	-	44,529,113.18	44,529,113.18
Derivatives - Currency Forwards	-	2,445.14	-	-	-	2,445.14
Alternative Investments	-	-	-	-	22,392,272.09	22,392,272.09
Miscellaneous	-	124,060.53	-	-	-	124,060.53
TOTAL INVESTMENTS						$ 175,719,175.46

Reconciliation of Investments per Exhibit – Business-Type Activities

Proprietary Funds Current Assets Restricted Short-Term	$ 61,615,405.69
Proprietary Funds Current Assets Unrestricted Short-Term	34,567,872.75
Proprietary Funds Current Assets Restricted	14,883,361.32
Proprietary Funds Current Assets Unrestricted	64,652,535.70
Investments per Exhibit	$ 175,719,175.46

Displayed on Statement of Net Position as:

Current Assets:	
Restricted:	
Short-Term Investments – Proceeds from Bond Sales	$ 60,187,258.46
Short-Term Investments – Endowments	1,428,147.23
Noncurrent Assets:	
Restricted:	
Investments: Endowments	$ 14,883,361.32
Unrestricted:	
Investments: Operating	92,021,688.35
Investments: Quasi-Endowments	7,198,720.10
Grand Total	$ 175,719,175.46

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Foreign currency risk for investments is the risk that changes in exchange rates will adversely affect the investment. In order to mitigate this risk, Board Policy 3.20, *Investments-Endowment Funds*, limits foreign equity investments to a maximum of 30% of the equity portfolio. The exposure to foreign currency risk as of August 31, 2022, was:

							Alternative Investments			
Fund Type	GAAP Fund	Foreign Currency	International Obligation (Govt and Corp and MF)	International Equity	Equity Mutual Funds - International	Equity Commingled Funds - International	International Hedge Funds	International Other Private Equity	International Energy, Natural Resources	International Other Real Estate Funds
05	9999	U.S. DOLLAR DENOMINATED FOREIGN SECURITIES	$3,497,764.61	$2,546,195.74	$ -	$11,574,162.51	$6,947,706.36	$1,199,599.05	$269,707.08	$174,802.57
05	9999	ARGENTINA PESO	-	-	-	-	-	-	-	-
05	9999	AUSTRALIAN DOLLAR	-	-	-	-	-	-	-	-
05	9999	BRAZILIAN REAL	-	-	-	-	-	-	-	-
05	9999	BRITISH POUND STERLING	-	309,102.99	-	-	-	-	-	-
05	9999	CANADIAN DOLLAR	50,009.18	29,596.86	-	-	-	-	-	-
05	9999	CHINESE R YUAN HK	8,824.74	-	-	-	-	-	-	-
05	9999	DANISH KRONE	-	-	-	-	-	-	-	-
05	9999	EURO CURRENCY UNIT	-	1,425,523.33	-	-	-	70,983.41	-	-
05	9999	HONG KONG DOLLAR	-	159,098.70	-	-	-	-	-	-
05	9999	INDONESIAN RUPIAH	5,618.21	-	-	-		-		-
05	9999	JAPANESE YEN	-	681,295.05	-	-		-		-
05	9999	MEXICAN PESO	134,147.30	-	-	-		-		-
05	9999	NEW TAIWAN DOLLAR	-	-	-	-		-		-
05	9999	NEW ZEALAND	-	-	-	-		-		-
05	9999	NORWEGIAN KRONE	-	-	-	-		-		-
05	9999	SINGAPORE DOLLAR	-	71,262.21	-	-		-		-
05	9999	S AFRICAN COMM RAND	-	-	-	-		-		-
05	9999	SOUTH KOREAN WON	-	128,443.14	-	-		-		-
05	9999	SWEDISH KRONA	-	50,073.76	-	-		-		-
05	9999	SWISS FRANC	-	490,941.44	-	-		-		-
05	9999	THAILAND BAHT	-	-		-		-		-
05	9999	NEW TURKISH LIRA	-	-		-		-		-
		TOTAL	$3,746,364.04	$5,891,533.22	$ -	$11,574,162.51	$ 6,947,706.36	$1,270,582.46	$269,707.08	$174,802.57

Credit risk is the risk that an issuer or other counterparty to an 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, Board Policy 3.21, *Investments*, limits investments in corporate bonds, debentures, or similar debt obligations to the two highest long-term rating categories.

As of August 31, 2022, the Standard & Poor's credit quality ratings of the University's investments by type of securities with credit risk exposure were as follows:

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Investment Types	AAA	AA	A	BBB	BB	B	CCC	D	A-1	NR
U.S. Government Agency Obligations	6,165.04	4,278,431.11	9,321.69	77,579.61	37,522.28	1,998.34	-	-	-	67,403.74
Corporate Obligations	53,143.09	328,392.00	1,313,904.59	3,958,992.70	1,087,086.12	523,400.34	-	-	-	146,830.56
Corporate Asset and Mortgage Backed Securities	747,509.90	498,159.34	312,439.03	166,030.22	-	12,615.89	14,560.28	-	-	1,207,773.89
International Obligations	188,245.05	20,873.85	459,739.26	1,275,528.66	778,367.91	304,100.38	7,069.84	-	-	712,439.09
Repurchase Agreements	-	-	-	-	-	-	-	-	-	-
Repurchase Agreements (Texas Treasury Safekeeping Trust Co.)	-	-	-	-	-	-	-	-	-	-
Fixed Income Money Market and Bond Mutual Fund	1,274,183.69	--	-	-	-	-	-	-	-	-
Other Commingled Funds - Fixed Income	-	-	-	-	-	-	-	-	-	1,102,152.50
Miscellaneous (municipals and CDs)	-	59,585.81	34,471.57	24,193.41	-	-	-	-	-	5,809.74

Interest rate risk is the risk that changes in 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 Board Policy 3.21 shall be interpreted as prohibiting the sale of any security prior to maturity, provided that it is in the University's financial interest to sell the security.

The maximum stated maturity date of any security may not exceed ten years, and the dollar-weighted average maturity of the portfolio shall not exceed five years without approval by the vice president for finance and administration and ratification by the Board. No officer or designee may engage in an investment transaction except as provided under terms of Board Policy 3.21.

Investment Types	Effective Duration (years)	Fair Value
U.S. Treasury Securities	8.012	$5,265,982.61
U.S. Government Agency Obligations	5.595	4,478,421.81
Corporate Obligations	5.644	7,411,749.40
Corporate Asset and Mortgage Backed Securities	2.187	2,959,088.55
International Obligations	4.004	3,746,364.04
Other Commingled Funds - Fixed Income	1.923	1,102,152.50
Miscellaneous (Political subdivision 7 CDs)	7.044	124,060.53
Total Fair Value		$25,087,819.44

The University invests funds in The Texas A&M University System's (A&M System) investment pools. The A&M System entered into forward currency contracts for the purpose of hedging international currency risk on its non-U.S. dollar denominated investment securities. When entering into a forward currency contract, the A&M System agrees to receive or deliver a fixed quantity of foreign currency for an agreed-upon price on a certain future date. These contracts are valued daily and the A&M System's net equity in the contracts, representing unrealized gain or loss on the contracts, as measured by the differences between the forward foreign exchange rates at the dates of entry into the contracts and the forward rates at the reporting date is recognized on the Statement of Revenues, Expenses, and Changes in Net Position as investment income or loss. The unrealized gain on open foreign currency exchange contracts is reported as an investment derivative and the unrealized loss is included with trade payables. The foreign currency forwards are traded over-the-counter and categorized as Level 2 of the fair value hierarchy.

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These investments involve market and/or credit risk in excess of the amount recognized in the Statement of Net Position. Risks arise from the possibility that counterparties will be unable to meet the terms of their contracts and from movement in currency, securities values, and interest rates. The tables below summarize the University's pro-rata share of the pending foreign exchange contracts as of August 31, 2022.

Foreign Exchange Contracts as of August 31, 2022				
			Unrealized Gain on	Unrealized Loss on
Currency	Net Sell	Net Buy	Foreign Exchange Contract	Foreign Exchange Contract
Brazilian Real	$ -	$ -	$ -	$ -
Chinese R Yuan HK	4,340.33	4,305.37	122.20	87.24
Indonesian Rupiah	51,701.50	51,733.77	762.08	794.35
Japanese Yen	-	-	-	-
Mexican Peso	63,842.71	64,307.06	1,560.86	2,025.21
Total	$ 119,884.54	$ 120,346.20	$ 2,445.14	$ 2,906.80

The University's pro-rata share of the gross counterparty exposure for the A&M System, as of August 31, 2022, is presented in the table below. The A&M System's policy does not address master netting arrangements and the A&M System is not party to any such an arrangement. The A&M System policy does not address collateral or other security for currency forward contracts. The following table shows the University's pro-rata counterparty exposure.

Foreign Exchange Contract Exposure to Counterparty Risk as of August 31, 2022				
Notional Value		Fair Value		
Assets	Liabilities	Assets	Liabilities	S&P Counterparty Rating
$119,884.54	$120,346.20	$2,445.14	$2,906.80	A+

The A&M System has also invested in Treasury futures. The instruments are used only for the purpose of managing interest rate risk in the fixed income portfolios. As of August 31, 2022, the weighted average effective duration for short futures contracts was 6.30 and for long futures contracts was 4.15. Futures contracts expose the A&M System to minimal counterparty risk since they are exchange traded and the exchange's clearinghouse, as counterparty to all exchange traded futures, guarantees the futures against default, therefore, they are not presented in the tables above. Futures contracts are marked to market daily; meaning they are valued at the close of business each day and a gain or loss is recorded between the value of the contracts that day and on the previous day. The daily gain or loss difference is referred to as the daily variation margin, which is settled in cash with the broker each morning for the amount of the previous day's mark to market. The amount that is settled in cash with the broker each morning is the fair value of the futures contracts. The gains are reported as trade receivables and the losses are reported as trade payables in the Statement of Net Position. Exchange-traded futures contracts are categorized as Level 1 on the fair value hierarchy.

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The table below summarizes the University's pro-rata notional value and fair values of the futures as of August 31, 2022.

Open Futures Contacts as of August 31, 2022

	Notional Value		Fair Value	
	Long	Short	Assets	Liabilities
			Other Receivable	Other Payable
Treasury Futures	$ 2,039,392.63	$ 1,210,885.80	$ 10,595.14	$ 10,400.36
	$ 2,039,392.63	$ 1,210,885.80	$ 10,595.14	$ 10,400.36

Concentration of credit risk is the risk of loss attributable to the magnitude of investment in a single issuer. As of August 31, 2022, the University's concentration of credit risk is immaterial to any single issuer.

Reverse Repurchase Agreements
The University, by statute, is authorized to enter into reverse repurchase agreements. A reverse repurchase agreement is a transaction in which a broker-dealer or financial institution transfers cash to the University and the University transfers securities to the broker-dealer and promises to repay the cash plus interest in exchange for the same or similar securities. Credit risk exposure for the University arises when a broker-dealer does not return the securities or their value at the conclusion of the reverse repurchase agreement. As of August 31, 2022, the University was not participating in reverse repurchase agreements.

Securities Lending
In securities lending transactions, the University transfers its securities to broker-dealers and other entities for collateral – which may be cash or securities – and simultaneously agrees to return the collateral for cash or the same securities in the future. The University invests the cash received as collateral and, if the returns on those investments exceed the "rebate" paid to the borrowers of the securities, the securities lending transactions generate income for the University. The University did not participate in securities lending transactions during fiscal year 2022.

NOTE 4: Short-Term Debt

There was no reportable activity for short-term debt during the year ended August 31, 2022.

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NOTE 5: Long-Term Liabilities

Changes in Long-Term Liabilities
During the year ended August 31, 2022, the following changes occurred in long-term liabilities:

Business-Type Activities	Balance 09/01/21	Additions	Reductions	Restatement/ Adjustment	Balance 08/31/22	Amounts Due Within One Year	Amounts Due Thereafter
Revenue Bonds Payable	$193,727,058.67	-	$7,620,000.00	($2,184,041.23)	$183,923,017.44	$9,750,705.82	$174,172,311.62
Revenue Bonds – Direct Placements	25,095,000.00	-	4,820,000.00	-	20,275,000.00	4,920,000.00	15,355,000.00
Capital Lease Obligations	26,473.21	-	26,473.21	-	-	-	-
Employees' Compensable Leave	3,514,708.25	1,997,716.75	1,376,921.14	-	4,135,503.86	860,902.71	3,274,601.15
Notes & Loans – Direct Placements	8,001,294.36	-	762,756.42	-	7,238,537.94	805,017.97	6,433,519.97
Total Business-Type Activities	$230,364,534.49	$1,997,716.75	$14,606,150.77	$(2,184,041.23)	$215,572,059.24	$16,336,626.50	$199,235,432.74

Notes payable consists of amounts used to finance energy conservation projects and modernization of the University's sports-related scoreboards and video displays. The debt service requirements for notes and loans payable are as follows:

Note Payments for Fiscal Year Ended August 31,	Principal	Interest	Total
2023	$ 805,017.97	$ 194,716.67	$ 999,734.64
2024	848,917.25	173,061.69	1,021,978.94
2025	894,509.32	150,225.81	1,044,735.13
2026	941,853.34	126,163.51	1,068,016.85
2027	991,006.06	100,827.66	1,091,833.72
2028-2031	2,757,234.00	136,992.11	2,894,226.11
Total Payments	$ 7,238,537.94	$ 881,987.45	$ 8,120,525.39

Claims and Judgments

The University had no unpaid settlements or judgments as of August 31, 2022.

Employees' Compensable Leave

Annual Leave

Full-time employees earn eight to twenty-one hours per month vacation leave (annual leave) depending on years of State employment. The State's policy is that employees may carry accrued vacation leave forward from one fiscal year to the next up to a maximum number of hours allowed based on their years of service. Employees with at least six months of State service who terminate employment are entitled to payment for all accumulated annual leave. The University accrues the dollar value of annual leave benefits which are payable upon retirement, termination, or death of its employees. The amounts of these liabilities are reported in the Statement of Net Position. The estimated liability, $4,135,503.86 as of August 31, 2022, is based on outstanding balances reported in the leave reporting system multiplied by the employee's respective salary rate. The University made lump sum payments of $1,376,921.14 for accrued leave to employees who separated from State service during the fiscal year ended August 31, 2022; the amount included accrued leave for employees who participated in the VSIP.

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Sick Leave

Sick leave is earned at the rate of eight hours per month and is paid only when an employee is absent due to illness or to the estate of an employee in the event of his/her death. The maximum sick leave payment to an employee's estate is the lesser of one-half of the employee's accumulated entitlement or 336 hours. Sick leave accumulation from one fiscal year to the next is not limited. The University recognizes the cost of sick leave when paid. The liability is not shown in the financial statements since historical payouts of sick leave have been minimal.

Overtime and Compensatory Leave for FLSA Non-Exempt and Exempt Employees

Under the federal Fair Labor Standards Act and State (FLSA), overtime can be accumulated in lieu of immediate payment as compensatory leave for non-exempt employees up to a maximum of 240 hours. For employees engaged in a public safety activity (e.g., University police officers), overtime can be accumulated up to a maximum of 480 hours. Overtime is calculated at a rate of 1.5 times an employee's regular rate of pay. Non-exempt employees may earn compensatory leave when they work hours in excess of 40 hours in a workweek. Compensatory time is calculated at the rate of 1.5 hours for each hour of overtime. When a non-exempt employee does not work more than 40 hours in a workweek but the number of hours worked plus the number of hours of holiday or other paid leave taken during the workweek exceeds 40 hours, the employee is entitled to compensatory time at the rate of one hour for each excess hour. Unpaid overtime and compensatory time for non-exempt employees is included in the calculation of current and long-term liabilities because these employees are eligible to be paid for these accruals upon death or termination. Compensatory leave is allowed for exempt employees who are not eligible for overtime pay. This leave is accumulated on an hour-for-hour basis and must be taken within one year from date earned or it lapses, up to a maximum of 80 hours in a fiscal year. There is no death or termination benefit for compensatory leave for exempt employees and it is non-transferable. For these reasons, no liability is reported in the financial statements for compensatory leave earned by exempt employees.

Direct Borrowings and Direct Placements

GASB Statement No. 88, *Certain Disclosures Related to Debt, including Direct Borrowings and Direct Placements*, requires the disclosure of direct borrowings and direct placements for reporting periods beginning after June 15, 2018.

Direct borrowings occur when the borrower goes directly to the lending source to avoid the high-interest rates associated with indirect lending, such as a public offering where the borrower has no relationship with the lender/investor. The University had no direct borrowings as of August 31, 2022.

Direct placements occur when the sale of an issue of debt securities is made to a single buyer or a limited number of buyers without a public offering. The University had direct placements related to business-type activities at August 31, 2022, totaling $27,513,537.94. This amount is comprised of $20,275,000.00 of Bonds Payable, related to the Series 2015 Revenue Bonds, and $7,238,537.94 of Notes Payable.

There were no unused lines of credit associated with the direct placements. No assets were pledged as collateral in association with the direct placements. In the event of default, the Series 2015 Revenue Bonds shall bear interest at a rate of 8%.

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NOTE 6: Bonded Indebtedness

Bonds Payable

Detailed supplemental bond information is disclosed in:

Schedule 2A – Miscellaneous Bond Information
Schedule 2B – Changes in Bonded Indebtedness
Schedule 2C – Debt Service Requirements
Schedule 2D – Analysis of Funds Available for Debt Service
Schedule 2E – Defeased Bonds Outstanding
Schedule 2F – Current Year Early Extinguishment and Refunding

General information related to bonds is summarized below:

Board of Regents of Stephen F. Austin State University Revenue Financing System Revenue Refunding Bonds – Series 2013 (Tuition Revenue Bonds and Revenue Bonds)

- To refund outstanding Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds - Series 2002 and Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds - Series 2004.
- Issued 9-11-13.
- $22,255,000.00; All authorized bonds have been issued.
- Source of revenue for debt service: Pledged Student Tuition; Pledged Student Center Fees; and Other Pledged Revenues.
- Changes in Debt: Principal paid during fiscal year $2,470,000.00; Outstanding at year end $5,060,000.00.

Board of Regents of Stephen F. Austin State University Revenue Financing System Revenue Refunding Bonds – Series 2015 (Revenue Bonds)

- To refund outstanding Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds - Series 2005 and Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds - Series 2005(A).
- Issued 5-01-15. This was a direct placement.
- $48,410,000.00; All authorized bonds have been issued.
- Source of revenue for debt service: Pledged Revenues consisting of Unrestricted Current Funds Revenues excluding: remissions, governmental appropriations and gifts, grants, and contracts within the Educational and General Fund Group; Higher Education Funds; and student service fees and private gifts in the Auxiliary Fund Group.
- Changes in Debt: Principal paid during fiscal year $4,820,000.00; Outstanding at year end $20,275,000.00.

Board of Regents of Stephen F. Austin State University Revenue Financing System Revenue Refunding Bonds – Series 2016 (Tuition Revenue Bonds)

- To refund outstanding Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds - Series 2008 and Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds - Series 2009, and provide funds to construct a new STEM building to house the University's Science, Technology, Engineering and Mathematics departments.
- Issued 9-07-16.
- $61,205,000.00; All authorized bonds have been issued.
- Source of revenue for debt service: Pledged Student Tuition; Pledged Student Center Fees; and Other Pledged Revenues.
- Changes in Debt: Principal paid during fiscal year $3,165,000.00; Outstanding at year end $44,995,000.00.

Board of Regents of Stephen F. Austin State University Revenue Financing System Revenue Bonds – Series 2019A (Revenue Bonds)

- To provide funds to construct a new basketball practice facility; to construct a new welcome and student support center; to expand buildings utilized by the College of Fine Arts; to construct a new student residential facility, and to pay the costs related to the issuance of the bonds.
- Issued 02-01-19.
- $94,290,000.00; All authorized bonds have been issued.
- Source of revenue for debt service: Pledged Revenues consisting of Unrestricted Current Funds Revenues excluding: remissions, governmental appropriations and gifts, grants, and contracts within the Educational and General Fund Group; Higher Education Funds; and student service fees and private gifts in the Auxiliary Fund Group.
- Changes in Debt: Principal paid during fiscal year $1,215,000.00; Outstanding at year end $91,415,000.00.

Board of Regents of Stephen F. Austin State University Revenue Financing System Revenue Bonds – Series 2019B (Revenue Bonds)

- To provide funds to construct a new dining facility and to pay the costs related to the issuance of the bonds.
- Issued 02-01-19.
- $15,925,000.00; All authorized bonds have been issued.
- Source of revenue for debt service: Pledged Revenues consisting of Unrestricted Current Funds Revenues excluding: remissions, governmental appropriations and gifts, grants, and contracts within the Educational and General Fund Group; Higher Education Funds; and student service fees and private gifts in the Auxiliary Fund Group.
- Changes in Debt: Principal paid during fiscal year $770,000.00; Outstanding at year end $13,985,000.00.

Board of Regents of Stephen F. Austin State University Revenue Financing System Refunding Bonds – Series 2020

- To provide funds to refund the Series 2010 Revenue Bonds and to pay the costs related to the issuance of the bonds.
- Issued 10-28-20.
- $15,935,000.00; All authorized bonds have been issued.
- Source of revenue for debt service: Pledged Revenues consisting of Unrestricted Current Funds Revenues excluding: remissions, governmental appropriations and gifts, grants, and contracts within the Educational and General Fund Group; Higher Education Funds; and student service fees and private gifts in the Auxiliary Fund Group.
- Changes in Debt: Principal paid during fiscal year $0.00; Outstanding at year end $15,935,000.00.

NOTE 7: Derivative Instruments

The University invests funds in the A&M System investment pools. The A&M System Investment Policy allows investment in certain derivative securities. A derivative security is a financial instrument which derives its value from another security, currency, commodity, or index. Investment derivatives are used to manage transaction, interest rate, or currency exchange risk in purchasing, selling, or holding investments.

The following disclosure summarizes the University's pro-rata derivative activity as reported in the financial statements. The foreign currency forwards are traded over-the-counter and categorized as Level 2 of the fair value hierarchy. Exchange traded futures contracts are categorized as Level 1 of the fair value hierarchy.

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Investment Derivatives	Changes in Fair Value		Fair Value as of 8/31/2022		Notional Amount
	Classification	Amount	Classification	Amount	
	Investment Revenue	$ 2,445.14	Investment	$ 2,445.14	$ (111,700.50)
FX Contracts	Investment Revenue	(2,906.80)	Other Payable	(2,906.80)	111,238.84
FX Contracts	Investment Revenue	(10,400.36)	Other Payable	(10,400.36)	2,062,218.79
Treasury Futures - Long	Investment Revenue	237.29	Other Receivable	237.29	(22,826.16)
Treasury Futures - Short	Investment Revenue	10,357.85	Other Receivable	10,357.85	(1,210,885.80)

Investment Derivatives

Investment derivatives expose the A&M System to certain investment related risks. More detail about investment derivatives is disclosed in Note 3.

Hedging Derivatives

The A&M System did not enter into hedging derivatives in fiscal year 2022.

NOTE 8: Leases

Operating Leases

Included in the expenditures reported in the financial statements are the following amounts of rent paid or due under operating lease obligations:

Fund Type	Amount
Proprietary Fund	$389,523.17

Future minimum lease rental payments under non-cancelable operating leases having an initial term in excess of one year are as follows:

Future Minimum Operating Lease Payments Year Ending August 31,	
2023	$ 274,888.62
2024	191,887.90
2025	111,933.54
2026	53,575.99
2027	15,446.47
Total Future Minimum Lease Rental Payments	$ 647,730.52

The University has also leased building roof space to a cellular phone service provider. Operating lease income in the amount of $55,000.00 has been recorded for the year ended August 31, 2022. There are no contingent rentals in this amount.

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Future minimum lease rentals under non-cancelable operating leases having an initial term in excess of one year as of August 31, 2022, are presented below.

Operating Lease Rentals Year Ending August 31,		
2023	$	66,000.00
Total Future Minimum Lease Rentals	$	66,000.00

Capital Leases

The University has entered into long-term leases for financing the purchase of certain capital assets. Such leases are classified as capital leases for accounting purposes and, therefore, are recorded at the present value of the future minimum lease payments at the inception of the lease. Following is a summary of original capitalized costs of all such property under lease as well as the accumulated depreciation as of August 31, 2022:

Assets Under Capital Leases Year Ended August 31, 2022	Business-Type Activities	
Furniture and Equipment	$	423,552.44
Less: Accumulated Depreciation		398,340.91
Total	$	25,211.53

There are no future minimum lease payments under these capital leases.

NOTE 9: Defined Benefit Pension Plans and Defined Contribution Plan

The State of Texas has joint contributory retirement plans for all of its benefits-eligible employees. One of the plans in which the University participates is administered by the Teacher Retirement System of Texas (TRS). The TRS defined benefit pension plan is established and administered in accordance with the Texas Constitution, Article XVI, Section 67 and Texas Government Code, Title 8, Subtitle C. The pension trust fund is a qualified pension trust under Section 401(a) of the Internal Revenue Code. The Texas Legislature establishes benefits and contribution rates within the guidelines of the Texas Constitution. The pension's Board of Trustees does not have the authority to establish or amend benefit terms. The contributory percentages of participant salaries currently provided by the State and by each participant are 8% and 8%, respectively, of annual compensation. Further information regarding actuarial assumptions and conclusions, together with audited financial statements, are included in TRS' annual financial report. Deferred outflows of resources and deferred inflows of resources related to the pension plan administered by TRS are disclosed in Note 28.

The State has also established an Optional Retirement Program (ORP) for institutions of higher education for certain administrative personnel and faculty. Participation in ORP is in lieu of participation in TRS, and the selection to participate in ORP must be made in the first 90 days of eligibility. The ORP allows participants to select from a variety of companies for the purchase of annuity contracts or to invest in mutual funds. The contributory percentages on salaries for participants entering the program prior to September 1, 1995, are 8.5% and 6.65% by the State and each participant, respectively. The State's contribution is comprised of 6.6% from the ORP appropriation and 1.9% from other funding sources. The 6.6% contribution is mandatory with the other 1.9% being at the discretion of the Board. The Board has approved the additional contributions for these employees. The contributory percentages on salaries for participants entering the program after August 31, 1995, are 6.6% and 6.65% by the State and each participant, respectively. Since these are individual annuity contracts or mutual fund investments, the University has no additional or unfunded liability for this program.

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GASB Statement No. 27, *Accounting for Pensions by State and Local Governmental Employers*, paragraph 27(d) requires universities that administer the ORP to disclose the amounts contributed by members and by the employer for that plan. Following are the ORP contributions made for the 2022 fiscal year:

Contributions	Year Ended Aug. 31, 2022
Member Contributions	$ 1,675,103.51
Employer Contributions	1,731,722.51
Total	$ 3,406,826.02

NOTE 10: Deferred Compensation

University employees may elect to defer a portion of their earnings for income tax and investment purposes pursuant to authority granted in the TEX. GOV'T. CODE ANN., Chapter 609. Two plans are available for employees: the 403(b) Tax Sheltered Annuity (TSA) plan and the Texa$aver 457(b) plan. The TSA is administered by the University. The 457(b) plan is administered by Employees Retirement System of Texas (ERS). The assets of these plans do not belong to the University or to the State, and thus they have no liability related to the plans.

NOTE 11: Postemployment Benefits Other Than Pensions – Not Applicable

NOTE 12: Interfund Activity and Transactions

The University experienced routine transfers with other State agencies that were consistent with the activities of the fund making the transfer. The following are individual balances and activity reported as Legislative transfers from Hazelwood assistance and license plate funds Due From and Due To Other State Agencies as of August 31, 2022:

	Legislative Financing Sources	Legislative Financing Uses
ENTERPRISE FUND (05)		
	Transfer In	**Transfer Out**
Appd Fund 0802, D23 Fund 0802		
Agency 608, D23 Fund 0802		$ 6,033.78
Appd Fund 0210, D23 Fund 0210		
Agency 902, D23 Fund 0210	$ 248,437.00	

Repayment of amounts reported as Due To or Due From Other State Agencies will normally occur within one year from the date of the financial statement.

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The following are individual balances reported as Due From and Due To Other Agencies as of August 31, 2022:

	Due From Other Agencies	Due To Other Agencies	Source
ENTERPRISE FUND (05)			
Appd Fund 0001, D23 Fund 0001			
Agency 781, D23 Fund 0001		$525,924.13	State Pass Through
Agency 781,D23 Fund 7999		35,440.05	State Pass Through
Agency 802, D23 Fund 0645	$38,427.85		State Pass Through
Agency 802, D23 Fund 4675	12,309.34		State Pass Through
Agency 802, D23 Fund 5062	14,260.08		State Pass Through
Agency 720, D23 Fund 7999		1,691.64	State Pass Through
Agency 752, D23 Fund 7999	7,998,40		State Pass Through
Total Due From/To Other Agencies - State	**$ 72,995.67**	**$563,055.82**	
Agency 320, D23 Fund 0001	$ 58,413,77		Federal Pass Through
Agency 556, D23 Fund 7999	3,381.48		Federal Pass Through
Agency 701, D23 Fund 0148	2,166.48		Federal Pass Through
Agency 701, D23 Fund 0325	104.65		Federal Pass Through
Agency 753, D23 Fund 7999	20,150.50		Federal Pass Through
Agency 771, D23 Fund 0001	147,899.85		Federal Pass Through
Agency 781, D23 Fund 0325		$29,577.17	Federal Pass Through
Agency 781, D23 Fund 0325		5,015.55	Federal Pass Through
Total Due From/To Other Agencies - Federal	$232,116.73	$34,592.72	
Total Interagency Balances	**$305,112.40**	**$597,648.54**	

The detailed State Grant Pass-Through information is listed on Schedule 1B - Schedule of State Grant Pass-Throughs From/To State Agencies.

NOTE 13: Continuance Subject to Review - Not Applicable

NOTE 14: Adjustments to Fund Balances and Net Position

During fiscal year 2022, certain accounting changes and adjustments were made that required the restatement of net position. A restatement of $100,055.61 was necessary to reflect the amount of a deleted addition to Depreciable Capital Assets in the prior year. The restatement is presented in the following table:

	Restatement	Prior Period Adjustments	Total
Net Position August 31, 2021			$78,651,873.92
Restatement: Property, Plant and Equipment adjustments		(100,055.61)	(100,055.61)
Net Position September 1, 2021 as Restated			$78,551,818. 31

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NOTE 15: Contingencies and Commitments

Unpaid Claims and Lawsuits

As of August 31, 2022, certain lawsuits were pending against the University and/or its officers. The lawsuits, which may present contingent liabilities, are displayed in the following summary:

Claimant/ Plaintiff	Defendant Name	Type of Litigation	Damages Sought	Probability of Liability	Possible Loss
Christin Evans	SFASU, Board of Regents, Various employees	Constitutional violations (4th and 14th Amendment), Negligence, Gross Negligence	Economic damages; pain/suffering; punitive damages; attorney's fees; court costs	Reasonably Possible*	Unknown

Description of the Case
The plaintiff alleges the University and/or its employees acted negligently and violated Plaintiff's constitutional rights in response to a "swatting" incident.

Claimant/ Plaintiff	Defendant Name	Type of Litigation	Damages Sought	Probability of Liability	Possible Loss
Ann Wilder, Ph.D.	SFASU	Sex Discrimination and Retaliation (Title VII), Equal Pay Act	Compensatory damages; liquidated damages; back pay/front pay; attorney's fees; court costs	Reasonably Possible*	Unknown

Description of the Case
The plaintiff alleges the University discriminated against Dr. Wilder based on sex and retaliated against her when it issued its notice of non-renewal of employment; further alleges University violated the Equal Pay Act with respect to her salary as compared to others in the department.

*Reasonably Possible indicates the event is more than remote, but less than likely.
*Probable indicates the event is likely to occur.

NOTE 16: Subsequent Events

In September 2022, employee Tammy Wheeler filed a suit against the Board, Steve Westbrook, Ed.D., Interim President, and the University alleging Discrimination and Retaliation (Title VII, ADA, Ch. 21 of Texas Labor Code). She is seeking injunctive relief, actual damages, compensatory damages, mental anguish, attorney's fees, courts costs, and interest. The probability of liability and possible loss have not yet been determined.

In October 2022, former employee Sarah Evans filed a suit against the University alleging Discrimination and Retaliation (Ch. 21 of Texas Labor Code). She is seeking actual damages, non-economic damages, interest, court costs, and attorney's fees. The probability of liability and possible loss have not yet been determined.

The Board scheduled a special called meeting for November 29, 2022, to make a decision regarding affiliation with a Texas state university system.

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NOTE 17: Risk Management

The University is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; injuries to employees; losses resulting from providing health and other medical benefits to employees; and natural disasters. It is the University's policy to periodically assess the proper combination of commercial insurance and retention of risk to cover losses to which it may be exposed. The methods the University uses to handle each of these risks are summarized below.

Injuries to Employees: Employees of the University are covered by a workers' compensation insurance policy provided by the State Office of Risk Management (SORM). An Interagency Contract with SORM is executed on behalf of the University for workers' compensation insurance every two years. SORM assesses the University an amount for the insurance coverage in accordance with 28 T.A.C. 251.507. The initial estimated assessment for fiscal year 2022 was $225,133.66 to be paid in two installments. The first payment of $168,850.24 was made in September. The assessment was adjusted during the year and the remaining payment of $21,087.75 was made in May, bringing the actual assessment total to $189,937.99.

Provision for Health and Other Medical Benefits: Employees of the University are eligible for health insurance and optional coverage(s) if they are employed at least 50% time. The coverage is provided through the State, under the Texas Employees Group Benefits Program (GBP), which is administered by HealthSelect. Eligible employees may select health, dental, vision, life, TexFlex, accidental death and dismemberment, dependent life, and long and short-term disability coverage. All risks associated with these benefits are passed to the GBP. The costs of health insurance coverage are jointly paid by the State and the University as follows: 100% for full-time employees and 50% for their dependents; 50% for part-time employees and 25% for their dependents. Employees hired on or after September 1, 2014, have a 60-day waiting period to participate in health insurance coverage. Contributions made by the State on behalf of the University for health and other medical benefits were $6,233,203.00 for the year ended August 31, 2022.

Damage to Property: The University is required by certain bond covenants to carry fire and extended coverage and boiler/heavy equipment insurance on buildings financed through the issuance of bonds. The insurance protects the bondholders from a disruption to the revenue stream that is being utilized to make the bond interest and principal payments.

The fiscal year 2021 catastrophic winter storm/ice freeze caused property damage to numerous buildings. The full replacement cost of repair was $411,272.27. After the deductible of $41,666.67, the University expects to recover approximately $369,605.60 from the insurance claim. The University received its first insurance proceeds of $110,881.68 in April and is awaiting the remaining claim payments. Because this claim was combined with several others from six Texas universities, it has taken longer than normal to settle.

In June, the Lumberjack Village Community Center was flooded due to a burst sprinkler pipe. The insurance adjuster was asked to assess the facility and a recovery service dried and restored the affected areas. The estimated loss is $300,000.00. The University filed a property insurance claim and is working with the adjuster.

The Texas Motor Vehicle Safety Responsibility Act requires that every nongovernmental vehicle operated on a State highway be insured for minimum limits of liability in the amount of $30,000 per injured person, up to a total of $60,000 for everyone injured in an accident and $25,000 for property damage. However, through the SORM's Automobile Insurance Program the University has chosen to carry liability insurance on its licensed vehicles in the amount of $250,000/$500,000/$100,000. For fiscal year 2022, the auto insurance program covered liability for motorized utility vehicles and physical damage for all vehicles 11 years and newer. The annual premium was $116,688.00. Athletic courtesy vehicles are not covered by the University's automobile policy.

Torts and Other Risks: The University is exposed to a variety of civil claims resulting from the performance of its duties and has purchased commercial insurance to mitigate this risk. The annual premium for general and excess liability was $132,689.00.

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Claims and Judgments: Changes in the balances of the University's claims liabilities for 2022 are noted in the table below:

		Beginning Balance	Increases	Decreases	Ending Balance
2022	Claims & Judgments	$ -	$ 35,000.00	$ 35,000.00	$ -

NOTE 18: Management's Discussion and Analysis (MD&A)

See *Management's Discussion and Analysis* at the beginning of this financial report.

NOTE 19: The Financial Reporting Entity

The University is an agency of the State of Texas. The ten members of its Board of Regents are appointed by the Governor and include one non-voting student Regent. The University has no component units or joint ventures.

NOTE 20: Stewardship, Compliance and Accountability

Note 1, *Summary of Significant Accounting Policies*, discusses the generally accepted accounting principles upon which the financial statements are based and addresses any changes in accounting principles. The University had no material violations of finance-related legal or contractual provisions. Per the laws of the State of Texas, the University cannot spend amounts in excess of appropriations granted by the Texas Legislature.

Effect of Coronavirus (COVID-19) Response on the University Financial Statements

In fiscal year 2022, the University drew the remaining available funds provided by the federal government to replace lost program funding related to COVID-19. Funds in the amount of $2,268,962.37 were provided by the American Recover Program (ARP) were received to replace lost revenue in fiscal year 2021.

NOTE 21: Not Applicable

NOTE 22: Donor Restricted Endowments

The University endowments are invested to maximize returns yet preserve principal. The long-term objective of maintaining the purchasing power of the endowments coupled with the goal of providing a reasonable, predictable, stable, and sustainable level of income to support current needs guide the management of these funds. Distributions from the earnings and cumulative net appreciation are made annually to fund scholarships, professorships, and for other uses as stipulated by the donors. The Vice President for Finance and Administration reviews the total return on current year investing activities for endowment accounts and recommends an annual distribution. The distribution to spending accounts was 3.92% for 2022.

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The following tables present the amount of net appreciation for donor restricted true endowments for fiscal year 2022 and the changes from the prior year amounts for expendable and non-expendable balances:

Donor Restricted Endowments	Amounts of Cumulative Net Appreciation	Reported in Net Position
True Endowments	$ 4,017,075.23	Restricted for Expendable
Term Endowments	8,697.93	Restricted for Expendable
Total	$ 4,025,773.16	Restricted for Expendable

Endowment Funds	Increase/(Decrease)	Reason for Change
Expendable Balances		
True Endowments	$ (1,681,826.12)	Fair value decrease in portfolio
Term Endowments	(5,333.29)	Fair value decrease in portfolio
Non-Expendable Balances		
True Endowments	$ 240,989.86	Donor gifts and bequests
Term Endowments	-	

NOTE 23: Extraordinary and Special Items - Not Applicable

NOTE 24: Disaggregation of Receivable and Payable Balances

Accounts Receivables

The components of Current Accounts Receivable, as reported in the Statement of Net Position, are as follows:

Accounts Receivable Category	Current Amount
3rd Party Contracts for Student Payments	$ 2,478,626.79
Travel Advances	14,549.79
Departmental Receivables	645,532.61
Receivable from Endowments	564,261.42
Pledged Gifts Receivable	330,000.00
Food Services	422,967.13
Receivables from State Comptroller	347,658.61
Other Receivables	23,301.13
Total	$ 4,826,897.48

Of these amounts, none are considered significant and the University expects to collect all within one year.

Accounts Payables

The components of Current Accounts Payable, as reported in the Statement of Net Position, are as follows:

Accounts Payable Category	Current Amount
Construction Payables	$ 3,242,704.64
Procurement Card Payables	706,797.55
Food Service	1,204,667.59
Restricted Payables	1,067,031.07
Payables for Supplies	2,828,937.99
Payables for Services	284,501.04
Miscellaneous	1,703.62
Total	$ 9,336,343.50

Stephen F. Austin State University-755
UNAUDITED
Notes to the Financial Statements
August 31, 2022

NOTE 25: Termination Benefits – Not Applicable

NOTE 26: Segment Information – Not Applicable

NOTE 27: Service Concession Arrangements – Not Applicable

NOTE 28: Deferred Outflows of Resources and Deferred Inflows of Resources

In accordance with GASB Statement Nos. 68 and 75, all public entities, including State universities are required to report its proportionate share of the net pension liability and the OPEB liability in the financial statements, along with associated deferred inflows, deferred outflows, and pension and OPEB expense or revenue.

Business-Type Activities	Deferred Outflows of Resources	Deferred Inflows of Resources
TRS Pension	$ 16,271,106.00	$ 32,133,858.00
ERS OPEB	52,942,288.00	27,911,983.00
Total	$ 69,213,394.00	$ 60,045,841.00

NOTE 29: Troubled Debt Restructuring – Not Applicable

NOTE 30: Non-Exchange Financial Guarantees – Not Applicable

NOTE 31: Tax Abatements – Not Applicable

NOTE 32: Governmental Fund Balances – Not Applicable

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Stephen F. Austin State University
Agency 755
Schedule 1A-Schedule of Expenditures of Federal Awards
For the Fiscal Year Ended August 31, 2022

Federal Grantor/ Pass-Through Grantor/ Program Title	CFDA Number	NSE Name/ Identifying Number	Pass-through From Agy/ Univ No.	Pass-through From Agencies or Universities Amount	Pass-through From Non-State Entities Amount
Corporation for National and Community Service					
Direct Programs:					
Martin Luther King Jr Day of Service Grants	94.014				
Totals - Corporation for National and Community Service				0.00	0.00
Institute of Museum and Library Services					
Pass-Through From:					
Grants to States	45.310				
Pass-Through From:					
Texas State Library and Archives Commission			306	1,281.15	
Totals - Institute of Museum and Library Services				1,281.15	0.00
National Endowment For The Humanities					
COVID-19 - Promotion of the Humanities Federa/State Partnership	45.129	Humanities Texas/2021-6447			5,908.66
		Humanities Texas/2021-6449			7,475.83
Totals - National Endowment For The Humanities				0.00	13,384.49
U.S. Department of Agriculture					
Pass-Through From:					
Capacity Building for Non-Land Grant Colleges of Agriculture (NLGCA)	10.326				
Pass-Through From:					
Sam Houston State University			753	20,150.50	
Totals - U.S. Department of Agriculture				20,150.50	0.00
U.S. Department of Education					
Direct Programs					
COVID-19 - Higher Education Emergency Relief Fund (HEERF) Student Aid Portion	84.425E				
COVID-19 - Higher Education Emergency Relief Fund (HEERF) Institutional Portion	84.425F				
Pass-Through From:					
Governors Emergency Education Relief (GEER) Fund	84.425C				
Pass-Through From:					
Texas Higher Education Coordinating Board			781	137,422.83	
COVID-19 - American Rescue Plan - Elementary and Secondary School Emergency Relief (ARP ESSER)	84.425U				
Pass-Through From:					
Texas Education Agency			781	11,215.02	
Totals - U.S. Department of Education				148,637.85	0.00
U.S. Department of Health and Human Services					
Pass-Through From:					
Temporary Assistance for Needy Families	93.558				
Pass-Through From:					
Texas Workforce Commission			320	89,326.37	
Totals - U.S. Department of Health & Human Services				89,326.37	0.00
U.S. Department of Homeland Security					
Direct Programs:					
Disaster Grants - Public Assistance (Presidentially Declared Disasters)	97.036				
Totals - U.S. Department of Homeland Security				0.00	0.00
U.S. Department of Homeland Security					
Direct Programs:					
Public Safety Partnership and Community Policing Grants	16.710				
Totals - U.S. Department of Justice				0.00	0.00

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Direct Program Amount	Total PT From & Direct Program Amount	Pass-through To Agy/ Univ No.	Pass-through To Agencies or Universities Amount	Pass-through To Non-State Entities Amount	Expenditures Amount	Total PT To & Expenditures Amount
5,443.79	5,443.79				5,443.79	5,443.79
5,443.79	5,443.79		0.00	0.00	5,443.79	5,443.79
	1,281.15				1,281.15	1,281.15
0.00	1,281.15		0.00	0.00	1,281.15	1,281.15
	5,908.66				5,908.66	5,908.66
	7,475.83				7,475.83	7,475.83
0.00	13,384.49		0.00	0.00	13,384.49	13,384.49
	20,150.50				20,150.50	20,150.50
0.00	20,150.50		0.00	0.00	20,150.50	20,150.50
134,575.00	134,575.00				134,575.00	134,575.00
2,295,159.51	2,295,159.51				2,295,159.51	2,295,159.51
	137,422.83				137,422.83	137,422.83
	11,215.02				11,215.02	11,215.02
2,429,734.51	2,578,372.36		0.00	0.00	2,578,372.36	2,578,372.36
	89,326.37				89,326.37	89,326.37
0.00	89,326.37		0.00	0.00	89,326.37	89,326.37
195,414.12	195,414.12				195,414.12	195,414.12
195,414.12	195,414.12		0.00	0.00	195,414.12	195,414.12
6,284.03	6,284.03				6,284.03	6,284.03
6,284.03	6,284.03		0.00	0.00	6,284.03	6,284.03

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Stephen F. Austin State University
Agency 755
Schedule 1A-Schedule of Expenditures of Federal Awards
For the Fiscal Year Ended August 31, 2022

Federal Grantor/ Pass-Through Grantor/ Program Title	CFDA Number	NSE Name/ Identifying Number	Pass-through From Agy/ Univ No.	Pass-through From Agencies or Universities Amount	Pass-through From Non-State Entities Amount
Research & Development Cluster					
Environmental Protection Agency					
Pass-Through From:					
Nonpoint Source Implementation Grants	66.460				
Pass-Through From:					
Texas A&M AgriLife Extension Service			555	15,640.00	
Nonpoint Source Implementation Grants	66.460				
Pass-Through From:					
Texas A&M AgriLife Research			556	22,931.50	
Totals - Environmental Protection Agency				38,571.50	0.00
National Science Foundation					
Direct Programs:					
Mathematical and Physical Sciences	47.049				
Education and Human Resources	47.076				
Totals - National Science Foundation				0.00	0.00
U.S. Department of the Interior					
NFWF-USFWS Conservation Partnership	15.663	National Fish and Wildlife Foundation/ 1907 20 067912			32,405.09
Pass-Through From:					
State Wildlife Grants	15.634				
Pass-Through From:					
Parks and Wildlife Department			802	47,467.62	
Totals - U.S. Department of the Interior				47,467.62	32,405.09
U.S. Department of Agriculture					
Specialty Crop Block Grant Program - Farm Bill	10.170	Nacogdoches Economic Development Corporation/SC-1920-52			1,181.24
Cooperative Forestry Assistance	10.664	United State Endowment For Forestry and Communities, Inc./207111			658.75
Direct Programs:					
Cooperative Forestry Research	10.202				
Forestry Research	10.652				
Environmental Quality Incentives Program	10.912				
Totals - U. S. Department of Agriculture				0.00	1,839.99
U.S. Department of Health and Human Services					
Telehealth Programs	93.211	Texas Health Institute/ G25RH40062			19,570.32
Totals - U.S. Department of Health and Human Services				0.00	19,570.32
SPECIAL EDUCATION (IDEA) Cluster					
U.S. Department of Education					
Pass-Through From:					
Special Education Grants to States	84.027A				
Pass-Through From:					
Texas Education Agency			701	30,706.55	
Special Education Grants to States	84.027A				
Pass-Through From:					
Texas School for the Blind & Visually Impaired			771	568,383.22	
Totals - U.S. Department of Education				599,089.77	0.00
Student Financial Assistance Cluster					
U.S. Department of Education					
Direct Programs:					
Federal Supplemental Educational Opportunity Grants	84.007				
Federal Work-Study Program	84.033				
Federal Pell Grant Program	84.063				
Federal Direct Student Loans	84.268				
Teacher Education Assistance for College and Higher Education Grants (TEACH Grants)	84.379T				
Totals - U.S. Department of Education				0.00	0.00
Total Expenditures of Federal Awards				$ $944,524.76	$ 67,199.89

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Direct Program Amount	Total PT From & Direct Program Amount	Pass-through To Agy/ Univ No.	Pass-through To Agencies or Universities Amount	Pass-through To Non-State Entities Amount	Expenditures Amount	Total PT To & Expenditures Amount
	15,640.00				15,640.00	15,640.00
	22,931.50				22,931.50	22,931.50
0.00	38,571.50		0.00	0.00	38,571.50	38,571.50
54,682.67	54,682.67			16,837.84	37,844.83	54,682.67
179,572.37	179,572.37				179,572.37	179,572.37
234,255.04	234,255.04		0.00	16,837.84	217,417.20	234,255.04
	32,405.09				32,405.09	32,405.09
	47,467.62				47,467.62	47,467.62
0.00	79,872.71		0.00	0.00	79,872.71	79,872.71
	1,181.24				1,181.24	1,181.24
	658.75				658.75	658.75
481,097.50	481,097.50				481,097.50	481,097.50
11,010.40	11,010.40				11,010.40	11,010.40
12,383.77	12,383.77				12,383.77	12,383.77
504,491.67	506,331.66		0.00	0.00	506,331.66	506,331.66
	19,570.32				19,570.32	19,570.32
0.00	19,570.32		0.00	0.00	19,570.32	19,570.32
	30,706.55				30,706.55	30,706.55
	568,383.22				568,383.22	568,383.22
0.00	599,089.77		0.00	0.00	599,089.77	599,089.77
334,159.00	334,159.00				334,159.00	334,159.00
564,183.45	564,183.45				564,183.45	564,183.45
20,142,884.00	20,142,884.00				20,142,884.00	20,142,884.00
48,294,795.00	48,294,795.00				48,294,795.00	48,294,795.00
201,296.00	201,296.00				201,296.00	201,296.00
69,537,317.45	69,537,317.45		0.00	0.00	69,537,317.45	69,537,317.45
$ 72,912,940.61	$ 73,924,665.26		$ 0.00	$ 16,837.84	$ 73,907,827.42	$ 73,924,665.26

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 1A-Schedule of Expenditures of Federal Awards
For the Fiscal Year Ended August 31, 2022

Note 1: Non-Monetary Assistance - N/A

Note 2: Reconciliation
Below is a reconciliation of the total of federal pass through and federal expenditures as reported on the Schedule of Federal Financial Assistance to the total of federal revenues and federal grant pass-through revenues as reported in the general-purpose financial statements. Generally, federal funds are not earned until expended; therefore, federal revenues equal federal expenditures for the reporting period.

Per Combined Statement of Revenues, Expenditures and Changes in Fund Balance - Governmental Funds; and Combined Statement of Revenues, Expenses and Changes in Net Assets - Proprietary Funds; and Combined Statement of Changes in Fiducuary Net Assets:

Federal Revenue			
Operating		$1,577,271.99	
Non-Operating		23,108,073.51	
Total Federal Revenue			**$24,685,345.50**
Federal Pass-Through Revenue			
Operating		944,524.76	
Total Federal Pass-Through Revenue			**944,524.76**
Total Federal Revenue and Federal Pass-Through Revenue			**25,629,870.26**
Reconciliation Items:			
Non-monetary Items:			
--			
Total Non-monetary Items			**$0.00**
New Loans Processed: (Amounts are from Note 3a)			
Federal Direct Student Loans (Direct Loans)	84.268	$48,294,795.00	
Total New Loans Processed		**$48,294,795.00**	
Total reconciliation Items:			**$48,294,795.00**
Total per Note 2:			**$73,924,665.26**
Total Pass-Through and Expenditures per Federal Schedule:			**$73,924,665.26**
Difference:			**$0.00**

Note 3a: Student Loans Processed and Administrative Cost Recovered FY2022

Program Name / CFDA Number	Beginning Balance of Outstanding Loans as of 8/31/20	New Loans Processed, does not include Admin Cost Recovered	*CY Admin Cost Recovered, PY's only if applicable	Total Loans Processed and Admin Cost Recovered	Repayment/ Adjustment (PY+CY)	**Outstanding Balance of Loans as of 8/31/2021 Includes all FYs
Department of Education 84.038 Federal Perkins Loans	$ 2,338,977.60	$ -	$ -	$ -	$ -	$ 2,338,977.60
Department of Education 84.268 Federal Direct Student Loans (Direct Loans)		48,294,795.00		$ 48,294,795.00	48,294,795.00	-
Total Department of Education	$ 2,338,977.60	$ 48,294,795.00	$ -	$48,294,795.00	$ 48,294,795.00	$ 2,338,977.60

* Administrative Cost Recovered includes administration cost and any interest subsidy related to student loans processed.
** Confirmed on Servicer Report

Note 3b: Federally Funded Loans Processed and Administrative Cost Recovered FY2022 - N/A

Note 4: Depository Libraries for Government Publications - Agencies are no longer required to submit.

Note 5: Unemployment Insurance Funds - N/A

Note 6: Rebates for the Special Supplemental Food Program for Women, Infants and Children (WIC) - N/A

Note 7: Federal Deferred Revenue - Universities are exempt from Note 7

Note 8: Disaster Grants - Public Assistance, FY 2022, ALN 97.036

Project Name	FY Project Worksheet Approved in FY2022 (CY Only)	FEMA Disaster Declaration Declared Year - Disaster Title	Expenditure Amount Incurred Prior Fiscal Year	Amount De-obligated	Comments
B - Emergency Protective Measurers	2022	2021 - Texas Severe Winter Storms (DR-4586-TX)	$26,240.85	$2,624.08	Exp incurred in 2021 but PW not approved until FY22
A - Debris Removal	2022	2021 - Texas Severe Winter Storms (DR-4586-TX)	$169,173.27	$16,917.33	Exp incurred in 2021 but PW not approved until FY22

Note 9: Economic Adjustment Assistance (CFDA 11.307) - Not applicable. Our agency does not have any Revolving Loan Funds related to the Economic Adjustment Assistance program.

Note 10: 10% de Minimis Indirect Cost Rate - Our agency does not elect to use the 10 percent de minimis indirect cost rate.

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STEPHEN F. AUSTIN STATE UNIVERSITY (755)
Schedule 1B
Schedule of State Grant Pass-Throughs From/To State Agencies
For The Year Ended August 31, 2022

Pass Through From:	Grant ID	Agency Number	Amount
Fifth Year Accounting Student Scholarship Program	457.0001		$ 5,000.00
Texas State Board of Pubic Accountancy		457	**5,000.00**
Available School Fund - Per Capita	701.0007		128,102.00
Texas Education Agency		701	**128,102.00**
Foundation School Program (FSP)-Formula	701.0015		2,124,969.00
Texas Education Agency		701	**2,124,969.00**
Instructional Materials Allotment	701.0048		1,840.00
Texas Education Agency		701	**1,840.00**
Joint Admission Medical Program (JAMP)	720.0002		31,134.36
University of Texas System		720	**31,134.36**
	752.0009		7,998.40
University of NorthTexas		720	**7,998.40**
TEXAS Grant Program	781.0008		9,056,082.00
Texas Higher Education Coordinating Board		781	**9,056,082.00**
Professional Nursing Shortage Reduction Program	781.0013		15,987.32
Texas Higher Education Coordinating Board		781	**15,987.32**
College Work Study Program	781.0023		43,153.95
Texas Higher Education Coordinating Board		781	**43,153.95**
Work Study Mentorship Program	781.0029		29,828.95
Texas Higher Education Coordinating Board		781	**29,828.95**
Developmental Education Program	781.0040		8,576.22
Texas Higher Education Coordinating Board		781	**8,576.22**
Texas Grants B.1.10	781.0083		316,649.00
Texas Higher Education Coordinating Board		781	**316,649.00**
531442 Assessing pathways of introduction of non-native fishes (Sheepshead minnow & Gulf Killifish) in Texas streams	802.0178		(57.36)
Parks and Wildlife Department		802	**(57.36)**
531961 Assessing the population status of Brazos river Watersnakes	802.0179		1,166.64
Parks and Wildlife Department		802	**1,166.64**
CA-0001069 Reptriation of Illegally Collected Alligator Snapping Turtles (AST) Bank Into Texas Waters	802.0188		19,772.02
Parks and Wildlife Department		813	**19,772.02**
CA-0001060 Texas State Parks Visitor Market Analysis	802.0197		95,942.94
Parks and Wildlife Department		813	**95,942.94**
CA-0002932 East Texas Adventurers Girls Environmental Science Academy	802.0211		24,620.94
Parks and Wildlife Department		813	**24,620.94**
Total Operating Pass-Through From Other Agencies			**$ 11,910,766.38**

Pass Through To	Grant ID	Agency Number	Amount
Total Pass-Through to Other Agencies			$ -

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Agency No. 755
Schedule 2A - Miscellaneous Bond Information
For the Fiscal Year Ended August 31, 2022

Description of Issue	Bonds Issued to Date	Range of Interest Rates		Scheduled Maturities		First Call Date	Final Maturity
				First Year	Last Year		
Business-Type Activities							
Revenue Bonds - Self Supporting							
Rev Fin Sys Bonds Ser '13	15,610,000.00	1.000	5.000	2014	2024	n/a	10/15/2024
Rev Fin Sys Bonds Ser '16	61,205,000.00	4.000	5.000	2017	2036	10/15/2026	10/15/2036
Rev Fin Sys Bonds Ser '19A	94,290,000.00	4.000	5.000	2019	2048	10/15/2028	10/15/2048
Rev Fin Sys Bonds Ser '19B	15,925,000.00	2.873	4.192	2019	2048	n/a	10/15/2035
Rev Fin Sys Bonds Ser '20	15,935,000.00	5.000	5.000	2022	2029	n/a	10/15/2029
	202,965,000.00						
Revenue Bonds - Direct Placement							
Rev Fin Sys Bonds Ser '15	48,410,000.00	2.010	2.010	2015	2025	n/a	10/15/2025
	48,410,000.00						
Total Revenue Bonds	251,375,000.00						
Grand Total of Bonds	$ 251,375,000.00						

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2B-Changes in Bonded Indebtedness
For the Fiscal Year Ended August 31, 2022

Description of Issue	Bonds Outstanding 9/1/21	Bonds Issued	Bonds Matured or Retired	Bonds Refunded or Extinguished	Bonds Outstanding 8/31/22
For the Fiscal Year Ended August 31, 2022					
Revenue Bonds - Self Supporting					
Rev Fin Sys Bonds Ser '13	$ 7,530,000.00	$ -	$ 2,470,000.00	$ -	$ 5,060,000.00
Rev Fin Sys Bonds Ser '16	48,160,000.00	-	3,165,000.00	-	44,995,000.00
Rev Fin Sys Bonds Ser '19A	92,630,000.00	-	1,215,000.00	-	91,415,000.00
Rev Fin Sys Bonds Ser '19B	14,755,000.00	-	770,000.00	-	13,985,000.00
Rev Fin Sys Bonds Ser '20	15,935,000.00	-	-	-	15,935,000.00
	179,010,000.00	-	7,620,000.00	-	171,390,000.00
Revenue Bonds - Direct Placement					
Rev Fin Sys Bonds Ser '15	25,095,000.00	-	4,820,000.00	-	20,275,000.00
	25,095,000.00	-	4,820,000.00	-	20,275,000.00
Total Revenue Bonds	204,105,000.00	-	12,440,000.00	-	191,665,000.00
Grand Total	$ 204,105,000.00	$ -	$ 12,440,000.00	$ -	$ 191,665,000.00

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2B-Changes in Bonded Indebtedness
For the Fiscal Year Ended August 31, 2022

Description of Issue	Unamortized Premium	Unamortized Discount	Other Adjustments	Net Bonds Outstanding 8/31/22	Amounts Due Within One Year
For the Fiscal Year Ended August 31, 2022					
Revenue Bonds - Self Supporting					
Rev Fin Sys Bonds Ser '13	$ 286,907.04	$ -		$ 5,346,907.04	$ 1,719,762.81
Rev Fin Sys Bonds Ser '16	5,066,186.78	-	-	50,061,186.78	4,207,090.50
Rev Fin Sys Bonds Ser '19A	4,680,982.31	(171,425.55)	-	95,924,556.76	1,734,060.92
Rev Fin Sys Bonds Ser '19B	-	-	-	13,985,000.00	790,000.00
Rev Fin Sys Bonds Ser '20	2,670,366.86			18,605,366.86	1,299,791.59
	12,704,442.99	(171,425.55)	-	183,923,017.44	9,750,705.82
Revenue Bonds - Direct Placement					
Rev Fin Sys Bonds Ser '15	-	-	-	20,275,000.00	4,920,000.00
	-	-	-	20,275,000.00	4,920,000.00
Total Revenue Bonds	12,704,442.99	(171,425.55)	-	204,198,017.44	14,670,705.82
Grand Total	$ 12,704,442.99	$ (171,425.55)	$ -	$ 204,198,017.44	$ 14,670,705.82

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STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2C - Debt Service Requirements
For the Fiscal Year Ended August 31, 2022

Description of Issue	FY	Principal	Interest	Total
Business-Type Activities				
Revenue Bonds - Self Supporting				
Rev Fin Sys Bonds Ser '20	2023	705,000.00	779,125.00	$ 1,484,125.00
Rev Fin Sys Bonds Ser '20	2024	1,865,000.00	714,875.00	2,579,875.00
Rev Fin Sys Bonds Ser '20	2025	1,960,000.00	619,250.00	2,579,250.00
Rev Fin Sys Bonds Ser '20	2026	2,060,000.00	518,750.00	2,578,750.00
Rev Fin Sys Bonds Ser '20	2027	2,165,000.00	413,125.00	2,578,125.00
Rev Fin Sys Bonds Ser '20	2028-2030	7,180,000.00	550,500.00	7,730,500.00
		15,935,000.00	3,595,625.00	19,530,625.00
Rev Fin Sys Bonds Ser '13	2023	1,605,000.00	190,812.50	1,795,812.50
Rev Fin Sys Bonds Ser '13	2024	1,690,000.00	108,437.50	1,798,437.50
Rev Fin Sys Bonds Ser '13	2025	1,765,000.00	33,093.75	1,798,093.75
		5,060,000.00	332,343.75	5,392,343.75
Rev Fin Sys Bonds Ser '16	2023	3,310,000.00	2,072,750.00	5,382,750.00
Rev Fin Sys Bonds Ser '16	2024	3,480,000.00	1,903,000.00	5,383,000.00
Rev Fin Sys Bonds Ser '16	2025	3,665,000.00	1,724,375.00	5,389,375.00
Rev Fin Sys Bonds Ser '16	2026	3,850,000.00	1,536,500.00	5,386,500.00
Rev Fin Sys Bonds Ser '16	2027	4,055,000.00	1,338,875.00	5,393,875.00
Rev Fin Sys Bonds Ser '16	2028-2032	13,940,000.00	4,222,925.00	18,162,925.00
Rev Fin Sys Bonds Ser '16	2033-2037	12,695,000.00	1,510,525.00	14,205,525.00
		44,995,000.00	14,308,950.00	59,303,950.00
Rev Fin Sys Bonds Ser '19A	2023	1,275,000.00	4,017,975.00	5,292,975.00
Rev Fin Sys Bonds Ser '19A	2024	1,345,000.00	3,952,475.00	5,297,475.00
Rev Fin Sys Bonds Ser '19A	2025	1,410,000.00	3,883,600.00	5,293,600.00
Rev Fin Sys Bonds Ser '19A	2026	1,490,000.00	3,811,100.00	5,301,100.00
Rev Fin Sys Bonds Ser '19A	2027	1,560,000.00	3,734,850.00	5,294,850.00
Rev Fin Sys Bonds Ser '19A	2028-2032	9,090,000.00	17,388,500.00	26,478,500.00
Rev Fin Sys Bonds Ser '19A	2033-2037	13,025,000.00	14,884,025.00	27,909,025.00
Rev Fin Sys Bonds Ser '19A	2038-2042	21,940,000.00	11,071,425.00	33,011,425.00
Rev Fin Sys Bonds Ser '19A	2043-2047	27,585,000.00	5,412,825.00	32,997,825.00
Rev Fin Sys Bonds Ser '19A	2048-2049	12,695,000.00	512,900.00	13,207,900.00
		91,415,000.00	68,669,675.00	160,084,675.00
Rev Fin Sys Bonds Ser '19B	2023	790,000.00	514,537.35	1,304,537.35
Rev Fin Sys Bonds Ser '19B	2024	815,000.00	489,558.75	1,304,558.75
Rev Fin Sys Bonds Ser '19B	2025	845,000.00	462,936.90	1,307,936.90
Rev Fin Sys Bonds Ser '19B	2026	870,000.00	434,382.95	1,304,382.95
Rev Fin Sys Bonds Ser '19B	2027	900,000.00	403,621.70	1,303,621.70
Rev Fin Sys Bonds Ser '19B	2028-2032	5,055,000.00	1,475,255.27	6,530,255.27
Rev Fin Sys Bonds Ser '19B	2033-2036	4,710,000.00	393,124.43	5,103,124.43
		13,985,000.00	4,173,417.35	18,158,417.35
Total Revenue Bonds - Self Supporting		$ 171,390,000.00	$ 91,080,011.10	$ 262,470,011.10

UNAUDITED

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2C - Debt Service Requirements
For the Fiscal Year Ended August 31, 2022

Description of Issue	FY	Principal	Interest	Total
Revenue Bonds - Direct Placement				
Rev Fin Sys Bonds Ser '15	2023	4,920,000.00	358,081.50	5,278,081.50
Rev Fin Sys Bonds Ser '15	2024	5,015,000.00	258,234.75	5,273,234.75
Rev Fin Sys Bonds Ser '15	2025	5,120,000.00	156,378.00	5,276,378.00
Rev Fin Sys Bonds Ser '15	2026	5,220,000.00	52,461.00	5,272,461.00
		20,275,000.00	825,155.25	21,100,155.25
Total Revenue Bonds - Direct Placement		20,275,000.00	825,155.25	21,100,155.25
Total Revenue Bonds		191,665,000.00	91,905,166.35	283,570,166.35
Total Debt Service		$ 191,665,000.00	$ 91,905,166.35	$ 283,570,166.35

UNAUDITED

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2D - Analysis of Funds Available for Debt Service - General Obligation Bonds
For the Fiscal Year Ended August 31, 2022

Description of Issue	Application of Funds		Accrual Basis
	2022 Principal	2022 Interest	Int Exp
	$ -	$ -	$ -
General Obligation Bonds - Not Self-Supporting	$ -	$ -	$ -

UNAUDITED

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2D - Analysis of Funds Available for Debt Service - Revenue Bonds
For the Fiscal Year Ended August 31, 2022

	Net Available for Debt Service		Debt Service		Accrual Basis	
Description of Issue	Total Pledged and Other Sources	Operating Expenses and Capital Outlay	2022 Principal	2022 Interest	Interest Expense	Interest Capitalized
Business-Type Activities						
Revenue Bonds - Self Supporting						
Rev Fin Sys Bonds Ser '13	*	*	$ 2,470,000.00	$ 292,687.50	$ 246,375.00	$ -
Rev Fin Sys Bonds Ser '16	*	*	3,165,000.00	2,218,800.00	2,171,325.02	-
Rev Fin Sys Bonds Ser '19A	*	*	1,215,000.00	4,080,225.00	4,057,443.74	-
Rev Fin Sys Bonds Ser '19B	*	*	770,000.00	538,091.62	529,434.90	-
Rev Fin Sys Bonds Ser '20	*	*	-	796,750.00	789,292.35	
Revenue Bonds - Direct Placement						
Rev Fin Sys Bonds Ser '15	*	*	4,820,000.00	455,968.50	419,637.77	-
			$ 12,440,000.00	$ 8,382,522.62	$ 8,213,508.78	$ -

Analysis of Pledged and Other Sources:

Pledged Sources:	
Tuition and Fees	$ 122,777,113.69
Sales and Services	35,658,627.95
Other Sources	5,798,258.73
Total Revenues	164,234,000.37
Unrestricted Fund Balances	(87,078,236.43)
Less State Appropriated Fund Balances with Restrictions	(11,277,793.00)
Total Pledged Revenues	$ 65,877,970.94
Expenditures associated with operations which generated the pledged revenues	$ 198,427,415.09

UNAUDITED

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2E - Defeased Bonds Outstanding
For the Fiscal Year Ended August 31, 2022

Description of Issue	Year Refunded	Par Value Outstanding

UNAUDITED

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 2F - Current Year Early Extinguishment and Refunding
For the Fiscal Year Ended August 31, 2022

			For Refunding Only		
Description of Issue	Category	Amount Extinguished or Refunded	Refunding Issue Par Value	Cash Flow Increase (Decrease)	Economic Gain/Loss

UNAUDITED

STEPHEN F. AUSTIN STATE UNIVERSITY
Agency No. 755
Schedule 3 - Reconciliation of Cash in State Treasury
August 31, 2022

Cash in State Treasury	Unrestricted	Restricted	Current Year Total
Special Mineral Fund 0241	$ 0.00	$ 0.00	$ 0.00
Local Revenue Fund 0261	774,651.03	0.00	774,651.03
Coronavirus Relief Fund	39,122.43	0.00	39,122.43
Total Cash in State Treasury (Stmt of Net Position)	$ 813,773.46	$ 0.00	$ 813,773.46

WE ARE THE LUMBERJACKS



GRANT AWARDS

Explanation:

In fiscal year 2023, the multi-year grant award total is currently $44,094,946. Of this total, grant awards allocable to fiscal year 2023 are currently $7,143,511, an increase of $609,762 since the last report.

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.

Recommendation:

The administration recommends approval and ratification of the additional fiscal year 2023 grant awards that total $609,762. The grant awards are detailed as presented.

Report to the Board of Regents – January 2023
Grants[1] awarded between October 1, 2022 and December 31, 2022

Fiscal Year 2023 – *as of December 30, 2022*

Amounts allocable to FY23 (detailed in this report)	
Federal funds (direct and pass-through)	$ 500,383
State Funds (direct and pass-through)	$ 19,820
Private and Local Government	$ 89,559
TOTAL	**$ 609,762**
New awards, FY23 (detailed in this report, all project years)	**$ 2,809,964**
Cumulative amount allocable to FY23	**$ 7,143,511**
Cumulative award total FY23, all project years	**$44,094,946**

New, Additional, or Previously Unreported Awards for FY 2023

Federal Funds (direct and pass-throughs)

Title ****Reaching all Communities to Establish Success in Language Learning (RAICES)***
Sponsor: Department of Education
Award Term: September 1, 2022 to August 31, 2027
PI/PD: Dr. Heather Olson Beal, Education Studies
Total Award: $2,530,139 **Amount Allocable to FY23**: $374,304
Grant to enhance bilingual and multilingual education for Nacogdoches and Angelina County school districts. Funding will provide for professional development sessions for over 300 educators in addition to the hiring of two-full time staff to manage the project.

Title ****Developing Pineapple Guava as a New Low-Input Fruit & Ornamental Crop for Texas***
Sponsor: Texas Department of Agriculture (prime sponsor - US Department of Agriculture)
Award Term: December 1, 2022 to September 30, 2024
PI/PD: Dr. David Creech, SFA Gardens
Total Award: $30,533 **Amount Allocable to FY23**: $15,266
SFA, in partnership with Texas A&M AgriLife Extension, will seek to develop pineapple guava as a new commercial crop in Texas. Students at both institutions will work with faculty and researchers.

**New awards or additional funds added to a current award*
[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. Prepared by the Office of Research & Graduate Studies.

Report to the Board of Regents – January 2023
Grants[1] awarded between October 1, 2022 and December 31, 2022

Title ***Development, Production, and Initial Test of an Archaeological Site Potential Model for the Sabine National Forest in Advance of Southern Pine Beetle (dendroctonus frontalis zimmerman) Outbreak***
Sponsor: National Park Service
Award Term: September 15, 2022 to August 31, 2024
PI/PD: Dr. Robert 'Zac' Selden, Regional Heritage Research Center
Total Award: $15,813 **Amount Allocable to FY23**: $15,813
Archaeological site modeling work to determine how to combat the likely invasion of the Southern Pine Beetle in the Sabine National Forest.

Previously Described Awards:
National Visitor Use Monitoring (NVUM) - FY23-24
John Kidd, Forestry
Award Total: $95,000 **Amount allocable to FY 2023:** $95,000

***Subtotal Federal Amounts Allocable to FY 2023 (this report)* = $500,383**
***Subtotal New Federal Awards* (*total award*) = $2,671,485**

State Funds (direct and pass-through)

Title ***Performance Grant Support: Oskar's Not So Simple Comeback***
Sponsor: Texas Commission on the Arts
Award Term: October 6, 2022
PI/PD: Diane Peterson, College of Fine Arts
Total Award: $1,340 **Amount Allocable to FY23**: $1,340
Funds for three performances for the Children's Performance Arts Series. This series seeks to bring regional, national, and internally renowned professional performing arts programs to pre-K through 12th grade students in East Texas.

Previously Described Awards
JAMP Special Projects: JAMP Camp 2023
Dr. Erin Childress, Biology
Award Total: $18,480 **Amount allocable to FY 2023:** $18,480

***Subtotal State Amounts Allocable to FY 2023 (this report)* = $19,820**
***Subtotal New State Awards (total award)* =$19,820**

**New awards or additional funds added to a current award*
[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. Prepared by the Office of Research & Graduate Studies.

Report to the Board of Regents – January 2023
Grants[1] awarded between October 1, 2022 and December 31, 2022

Private Entity and Local Government Awards

Title ***Lumberjack Food Pantry**
Sponsor: T. L. L. Temple Foundation
Award Term: December 16, 2022 to May 1, 2028
PI/PD: Dr. Andrew Dies, Student Affairs
Total Award: $40,000 **Amount Allocable to FY23**: $40,000
Funds to purchase, install, and maintain food lockers and software to manage the Lumberjack Food Pantry on campus.

Title ***The Effects of Anthropogenic Noise on Attention, Learning, Memory and Communication in Bottlenose Bolphins**
Sponsor: Dolphin Quest
Award Term: December 12, 2022 to January 1, 2024
PI/PD: Dr. Jason Bruck, Biology
Total Award: $14,524 **Amount Allocable to FY23**: $14,524
Funds for researchers to study how nuisance sounds impact cognition in bottlenose dolphins at the Dolphin Quest facilities in Bermuda.

Title ***Passive Hormone Analysis in Sea Mammals (P.H.A.S.M.)**
Sponsor: Dolphin Quest
Award Term: December 12, 2022 to December 31, 2023
PI/PD: Dr. Jason Bruck, Biology
Total Award: $8,735 **Amount Allocable to FY23**: $8,735
Funds for researcher and GRA to develop non-invasive means of collecting data from the blowholes of marine mammals. Work to be performed at the Dolphin Quest facilities in Bermuda.

Previously Described Awards

Assessing drivers of long-term population declines in game and non-game wildlife species
Dr. Jessica Glasscock, Forestry
Award Total: $43,800 **Amount allocable to FY23:** $14,700

Economics Reading Group, Phase II
Dr. Ryan Phelps, Economics and Finance
Award Total: $7,000 **Amount allocable to FY23:** $7,000

Poultry Science Education Student Recruitment FY23
Dr. John Mehaffey, Agriculture
Award Total: $4,600 **Amount allocable to FY23:** $4,600

**New awards or additional funds added to a current award*
[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. Prepared by the Office of Research & Graduate Studies.

Report to the Board of Regents – January 2023
Grants[1] awarded between October 1, 2022 and December 31, 2022

Subtotal Private Amounts Allocable to FY 2023 (this report) **= $89,559**
Subtotal New Private Awards **(*total award*) = $166,719**

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 or additional funds added to a current award*
[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. Prepared by the Office of Research & Graduate Studies.

CONTRACT OVER $1 MILLION - VINTAGE KING AUDIO FOR SOUND RECORDING TECHNOLOGY STUDIO

Explanation:

The Fine Arts Expansion project budget includes funds allocated for Furniture, Fixtures, and Equipment (FF&E). The university issued a Request for Proposal (RFP) for a turn-key sound recording technology studio to include equipment and installation for the newly renovated Griffith Fine Arts Building. Respondents were requested to furnish and install equipment to include a complete patch bay system including design, labeling cabling, commissioning, testing and training. There were three (3) respondents to the RFP that were evaluated and ranked by a review committee.

Recommendation:

The administration recommends approval of a contract with Vintage King Audio for a not to exceed contract amount of $1,200,000 for a turn-key sound recording technology studio including equipment and installation for the newly renovated Griffith Fine Arts Building. The funding source is from the Fine Arts Expansion Project budget. The administration further recommends authorization for the president to sign associated purchase orders, contracts and amendments as necessary, in accordance with policy 1.4, Items Requiring Board of Regents Approval.

ADOPTION OF A REIMBURSEMENT RESOLUTION FOR THE EXPENDITURE OF FUNDS FOR AN INTERDISCIPLINARY AND APPLIED SCIENCES BUILDING AND INFRASTRUCTURE CAPITAL CONSTRUCTION ASSISTANCE PROJECT

Explanation:

The 87th Texas Legislature approved funding for a Capital Construction Assistance Project for Stephen F. Austin State University of $44,922,833. The university plans to issue bonds at a future date but wants to begin the pre-construction phase of the project including planning and design.

To qualify expenditures for reimbursement, the administration submits a resolution relating to establishing the Board's intention to reimburse the expenditure of funds relating to the acquiring, purchasing, constructing, improving, renovating, enlarging or equipping property and facilities, including roads and related infrastructure for an interdisciplinary and applied sciences building approved by the 87th Texas Legislature from the proceeds of tax-exempt obligations to be issued by the board; authorizing other matters incident and related thereto; and providing an effective date as shown in Appendix ??

Recommendation:

The administration recommends that the Board of Regents adopt the reimbursement resolution as shown in Appendix ??

A RESOLUTION RELATING TO ESTABLISHING THE BOARD'S INTENTION TO REIMBURSE FOR THE EXPENDITURE OF FUNDS RELATING TO THE ACQUIRING, PURCHASING, CONSTRUCTING, IMPROVING, RENOVATING, ENLARGING OR EQUIPPING PROPERTY AND FACILITIES, INCLUDING ROADS AND RELATED INFRASTRUCTURE FOR AN INTERDISCIPLINARY AND APPLIED SCIENCES BUILDING APPROVED BY THE 87TH TEXAS LEGISLATURE FROM THE PROCEEDS OF TAX- EXEMPT OBLIGATIONS TO BE ISSUED BY THE BOARD; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Board of Regents of Stephen F. Austin State University or any successor or assigns (collectively, the "Board") has entered into or will enter into various contracts pertaining to the expenditure of lawfully available funds of the Board to finance the costs associated with acquiring, purchasing, constructing, improving, renovating, enlarging or equipping property and facilities, including roads and related infrastructure for an interdisciplinary and applied sciences building approved by the 87th Texas Legislature which constitute the costs of the Board's project that is the subject of this Resolution (the "Project"); and

WHEREAS, the provisions of Section 1201.042, as amended, Texas Government Code ("Section 1201.042") provide that the proceeds from the sale of obligations issued to finance the acquisition, construction, equipping, or furnishing of any project or facilities, such as the Project, may be used to reimburse the Board for costs attributable to such project or facilities paid or incurred before the date of issuance of such obligations; and

WHEREAS, the United States Department of Treasury (the "Department") released Regulation Section 1.150-2 (the "Regulations") which establishes when the proceeds of obligations are spent and therefore are no longer subject to various federal income tax restrictions contained in the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Board intends to reimburse itself, within eighteen (18) months from the later of the date of expenditure or the date the property financed is placed in service (but in no event more than three (3) years after the original expenditures are paid), for the prior lawful capital expenditure of funds from the proceeds of one or more series of tax-exempt obligations (the "Obligations") that the Board currently contemplates issuing Obligations to finance the costs of the Project and expects to expend approximately $44,922,833 prior to issuance of such Obligations; and

WHEREAS, under the Regulations, to fund such reimbursement with proceeds of the Obligations, the Board must declare its expectation ultimately to make such reimbursement before making the expenditures; and

WHEREAS, the Board hereby finds and determines that the reimbursement for the prior expenditure of funds of the Board is not inconsistent with the Board's budgetary and financial circumstances; and

WHEREAS, the Board hereby finds and determines that the adoption of this Resolution is in the best interests of Stephen F. Austin State University (the "University"); now, therefore,

BE IT RESOLVED BY THE BOARD OF REGENTS OF STEPHEN F. AUSTIN STATE UNIVERSITY OR ANY SUCCESSOR OR ASSIGNS THAT:

SECTION 1: This Resolution is a declaration of intent to establish the Board's reasonable, official intent under section 1.150-2 of the Regulations and Section 1201.042 to reimburse itself from certain of the proceeds of the Obligations for any capital expenditures previously incurred (not more than 60 days prior to the date hereof) or to be incurred with respect to the Project from lawfully available funds of the University. For the avoidance of doubt, since the Board of Regents of the University have voted to accept the invitation of The University of Texas System to become a member institution and the Board of Regents of The University of Texas System have also voted to authorize the Chancellor of its system to work with the University leadership to take all actions necessary, including legislation, to create a new university system institution within The University of Texas System, this declaration of intent to reimburse can be relied upon by the Board of Regents of The University of Texas System as a successor or assign of the University Board.

SECTION 2: The Board intends to issue the Obligations and allocate within 30 days after the date of issuance of the Obligations the proceeds therefrom to reimburse the University for prior lawful expenditures with respect to the Project in a manner to comply with the Regulations.

SECTION 3: The reimbursed expenditure will be a type properly chargeable to a capital account (or would be so chargeable with a proper election) under general federal income tax principles.

SECTION 4: The Board will reimburse itself, within eighteen (18) months from the later of the date of expenditure or the date the property financed is placed in service but in no event more than three (3) years after the original expenditures are paid.

SECTION 5: The Board intends to otherwise comply, in addition to those matters addressed within this Resolution, with all the requirements contained in the Regulations.

SECTION 6: This Resolution may be relied upon by the appropriate officials at the Office of the Attorney General for the State of Texas and establishes compliance by the Board with the requirements of Texas law and the Regulations.

SECTION 7: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

SECTION 8: All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 9: This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 10: If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 11: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 12: This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

EXECUTED this the ____ day of _____, 2023.

_____
Chair, Board of Regents

_____
Secretary, Board of Regents

EMPLOYEE COMPENSATION

Explanation:

Our faculty and staff are the university's greatest assets. They engage our students in high impact practices that provide them with transformational experiences. To successfully fulfill our mission, SFA must attract and retain highly qualified faculty and staff. We experience challenges with employee recruitment and retention due to current compensation levels. It is important that our employee compensation be more closely aligned with that offered by peer institutions across the state.

As a step toward this goal, the administration proposes an increase of 6-percent to the base salaries of eligible faculty and staff to be effective February 1, 2023 and paid starting with the March 1, 2023 payroll. This increase will be applied as a "cost-of-living" base adjustment.

This compensation increase will require the use of up to $3.5 million of fund balance/net position in the current fiscal year through August 2023 and will be incorporated into the FY2024 operating budget.

Recommendation:

The administration recommends that the base salaries of eligible employees be increased by 6-percent effective February 1, 2023 and paid starting with the March 1, 2023 payroll. It is further recommended that up to $3.5 million of fund balance/net position be used to fund this salary increase during the current fiscal year.

AMENDMENT TO BANK DEPOSITORY CONTRACTS

Explanation:

In January 2013, Board Order 13-18 approved several banks as the university's depository banks. The current depository contracts are set to expire in the upcoming months and we are recommending to amend the bank depository contracts to extend for a period of one year with BancorpSouth Bank (Cadence Bank), Citizens 1st Bank, Commercial Bank of Texas, N.A., and Regions Bank.

Recommendation:

The administration recommends approval of amending the university's current depository bank contracts to extend for a period of one year with Cadence Bank(formerly BancorpSouth Bank), Citizens 1st Bank, Commercial Bank of Texas, N.A. and Regions Bank. The administration further recommends authorization for the president to sign the amendments and all associated documents as necessary, in accordance with policy 1.4, Items Requiring Board of Regents Approval.

FINANCIAL AFFAIRS POLICY REVISIONS

Explanation:

The *Board Rules and Regulations* state that the Finance and Audit Committee will consider: budgeting and appropriations request processes; all requests for appropriations and budgets covering expenditures of educational and general funds and auxiliary programs including, but not limited to, student housing and the athletic department; handling of university funds, depositories, etc., whether from appropriated or contributed funds; and the auditing function of the university including, but not limited to, annual audit plan, internal and external audit reports, risk assessment, and audit/compliance issues.

The following policies are necessary to incorporate organizational, job title, and regulatory changes and to improve the flow of information in the above areas of responsibility. The general counsel has reviewed the proposed revisions.

Recommendation:

The administration recommends that the Board of Regents adopt the following policy revisions as presented:

Central Receiving 17.2
Check Cashing 3.7
Investments 3.21
Investments – Endowment Funds 3.20
Prompt Payment to Vendors 17.13
Property Liability 16.22
Purchase of Surplus Property 17.17
Receipts and Deposits 3.26
Safe and Vault Combinations 14.9
Student Fiscal Appeals 6.19
Student and Non-Student Accounts Receivable 3.28

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Central Receiving

Policy Number: 17.2

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes guidelines and responsibilities when receiving supplies and equipment purchased for the university.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

John Branch, Physical Plant Interim Director
Kay Johnson, Executive Director of Finance and Administrative Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Central Receiving

Original Implementation: Unpublished
Last Revision: January *30*~~28~~, 2023~~0~~

Purpose

This policy establishes guidelines and responsibilities when receiving supplies and equipment purchased for the university.

General

All supplies and equipment purchased for the university are to be delivered through ~~c~~*C*entral *R*~~r~~eceiving to ensure uniform handling of freight claims, accurate entry of receiving information, and necessary elements of institutional control. The following purchases are excluded from this requirement:

1. items ~~being~~ delivered under delegated purchase authority to the *Steen* ~~l~~*L*ibrary, Stone Fort Museum, or departments using p-cards or rush orders;
2. items that require installation by the contractor or vendor; and
3. items specifically authorized by ~~the Department of~~ Procurement and *Business*~~Property~~ Services.

It is the responsibility of the department taking receipt of goods or services to immediately complete a Receiving Form for Purchase Orders online for all deliveries of goods or services purchased through a purchase order. See the Purchase Order Receiving Manual for detailed instructions for receiving purchase orders. Timely entry of receiving information is essential to avoid late payment penalties, and to effectively handle freight claims, shortages, or discrepancies.

Failure to promptly complete a Receiving Form for Purchase Orders ~~or notify central receiving of damages or shortages~~ may result in the inability to *document damages or shortages*, return goods, higher restocking fees, or liability for late payment penalties. The payment of any such penalties will be made from the account(s) that funded the original purchase.

Delivery of Vehicles

All vehicles must be delivered to ~~g~~*Grounds and T*~~t~~*transportation* ~~central receiving~~ to verify that specifications have been met, ~~and to~~ complet*ion*~~e~~ *of* required documentation, ~~-~~and ~~-~~tag*ging* ~~ging~~ by the property manager. ~~Vehicles will be delivered to the transportation manager for identification as a state vehicle and recording state vehicle fleet management plan information.~~

Delivery of Other Goods

Other goods delivered to *C*~~c~~entral ~~r~~*R*eceiving will be examined for damages *to packaging* and *shipment* ~~the~~ contents ~~of the shipment~~ compared *to*~~against~~ ~~–~~the purchase order. *Packaging d*~~D~~amages or discrepancies will be noted on the bill of lading. Central *R*~~r~~eceiving will *assist with* ~~handle~~ the filing of claims with the freight company for any freight damages or quantity discrepancies. Central ~~r~~*R*eceiving will create a receiver document ~~and delivery log~~ in the university's financial system, *create a delivery log*, ~~–~~and schedule delivery to the requisitioning department, with the exception of computers which will be delivered to the appropriate tech shop for deployment.

Other goods delivered to the requisitioning department will be examined for damages and the contents of the shipment compared against the purchase order or procurement card (p-card) receipt. Damages or discrepancies should be reported immediately to *the vendor*~~central receiving~~ for claims processing.

Outgoing Freight

Outgoing freight may be dispatched through ~~c~~*C*entral ~~r~~*R*eceiving to ensure proper documentation, packing, and labeling. Clear indication of shipment value should always be made on the package or on the accompanying documentation. A special notation should be made when insurance is desired. Contact ~~c~~*C*entral ~~r~~*R*eceiving for additional instructions or assistance in handling outgoing freight.

Cross Reference: Purchase Order Receiving Manual

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: *Executive Director of Finance and Administrative Services, Physical Plant Director* ~~Director of Procurement and Property Services/HUB Coordinator~~

Forms: Receiving Form for Purchase Orders

Board Committee Assignment: Finance and Audit Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Check Cashing

Policy Number: 3.7

Is this policy new, being reviewed/revised, or deleted? Delete

Date of last revision, if applicable: 10/26/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy designates the business office as the only campus location allowed to cash checks. The business office may cash personal checks for faculty, staff, and currently enrolled students with a Stephen F. Austin State University ID.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☒ Other, please explain: Delete policy

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Process is no longer requested or needed.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Michaelyn Greene, Director of Treasury and Student Business Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Check Cashing

Original Implementation: September 1, 1988
Last Revision: October 26, 2020

Purpose

This policy designates the business office as the only campus location allowed to cash checks. The business office may cash personal checks for faculty, staff, and currently enrolled students with a Stephen F. Austin State University ID.

General

The check cashing limit is established by the controller's office. If an extenuating circumstance exists in which a student or employee needs to cash a check in excess of the established amount, authorization must come from the controller, the bursar in the business office or the bursar's designee. Checks returned to the university for nonsufficient funds, payment stopped, or account closed will be collected by the university or an outside collection entity. A fee will be assessed by the university for any check returned. Any fees charged to the university by an outside collection entity or the financial institution will be assessed to the individual. The university reserves the right to refuse personal checks from individuals who have a history of bad checks.

Restrictions

Employees may not cash their own check or a check from a relative, as defined by policy 11.16, Nepotism. Family member status is not terminated by death or divorce. The business office is not authorized to cash two-party checks or post-dated checks.

University checks (i.e., payroll checks, travel checks, student refund checks, etc.) may ordinarily be cashed only when the check is used as payment on the payee's account. Any other circumstances must be approved by both the bursar or his/her designee and the controller or his/her designee on the university's check cashing exception form.

Web check payments in excess of the amount owed, thus resulting in a refund, are not permissible.

Cross Reference: Returned Payments (3.27); Nepotism (11.16)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Controller

Forms: Check Cashing Exception Form

Board Committee Assignment: Finance and Audit

~~**Revision History:** October 23, 2017~~
~~April 25, 2017~~
~~July 28, 2015~~
~~July 17, 2012~~
~~July 21, 2009~~

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Investments

Policy Number: 3.21

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2022

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy applies to all Stephen F. Austin State University operating funds, quasi-endowment funds, and bond proceeds that are governed by Chapter 2256 of the Texas Government Code known as the Public Funds Investment Act (PFIA), and certain portions of the Texas Education Code. The policy states the goals and objectives in the investment of these assets and is intended to provide guidance in the management of the assets. Endowment funds are invested in accordance with Investments – Endowment Funds policy (3.20) approved by the Board of Regents (board) annually.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Investments

Original Implementation: April 30, 1996
Last Revision: ~~February 1, 2022~~*January 30, 2023*

Purpose

This policy applies to all Stephen F. Austin State University operating funds, quasi-endowment funds, and bond proceeds that are governed by Chapter 2256 of the Texas Government Code known as the Public Funds Investment Act (PFIA), and certain portions of the Texas Education Code. The policy states the goals and objectives in the investment of these assets and is intended to provide guidance in the management of the assets. Endowment funds are invested in accordance with Investments – Endowment Funds policy (3.20) approved by the Board of Regents (board) annually.

Definitions

Short-Term investments have a maturity of less than 90 days. Funds needed to meet short-term operating requirements will be primarily invested in either investment pools or overnight sweep accounts established with banking institutions. The benchmark is the average three-month Treasury bill yield.

Intermediate-Term investments have a maturity of 90 days to one year. United States Treasury and Agency securities, or 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.

Long-Term investments have a maturity over one year. United States Treasury and Agency securities are the primary investment vehicles. The 30 Year Treasury Bond rate is the benchmark for long term funds.

Quasi-Endowment Funds are funds for which the governing body of the university, rather than a donor has determined that the corpus is to be retained and invested. Since these funds are internally designated rather than externally restricted, the university has the right to expend principal with approval from the governing body.

Investment Officers include the university's vice president for finance and administration, the associate vice president ~~of~~*for* finance~~ial~~ and administrati*on*~~ve services~~, the director of treasury and

student business services, and other employees as designated in writing by the university's vice president for finance and administration including an employee temporarily holding one of those positions in an acting or an interim role.

General

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. Secondarily, 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.

Investment 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 and to meet all reasonably anticipated operating requirements. Investments shall incur no unreasonable risk in order to maximize potential income. 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.

Investment Strategy

All investments will be made in accordance with the university's investment policy. Investments may be diversified as needed to support 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 structured to provide sufficient liquidity and marketability to meet operating requirements. The investment portfolio may be diversified with authorized securities to accommodate changing market conditions. An investment decision shall consider yield only after the requirements for principal preservation, liquidity, and marketability have been met.

All securities transactions, including collateral for repurchase agreements, but excluding mutual funds and investment pools, must be settled on a delivery versus payment basis.

An investment strategy may include investment pooling with another public institution as authorized in Texas Education Code Sec. 51.0031. Funds invested with another institution that meets guidelines established by Sec. 51.0031 will be managed in accordance with prudent person investment standards.

Investment Authority

The investment officers 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 investment officers may only invest funds regulated by this policy and purchase securities authorized by this policy.

The board may contract with an investment management firm registered under the Investment Advisers Act of 1940 or with the State Securities Board to provide for the investment and management of public funds under its control.

The board may contract with other institution(s) to invest all or part of the university's funds in accordance with Texas Education Code Sec. 51.0031.

Investment Responsibilities

The vice president for finance and administration is responsible for investment management decisions and activities. The vice president for finance and administration delegates the day-to-day management of the investment activities to the investment officers.

The vice president for finance and administration 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 vice president for finance and administration 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 vice president for finance and administration 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.

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.

Investment Guidelines

Authorized Investments: All university funds and funds held in trust for others may be invested in the securities listed below and/or pooled with another institution of higher education as authorized in Texas Education Code Sec. 51.0031. The university is not required to liquidate investments that were authorized investments at the time of purchase. For investments exclusive of funds authorized by Sec. 51.0031, credit rating requirements will be monitored at least monthly. If or when a rating drops below the established minimum or when an investment is no longer authorized, that investment will be liquidated as soon as prudently possible.

Authorized securities include:

a. obligations, including letters of credit, of the United States, 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, the underlying security for which is guaranteed by an agency or instrumentality of the United States;
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 or their respective 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. interest-bearing banking deposits that conform to Sections 2256.009(7) and 2256.009(8) of the Texas Government code;
g. certificates of deposit and share certificates issued by a depository institution that conforms to Section 2256.010 of the Texas Government Code;
h. fully collateralized repurchase agreements that conform to Section 2256.011 of the Texas

Government Code;

i. bankers' acceptances that conform to Section 2256.012 of the Texas Government Code;
j. commercial paper that conforms to Section 2256.013 of the Texas Government Code;
k. no-load money market mutual funds and no-load mutual funds registered and regulated by the Securities and Exchange Commission and conform to Section 2256.014 of the Government Code;
l. guaranteed investment contracts that conform to Section 2256.015 of the Government Code;
m. investment pools that conform to Sections 2256.016 and 2256.019 of the Government Code;
n. 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));
o. 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;
p. 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.

Unauthorized Investments: The following investments are prohibited:

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.

Asset Allocation: 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 vice president for finance and administration 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 sell the security.

The maximum stated maturity date of any security may not exceed ten years, and the dollar-weighted average maturity of the portfolio shall not exceed five years without approval by the vice president for finance and administration 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.

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.

Insurance or Collateral: All depository bank accounts shall be secured by a pledge of collateral with a market value equal to no less than 100% of the deposits plus accrued interest less any amount insured by the FDIC. Pledged collateral must conform to Chapter 2257 of the Government Code, Collateral for Public Funds. Evidence of the pledged collateral associated with depository bank accounts shall be maintained by the associate vice president ~~of~~*for* financ~~ial~~*e* and administrati*on*~~ve services~~ or the director of~~ administrative services~~ *treasury and student business*

services. Collateral shall be reviewed monthly by ~~the director of financial reporting and~~ the associate vice president ~~of~~*for* finance~~ial~~ and administrati*on*~~ve~~ ~~services~~ or the director of *treasury and student business services* ~~administrative services~~ to assure the market value of the securities pledged equals or exceeds the depository bank balances.[MG1][MG2] Pledged collateral shall be maintained for safekeeping by an independent third party.

Collateral Defined: The university shall accept only the following securities as collateral:

a. FDIC 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;
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, the underlying security for which is guaranteed by an agency or instrumentality of the United States. CMO must have a stated final maturity date of less than 10 years.

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 Texas Education Code Sec.51.0031. The board shall adopt a list of approved qualified brokers that are authorized to engage in investment transactions with the university. This list shall be reviewed and revised at least annually.

For funds subject to Chapter 2256 of the Texas Government Code, a 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. Funds invested with

institutions authorized by Texas Education Code Sec. 51.0031, will be invested pursuant to the qualifying institution's investment policy.

Competitive quotes must be taken from at least three qualifying institutions for all individual security purchases and sales (excluding transactions with money market mutual funds, local government investment pools and when issued securities are deemed to be made at prevailing market rates).

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 Advisor

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.

Performance Evaluation

The vice president for finance and administration, ~~and~~ associate vice president ~~of~~*for* finance~~ial~~ and administrati*on*~~ve services~~, or director of *treasury and student business services* ~~administrative services~~ shall submit quarterly reports to the Board of Regents and the president of the university in the format prescribed by the PFIA, 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:
    i. beginning market value for the reporting period;
    ii. ending market value for the period; and
    iii. 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 investment strategy expressed in this policy and to relevant provisions of the Public Funds Investment Act.

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.

Disclosure Requirements for Investment Officers

Pursuant to Texas Government Code Sec. 2256.005(i), 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:

- 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;
- funds received by the investment officer from the business organization exceed 10 percent of the investment officer's gross income for the previous year; or
- 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.

Training

Each member of the board and investment officer shall attend at least one training session within six months after taking office or assuming duties relating to investment responsibilities as required by Section 2256.007 of the Texas Government Code. The primary investment officers shall attend an investment training session relating to investment responsibilities from an independent source

not less than once each state fiscal biennium. Training for the investment officer(s) will be conducted by an organization or firm that is approved by the board. The approved independent sources include:

- Texas Higher Education Coordinating Board
- Center for Public Management at the University of North Texas
- Government Treasurer's Organization of Texas
- PFM Asset Management LLC

The university may provide other training in investments in order to insure the quality and capability of the university's investment officers to make investment decisions in compliance with the PFIA.

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

The board shall review this investment policy and investment strategies not less than annually. The board shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies.

Cross Reference: Tex. Gov't Code Ch. 573, 2256-2257, 2263; 26 U.S.C. § 501(f); Tex. Educ. Code
§ 51.0031-.0032, Investments-Endowment Funds (3.20)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Treasury and Student Business Services

Forms: None

Board Committee Assignment: Finance and Audit

Revision History: February 2, 2021
January 28, 2020
January 29, 2019
January 30, 2018
January 31, 2017
January 26, 2016
January 27, 2015
January 28, 2014
July 16, 2013
January 29, 2013
January 31, 2012
October 18, 2011

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 conform to Chapter 2257 of the Government Code. The signature of the president, vice president for finance and administration, associate vice president ~~of~~*or* financ~~ial~~ and administrati~~ve~~*on* ~~services~~, or director of treasury and student business services is required for release of pledged securities from safekeeping. Increases in the level of collateralization require approval by the president, vice president for finance and administration, associate vice president ~~of~~*or* financ~~ial~~ and administrati*on*~~ve services~~, or director of treasury and student business services~~,~~. The ~~controller's~~*financial reporting* office will reconcile the appropriate investment accounts to broker's statements and other supporting documents monthly.

APPENDIX B
ADMINISTRATIVE PROCEDURES

The student business services 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.[MG3] "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~~ *financial reporting* 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 associate vice president ~~of~~*or* financ*e*~~ial~~ and administrati*on*~~ve services~~ or the director of treasury and student business 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.

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Investments - Endowments Funds

Policy Number: 3.20

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2022

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy applies to all Stephen F. Austin State University endowment funds. The policy states the boards' attitudes, goals and objectives in the investment of the endowment assets and is intended to provide guidance to the finance and audit committee, the university administration, and any investment consultant(s)/manager(s) in the management of the endowment assets. University funds that are governed by Chapter 2256 of the Texas Government Code known as the Public Funds Investment Act are invested in accordance with Investments policy (3.21).

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Investments–Endowment Funds

Original Implementation: Unpublished
Last Revision: ~~February 1, 2022~~*January 30, 2023*

Purpose

This policy applies to all Stephen F. Austin State University endowment funds. The policy states the boards' attitudes, goals and objectives in the investment of the endowment assets and is intended to provide guidance to the finance and audit committee, the university administration, and any investment consultant(s)/manager(s) in the management of the endowment assets. University funds that are governed by Chapter 2256 of the Texas Government Code known as the Public Funds Investment Act are invested in accordance with Investments policy (3.21).

Definitions

True (or Permanent) Endowment Funds are funds which a donor or other outside agencies have stipulated, as a condition of the gift instrument, that the principal is to be maintained in perpetuity and invested for the purposes of producing present and future income.

Quasi-Endowment Funds are funds for which the governing body of the university, rather than a donor has determined that the corpus is to be retained and invested. Since these funds are internally designated rather than externally restricted, the university has the right to expend principal with approval from the governing body.

Gift Instrument refers to the records that establish the terms of the gift and may consist of more than one document. The release or modification of restrictions on management, investment, or purpose contained within the gift instrument is governed by Texas Property Code Section 163.007.

Investment Consultant is an external firm or individual who can provide advice and/or guidance regarding investment decisions to the university, and/or hire investment managers.

Investment Officers include the university's vice president for finance and administration, the associate vice president ~~of~~*or* finance~~ial~~ and administrati*on*~~ve services~~, the director of treasury and student business services, and other employees as designated in writing by the university's vice president for finance and administration including an employee temporarily holding one of those positions in an acting or an interim role.

General

Endowment funds represent private funds given to the university by individuals or institutions to promote, encourage and advance education and to improve the degree and non-degree educational functions by establishing scholarships, fellowships, professorships, academic chairs and other academic endeavors at the university, as specified by donors.

University endowment funds are not considered to be public funds but instead are governed by Section 51.0031 of the Texas Education Code. This section of the Texas Education Code states that the university "...with regard to donations, gifts and trusts, may establish endowment funds that operate as trusts and are managed under prudent person standards".

Investment Objectives

The overall investment objective is to assure that the university's endowment funds are invested in a manner to achieve as high a level of return as can reasonably be expected to be achieved given the primary objective of safety and preservation of principal. In the management of the university endowment investments, consideration will be given to the need to balance a requirement for current income for present activities with a requirement for growth in principal to compensate for inflation.

Investment Risk Tolerance

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

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

Avoiding large risks is essential. The university will assume a moderate-risk posture in order to have a more stable positive return. This may result in sacrificing some potential opportunities for gain during rising markets in order to avoid large short-term declines in market value during falling markets. Since the university is averse to large downward fluctuations in the value of its investments resulting from volatile market value fluctuations, such year-to-year volatility should be minimized.

Prudence

The "prudent person" standard is defined by Texas Education Code 51.0031(d) and described in Article VII, Section 11b, of the Texas Constitution, and means that standard of judgment and care that prudent investors, exercising reasonable care, skill, and caution, would acquire or retain in light of the purposes, terms, distribution requirements, and other circumstances of the fund then prevailing, taking into consideration the investment of all the assets of the fund rather than a single investment.

Responsibility and Delegation of Authority

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

The university acknowledges that the ultimate responsibility for the investment of endowment funds rests with the board. The board will determine the institutional approach used to invest endowment funds. The board may choose to hire external investment consultants and/or managers, contract with another institution, or manage funds internally. To carry out this responsibility, the board delegates certain authority to the financial officer(s) to oversee and work with external investment consultants and/or managers the board has selected.

The Board

The specific responsibilities of the board in the investment process include:

- Develop a sound and consistent investment policy that establishes guidelines and reasonable objectives for the management of endowments;
- At least annually, review the policy for continued accuracy and completeness;
- Select suitable investment consultants, managers or qualifying institutions to provide for the management of endowment funds;
- Evaluate performance results; and
- Comply with all applicable laws, including conflict of interest provisions therein.

University Administration

The specific responsibilities of the vice president in the investment process include:

- Communicate with outside investment management team (consultants, managers and qualifying institutions);
- If appropriate, prudently select and recommend investment options to the board;
- Review and evaluate performance results to ensure policy guidelines are being adhered to and objectives are being met;

- Submit quarterly and annual investment reports to the board;
- Annually, determine the proper distribution of investment returns to the various spending accounts in accordance with the distribution section of this policy; and
- Comply with all applicable laws, including conflict of interest provisions.

The vice president may also establish an investment committee (committee). The committee may review and evaluate investment performance and review and revise qualified investment managers that are eligible to serve in an investment capacity for the university. The chair of the board may designate a board member to serve as a liaison on the committee.

Qualifying Institution

The board may contract to invest its funds with another Texas public institution. Endowment funds invested with a qualifying institution will be invested in accordance with the institution's Investment Policy and the asset allocation of the institution's policy will supersede the Investment Guidelines Section of this policy. The university's investment officer(s) will provide investment performance reports to the board.

Investment Consultant

The board may contract with an investment consultant to manage the university's endowment funds. The consultant may employ or delegate investment management to discretionary investment managers or affiliates. The consultant is responsible for ensuring that investment managers are in compliance with this policy.

Specifically, the consultant will:

- Assist the officers in the development of investment policy, objectives, asset allocation strategy and portfolio structure;
- Review investment managers, including search, selection and recommendation to the investment officers and committee;
- Monitor and report on investment manager performance;
- Monitor asset allocation and rebalance to target allocation on a periodic basis; and
- Provide written performance measurement reports as required to the investment officers, investment committee and board. The reports will contain sufficient information to determine if any changes or other actions are called for with respect to the investment portfolio.

Investment Managers

The board may choose to use an investment consultant to select investment managers. The investment consultant may exercise discretion to hire investment managers. If an investment manager is hired through the investment consultant, the consultant is responsible for ensuring that investment managers comply with all applicable policy guidelines.

The board may choose to directly contract with external investment managers. Each investment manager selected or approved by the board is expected to manage the endowment's assets in a manner consistent with the investment objectives, guidelines and constraints of this policy and in accordance with applicable laws. This obligation includes discharging responsibilities with respect to the endowment consistent with "prudent investor" standards, and all other applicable fiduciary regulations and requirements.

If the university directly contracts with the investment manager, then the manager(s) will receive a copy of this policy and the manager must execute a written statement to the effect that the registered principal of the organization has received and thoroughly reviewed the investment policy of the university. The statement must also acknowledge that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities.

The investment manager(s) will:

- Be registered as an investment adviser under the Investment Advisers Act of 1940 (where applicable);
- Maintain adequate fiduciary liability insurance and bonding for the management of this account;
- Acknowledge in writing that it is a fiduciary with respect to the assets under its control;
- Be responsible for making decisions on a discretionary basis. This includes buy, hold, sell and timing decisions. The external manager(s) must make responsible decisions in the selections of specific securities and the general timing of purchases and sales necessary to invest only into the security class(es) for which they were retained to manage.

Custodian

The custodian is responsible for the safekeeping for the endowment's investment assets. The specific duties and responsibilities of the custodian include:

- Maintain separate accounts by legal registration;
- Value the holdings;
- Collect all income and dividends owed to the endowment in its custody;
- Settle all transactions initiated by the investment manager; and
- Provide monthly reports that detail transactions, cash flows, securities held and their current value, and change in value of each security and the overall portfolio since the previous report.

Investment Policy Guidelines

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

Authorized Investments:

The endowment's assets may be invested in the following:

a. Direct obligations of the United States government or its direct agencies.
b. Direct obligations of federally-sponsored agencies in accordance with the above paragraph.
c. Obligations of states, agencies, counties, cities, and other political subdivisions of any state in accordance with the above paragraph.
d. United States dollar denominated bonds, debentures, or commercial paper and convertible securities issued by corporations in accordance with the above paragraph.
e. Debentures or obligations, and preferred or common stock of international governments and corporations. International preferred and common stock issues must be listed on an organized stock exchange.
f. Common stock and preferred stock issued by United States domiciled corporations and common stocks of international companies listed on the major U.S. or international security exchanges.
g. Certificates of Deposit issued by federally insured state banks, federally insured savings and loan associations and saving banks or federally insured credit unions. Amounts over the insurance limit of the institutions must be secured by pledged securities.
h. Bankers' acceptances accepted by a bank organized and existing under laws of the United States or any state in accordance with the above paragraph.
i. Money Market Mutual Funds. Funds must be registered with the Securities and Exchange Commission, have a maximum dollar weighted average maturity of no longer than l3 months, and be no-load funds. Funds must have assets consisting of securities described in the paragraphs above and seek to maintain a stable net asset value of $1.00 per share (or unit).
j. Mutual Funds. Funds must be registered with the Securities and Exchange Commission and invest in assets authorized under this policy.
k. Direct Security Repurchase Agreements. Direct Repos must be fully secured (collateralized) by securities authorized under the sections (a) through (g) above. Such collateral must be held by a third party. All agreements will comply with Federal Reserve Bank guidelines.
l. Shares of investment companies as defined by the Investment Company Act of l940. These companies include both closed-end investment companies and open-end investment companies (mutual funds). Shares in these companies may be purchased if they own securities described in sections (a) through (j) above.
m. Shares of Exchange Traded Funds, known as ETFs.
n. No more than ten percent (10%) of the equity portfolio can be invested at any time in one company based on the market value of the stock and portfolio.
o. No more than thirty percent (30%) of the equity portfolio can be invested in any one industry sector based on the market value of the portfolio.
p. Alternative investments. Permitted alternative investments may include hedge funds, managed

futures funds, private equity funds, or real estate. Hedge funds are not subject to limitations of the "Prohibited Investment" section below. Investments in other strategies shall be reviewed and recommended by the investment officer prior to purchase.

q. Permitted alternative investments in the portfolio are limited to diversified commingled trust fund vehicles or limited partnerships offered through a ~~third party~~*third-party* distribution channel, such as what is offered through many broker-dealer firms.
r. Permitted alternative investments in the portfolio are limited to investment vehicles that offer the ability for the portfolio to make contributions or receive distributions at least quarterly (but preferably monthly) without restriction or incurring additional fees.
s. The portfolio shall emphasize investments in fund-of-fund vehicles that are diversified by investment style and typically utilize multiple investment managers within a fund.

Unauthorized Investments

The endowment's assets should not be invested in the following unless agreed to by the vice president pursuant to an approved strategy and specifically approved in writing by the vice president:

a. Commodity trading including all futures contracts;
b. Short selling, option trading and margin trading unless by managers approved for that strategy;
c. Guaranteed investment contracts.

Asset Allocation

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

Asset Category	**Minimum**	**Maximum**	**Target**
Total Fixed Income	0.0%	60.0%	35.0%
Total Equity	0.0%	70.0%	55.0%
Total Alternatives	0.0%	25.0%	10.0%
Total Cash or Cash Equivalents	0.0%	100.0%	0.0%

The allowable asset mix for fixed income and equities is:

Fixed Income	**Minimum**	**Maximum**
US Government Bonds	0.0%	100.0%
Corporate Bonds	0.0%	50.0%
Equity	**Minimum**	**Maximum**
Domestic Equity	0.0%	100.0%
International Equity	0.0%	30.0%

Interest Rate, Credit and Foreign Currency Risks

The university will insure the safety of its invested funds by limiting interest rate, credit and foreign

currency risks. 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. The vice president may diversify investment maturity to limit interest rate risk. The average weighted duration of the portfolio should not vary from industry benchmarks by more than +/- 20%.

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 requires all securities which use long-term credit ratings to be rated the equivalent of "B" or better with the overall credit rating for the fixed income portfolio to be rated "A" or better. All short-term credit ratings must be rated at least A-2, P-2, F-2.

Foreign currency risk is the risk that changes in exchange rates will adversely affect the fair value of investment. In order to mitigate this risk, international equity investments are limited to a maximum of 30% of the equity portfolio.

Gifts of Individual Securities

Gifts of individual securities will be liquidated and invested in accordance with policy guidelines and investment procedures. Exceptions to this policy are securities described as authorized investments in sections (a), (b), and (c) of the investment policy guidelines above. Such securities may be held so long as the asset allocation ranges are maintained.

Quasi-Endowments

The board may establish a quasi-endowment using unrestricted gifts. Income from funds held in quasi-endowments is available for the purpose established by the board. The corpus of such funds will be held until such time as the board abolishes the quasi-endowment, at which time the corpus is available for such purpose(s) as may be designated by the board. Quasi-endowment funds that are not considered to be public funds are governed by this policy.

Distribution Policy

The spending policy should balance the long-term objective of maintaining the purchasing power of the endowment funds with the goal of providing a reasonable, predictable, stable, and sustainable level of income to support current needs. At the end of the investment year, in consultation with the investment manager, the vice president will review the total return on the endowment accounts and recommend an annual distribution.

Performance Evaluation

The vice president will submit quarterly reports to the board on the performance of the investment portfolio. The reports will disclose the book value and market value of the portfolio at the beginning and ending of the reporting period. The reports will disclose the realized and unrealized gains/losses and total return on the portfolio for the reporting period.

Conflicts of Interest

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

- A member of the board shall not direct nor participate in the decision to purchase or sell securities of a firm with which such member is affiliated; and
- Investments will not be purchased from or sold to a member of the board.

Audits

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

Investment Policy Adoption and Certification

Upon adoption by the Stephen F. Austin State University Board of Regents, the university's investment policy for endowment funds shall be reviewed annually to ensure current applicability and significant modifications thereto submitted to the Board of Regents for approval.

Cross Reference: Tex. Educ. Code § 51.0031; 15 U.S.C. §§ 80a-1 – 80a-64; Tex. Prop. Code Ch. 163, Investments (3.21)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Treasury and Student Business Services

Forms: None

Board Committee Assignment: Finance and Audit Committee

Revision History: February 2, 2021
January 28, 2020
January 29, 2019
January 30, 2018
January 31, 2017
January 26, 2016
January 27, 2015
January 28, 2014
April 23, 2013
January 29, 2013
January 31, 2012
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Prompt Payment to Vendors

Policy Number: 17.13

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): It is the intention of Stephen F. Austin State University to comply with the state's prompt payment law and make prompt payments to vendors using the most efficient means available.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Removed procedures from policy. Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Brittney Goad, Disbursments Manager
Kay Johnson, Executive Director of Finance and Administrative Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Prompt Payment to Vendors

Original Implementation: April 21, 1998
Last Revision: January *30*~~28~~, 2023~~0~~

Purpose

It is the intention of Stephen F. Austin State University to comply with the state's prompt payment law and make prompt payments to vendors using the most efficient means available.

Definitions

Payment – Money owed to a vendor *for goods or services*.

State agency – A board, commission, department, office or other agency in the executive branch of state government created by the constitution or a statue of this state, including an institution of higher education as defined by the Texas Education Code Section 61.003.

Vendor – A person or entity who supplies goods or a service to a state agency or another person directed by the agency. The term does not include a state agency, except for the Texas Correctional Industries. The term includes an officer or employee of a state agency when acting in a private capacity to supply goods or a service.

General

~~Three requirements must be met before a disbursement can be made to a vendor:~~

~~1. There must be an approved order for goods or services that has been signed/authorized by the account manager or his/her designee.~~
~~2. The goods or services must have been received. Acknowledging the date of receipt of goods or services rendered is the responsibility of the department that placed the order.~~
~~3. The vendor must provide an itemized invoice to accounts payable. If an invoice is received by the department, it should be date stamped and immediately forwarded to accounts payable.~~

The ~~controller~~'s *Procurement and Business Services* ~~office~~ *Office* is responsible for processing payments in a manner which ensures compliance with the prompt payment law ~~once these three requirements have been met~~. In certain instances, interest will be paid to a vendor if payment is not made within 30 days of the later of:

- date the university receives the goods under the contract;
- date the vendor completes its services; or
- date the university receives an invoice for the goods or services.

To maximize the interest earned on funds held by the state, the university is required to schedule its payments~~, paying~~ *to pay* -vendors as close to the 30-day limit as possible. *If the vendor payment is late, interest will be computed at a rate determined by the Texas Comptroller's Office.* The university is not allowed to pay vendors before the payments are actually due unless the invoice is less than $5,000 or the university has a valid business reason for paying early, or there is a specific exception to this rule.~~. Potential examples of when the university may make early payments to vendors are:~~

~~If the vendor or the university has an agreement to make a payment at a certain time;~~
~~If the vendor gives the agency a substantial discount for paying early;~~
~~Purchase of real property;~~
~~Payment for utilities;~~
~~Payment for lease cost, leased space, or rent;~~
~~Purchases of books or library materials paid with Higher Education Funds (HEF);~~
~~Subscription services up to a maximum of six weeks before the service begins;~~
~~Vendor payments for specialized goods or services if the vendor requires the payment to be made in advance.~~

~~For payment more than $5,000, payment must be scheduled for distribution on the date identified above, unless the department can justify the cost effectiveness of making a payment early. A vendor hardship does not qualify as a state business reason for paying early.~~

~~Payments of $5,000 or less are exempted from mandatory payment scheduling. The university, at its discretion, may choose to pay invoices $5,000 or less according to the scheduling requirements or may schedule the payment due date as soon as they are processed. For groups of invoices covered by a monthly statement, the statement amount must be $5,000 or less for the invoices to qualify for this exemption.~~

~~If the vendor payment is late, interest will be computed at a rate determined by the Texas Comptroller's Office. If the late payment is due to departmental errors, such interest payment will be charged to the department that caused the late payment. If a department requests the controller's~~*~~Procurement and Business Services~~* ~~office to process a payment outside its normal operating procedures for any reason, the department shall be assessed a special processing fee of $50.~~

Cross Reference: Tex. Gov't Code § 2155.382; Ch. 2251; Tex. Educ. Code § 61.003; Texas Comptroller of Public Accounts Payment Services and eXpendit State Purchase Policies

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: *Executive Director of Finance and Administrative Services*~~Controller~~

Forms: None

Board Committee Assignment: Finance and Audit Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Property Liability

Policy Number: 16.22

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy acknowledges that, in accordance with Texas Government Code § 403.275, all university employees are liable for the state property that they use.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Minor revisions.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Kay Johnson, Executive Director of Finance and Administrative Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Property Liability

Original Implementation: April 22, 2003
Last Revision: January 30~~28~~, 2023~~0~~

Purpose

This policy acknowledges that, in accordance with Texas Government Code § 403.275, all university employees are liable for the state property that they use.

Definition

Reasonable care is defined as taking steps to ensure control and security of the property and being able to locate the property at all times.

General

All employees must complete the property liability acknowledgement form as part of new employee orientation. Employees taking equipment off campus will be required to complete a removal of property from campus request form acknowledging that the person responsible for property is aware of their responsibilities.

The department head will be listed as equipment manager on property records and is responsible for identifying property custodians who have been entrusted with the care and safekeeping of specific pieces of property. Equipment managers will be required to sign a certification of physical inventory when there is a change in department head, accepting responsibility for all department property within 30 days of assuming their duties.

A person is financially liable for any property loss sustained by the university if:

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

If the property manager has reasonable cause to believe that any property in the university's possession has been stolen, lost, destroyed, or damaged through the negligence of any state official or employee, the property manager shall report the loss, destruction, or damage to audit services, the

vice president *or president's cabinet member* for the division, the vice president for finance and administration, the *executive* director of *finance and administrative* ~~procurement and property~~ services, the equipment manager and the property custodian. All computer losses, missing or stolen, regardless of negligence, will be reported to the chief information officer.

The property manager in consultation with the equipment manager, the *executive* director of *finance and administrative* ~~procurement and property~~ services and/or the vice president of finance and administration will determine whether replacement of property or reimbursement of property value best meets the needs of the university. The value of the loss to the university will be determined by considering the value of the property and the value to SFA as outlined in the property management manual.

A determination of negligence may be appealed to the property risk management committee within five working days of receiving notification of the determination. The property risk management committee will review the property manager's determination and the written appeal, and will make a final determination that may not be appealed. Appointments to the committee will be made on a case by case basis by the vice president for finance and administration with the property manager and property assistant serving as non-voting ex officio members.

If the property risk management committee upholds the determination of negligence, the negligent employee will be notified to replace the property or reimburse the university for the determined value of the property. If the employee refuses or disregards the determination and request for replacement or reimbursement, the university may pursue action against the employee through the Office of the Attorney General or employ other efforts to obtain reimbursement.

Cross Reference: Tex. Gov't Code §§ 403.275, 2203.004; Property Inventory and Management (17.14)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: *Executive Director of Finance and Administrative Services* ~~Director of Procurement and Property Services/HUB Coordinator~~

Forms: Property Liability Acknowledgement; Removal of Property from Campus Request

Board Committee Assignment: Finance and Audit

Revision History: January 28, 2020
November 7, 2016

October 21, 2013
October 18, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Purchase of Surplus Property

Policy Number: 17.17

Is this policy new, being reviewed/revised, or deleted? Delete

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes guidelines for purchasing surplus property from the Texas Facilities Commission and details restrictions on the use of any federal surplus property.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision:

Specific rationale for deletion of policy: The content of this policy is procedural in nature and it is recommended that the policy be removed and included in procedure.

Additional Comments:

Reviewers:

Kay Johnson, Executive Director of Finance and Administrative Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Purchase of Surplus Property

Original Implementation: September, 1987
Last Revision: January ~~2~~*31*~~8~~, 202*3*~~0~~

~~**Purpose**~~

~~This policy establishes guidelines for purchasing surplus property from the Texas Facilities Commission and details restrictions on the use of any federal surplus property.~~

~~**Definitions**~~

~~**Surplus property** is any personal property that is in excess of the needs of the department and which is not required for the foreseeable future. Surplus property may be new or used but must have additional useful life.~~

~~**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.~~

~~**General**~~

~~The Texas Facilities Commission (TFC) disposes of surplus and salvage personal property from Texas state agencies and manages the disposition of surplus and salvage donated to the state by federal programs. The Office of the State Comptroller advertises surplus property exclusively to state agencies, political subdivisions and assistance organizations. Surplus property not transferred within 10 business days of posting is available for sale to state agencies, political subdivisions and assistance organizations as well as the general public. Federal surplus property is available only to eligible organizations, not private citizens or the general public. Available property can be viewed at the following URLs:~~

~~State Surplus (State Comptroller's listing)~~

~~State Surplus (available at store fronts; TFC listing)~~

~~Federal Surplus~~

~~A requisition must be submitted to initiate the purchase of surplus property. A purchaser is available to research the availability, condition and cost of surplus property.~~

State Surplus

The agency offering the surplus equipment is to be contacted directly to determine a price and make arrangements for transfer. The requisition submitted to the purchasing office should state on the requisition 'STATE SURPLUS PROPERTY'. The name of the state agency and the agreed price, and arrangements for transfer should also be shown.

Federal Surplus

The Texas Facilities Commission manages the disposition of surplus property donated to the state by federal programs. The purchaser may make a written request for federal surplus to be held for SFA if it becomes available.

Visitation to and shopping at a federal surplus warehouse is allowed only by a certified agent of the university. The item(s) may be picked up at the time of purchase or arrangements can be made for pick up at a later date. The individual(s) picking up the merchandise do not have to be certified, but they must have the receipt in hand when arriving at the distribution center. If the SFA transportation department picks up the item(s), the department will be charged for travel and labor costs. When the merchandise is received, the itemized receipt and/or invoice should be returned to the procurement department.

Restrictions on the Use of Federal Surplus Property

Participating organizations ("donees") are required to use the property obtained through the program for a specific amount of time before the property can be sold or transferred and must adhere to the following restrictions:

1. Property must be placed into use within the first year of possession.
2. Property must continue to be used for the duration of the compliance period before ownership is transferred to SFA.
    - 12 months for property with an original acquisition cost less than $5,000.
    - 18 months for passenger vehicles or any item of property with original acquisition cost of $5,000 or more.
    - 5 years for aircraft and vessels 50' or more in length.
    - In perpetuity for combat-configured aircrafts, and firearms.
3. The property may not be sold, transferred, or otherwise disposed of during the compliance period. If property is sold, transferred or otherwise disposed of during the required period of use, SFA may be subject to penalties and fines, as well as possible state or federal prosecution.
4. Compliance visits may be conducted by state and federal program staff during the

~~compliance period to ensure that property is being put to its intended use. If the property is not paid for in full or is not being used or handled as required, SFA will be required, at its expense, to return the property to TFC or offer for transfer to another donee, as instructed by TFC.~~

~~As a donee, SFA must include the General Services Administration's required non-discrimination statement with information about the federal surplus program.~~

Cross Reference: 41 C.F.R. §§ 101, 102; Purchase Requisition (17.19)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: *Executive Director of Finance and Administrative Services*~~Director of Procurement and Property Services/HUB Coordinator~~

Forms: Purchase Requisition, TFC Eligibility Application Form, TFC Update Form, TFC Authorized Representative Form

Board Committee Assignment: Finance and Audit

Revision History: *January 31, 2017*
January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Receipts and Deposits

Policy Number: 3.26

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 4/11/2022

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy provides guidance for the internal control of receipt handling to all Stephen F. Austin State University departments who handle receipts and deposits. The university has delegated the authority and responsibility for maintaining procedures for all receipt-handling activities to the office of student business services.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Minor edits.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Michaelyn Greene, Director of Treasury and Student Business Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Receipts and Deposits

Original Implementation: Unpublished
Last Revision: ~~April 11, 2022~~*January 30, 2023*

Purpose

This policy provides guidance for the internal control of receipt handling to all Stephen F. Austin State University departments who handle receipts and deposits. The university has delegated the authority and responsibility for maintaining procedures for all receipt-handling activities to the office of student business services.

Definitions

Custodian is anyone who handles cash and receipts.

Receipts as referenced in this policy, is deemed to include currency, coins, personal checks, bank drafts, money orders, traveler's checks, cashier's checks, credit card transactions, debit card transactions, wire transfers, and any other method of receiving funds.

R**efund** is the return of funds for a transaction that occurred on a prior business day.

Cashier's check is a check purchased at a bank for any amount; the bank completes all information on the face of the check with a bank officer signing as the maker.

Certified check is a personal check guaranteed by the bank; the check is stamped "certified" and signed by a bank officer.

Money order is an instrument purchased at a bank, post office, or other business establishment for any amount that orders a sum of money to be paid to someone else.

Traveler's check is a special check supplied by banks or other companies for the use of travelers; these checks already bear the purchaser's signature and must be countersigned in the cashier's presence.

Personal check is a written order payable on demand, drawn on a bank by a depositor; a personal check is written against an individual's funds as opposed to a cashier's check, certified check, money order, or traveler's check, all of which are written against or guaranteed by bank funds.

Starter check is a non-personalized encoded check that a person receives from a bank when they

establish a checking account. These are for the person's use prior to receiving personalized checks.

Counter check is a non-personalized, non-encoded check that is available at most banks.

Third-party check is a check made payable to a person or organization other than the one accepting or cashing the check (e.g. a paycheck).

Foreign check is a check written on a foreign bank (e.g., a Canadian bank) not specifically prepared as U.S. currency.

General

The vice president of finance and administration has delegated the authority and responsibility for establishing procedures for all receipt-handling activities to the director of treasury and student business services. In carrying out the responsibility for maintaining procedures for all receipt-handling activities-, the office of student business services is responsible to:

1. Establish and enforce procedures governing the receipt, handling, custody, and disbursement of funds.
2. Require the maintenance of records that account for funds received and paid by the university.
3. Establish and authorize procedures for granting, maintaining, and terminating the collection of university funds by a department, office, or affiliated organization that handles university receipts.

This policy is applicable to every university department, administrative office, and affiliated organization that handles receipts for any university-related function. The student business services office or audit services may perform periodic audits of any department or affiliated organization with university receipt-handling operations.

Any individual handling university receipts must remain familiar with the provisions of this policy, and ensure proper security and accountability. Due to the personal liability involved in performing receipt-handling functions, it is important that only authorized employees accept funds for university business. In rare instances, non-employees (i.e. students or volunteers) may be authorized to accept funds for the university if written approval is obtained from the director of treasury and student business services or their designee. In these cases, an employee is responsible for ensuring that these persons are properly trained and receipts are handled appropriately. All persons accepting funds for the university are required to appropriately safeguard, account for, and document all receipts received on behalf of the university. Applicable university discipline and/or discharge policies will be followed in the imposition of sanctions related to a violation of

this policy.

Segregation of Duties

Receipt-handling operations must be subject to daily supervisory review and management. To minimize the potential for mistakes or misappropriation of receipts, the segregation of receipt handling duties is recommended. The duties of collecting receipts, maintaining documentation, preparing deposits, and reconciling records should be separated among different individuals. In departments where the separation of duties is not feasible, strict individual accountability and thorough management supervision and review is required.

Written Departmental Procedures

In addition to the receipt-handling policies established in this document, each department that handles receipts is required to have its own internal procedures for receipts. Written procedures should minimally include authorization of person(s) to collect receipts; maintenance of receipt books; security and reconciliation of receipts; preparing, approving, and depositing receipts at the student business services office; over/short procedures; and a procedure to notify the appropriate campus authority in the event of a loss.

In addition, it is the responsibility of the department head or supervisor to ensure that all employees with receipt-handling responsibilities have receipt-handling duties included in their job description.

Safekeeping

Departments handling receipts are responsible for the safekeeping of these university assets. Physical security should be emphasized to every employee involved in receipt handling.

Prohibition Against Transactions Involving Family Members

Employees may not receipt, accept, or handle checks, cash, or deposits from a relative, as defined by policy 11.16, Nepotism. Family member status is not terminated by death or divorce.

Custodian Responsibilities

Custodians should be familiar with this policy and with Receipting Guidelines and Procedures found on the *Student Business Services website*.

The adequate and appropriate safekeeping of the university monies: While using cash funds for daily operational activities, procedures should be established to maintain a safe and secure working environment to ensure the safeguarding of funds and safety of personnel. Employees should be well informed of their responsibilities for handling cash and receipt transactions and being accountable for those funds. The custodian must see that appropriate internal control measures are enforced.

When not being used for operational activities, all cash and receipts should be kept in a safekeeping device, either a safe or locked container. Lock combinations and the custody of keys should be maintained by one person. These items should not be stored in an unlocked desk drawer or unsupervised area. For strictly emergency situations, the department head or other designated employee should have the safe combination or an extra set of keys.

Maintaining current and accurate records of the funds: The records should provide clear documentation of receipts from the time of collection to the time of deposit. This documentation should always be readily available for audit by the student business services office, internal or external auditors, or the department head. Specific information on appropriate documentation can be found in *Receipting Guidelines and Procedures*.

Overages and Shortages: Both overages and shortages should be noted and tracked by the custodian and then reviewed and certified by a supervisor or department head. Significant amounts *($25.00 or more)* should be immediately reported to the department head and the student business services office. If there appears to be a growing pattern or anything unusual or abnormal about the overages and shortages, that information must be disclosed immediately.

Refunds: Refunds cannot be made directly through the use of petty cash funds, change funds or funds received from cash receipts, unless specifically authorized by the student business services office. All refunds should be processed by the completion of a purchase voucher in adherence to the procedures as established by the procurement and business services office, depending upon the type of transaction involved. Petty cash funds, change funds, or funds received from cash receipts must not be used to reimburse employees for out-of-pocket expenditures. These reimbursements will be made in accordance with procedures developed by the procurement and business services office. All funds must be deposited into a university account before a department may use the receipted funds.

Training Requirements: Mandatory receipts training is required of all employees whose job duties include the acceptance, record keeping, and deposit of university receipts. Additionally, in accordance with policy 14.8, Payment Card Acceptance and Security, separate training is required for employees who handle payment cards. Receipts and payment card training is required on an annual basis and should be coordinated through the student business services office.

Cross Reference: Records Management (2.9); Payment Card Acceptance and Security (14.8); Returned Payments (3.27); Nepotism (11.16)*; Safe and Vault Combinations (14.9)*

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Treasury and Student Business Services

Forms: None

Board Committee Assignment: Finance and Audit Committee

Revision History: April 11, 2022
January 29, 2019
April 25, 2017
April 15, 2014
October 22, 2012
July 19, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Safe and Vault Combinations

Policy Number: 14.9

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy requires current combinations for safes or vaults holding cash, checks, or other valuables to be on file in the office of the vice president for finance and administration.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: No changes.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Safe and Vault Combinations

Original Implementation: Unpublished
Date of Last Revision: January *30*~~28~~, 202~~0~~*3*

Purpose

This policy requires current combinations for safes or vaults holding cash, checks, or other valuables to be on file in the office of the vice president for finance and administration.

General

The department head must submit a memorandum indicating the location of the safe or vault, the combination, date of last combination change if known, and the names of all employees who have access to the combination. The memorandum must be delivered to the vice president for finance and administration in a manner such that no unauthorized person is able to access the confidential information.

The vice president for finance and administration must be notified when changes are made to safe or vault combinations, when a safe or vault is moved or transferred to another department, or when a safe or vault is removed from university property records. Safe and vault combinations must be changed anytime an employee who knows the combination terminates employment or is transferred.

Annually, the vice president for finance and administration will request the safe or vault custodian in each department to verify the information on file.

Cross Reference: None

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 Committee

Revision History: January 28, 2020
January 31, 2017

January 28, 2014
January 25, 2011

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Student Fiscal Appeals

Policy Number: 6.19

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/28/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes the process of evaluation and resolution of all student fiscal appeals.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Updates correspond with procedure on SBS Forms website.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Michaelyn Greene, Director of Treasury and Student Business Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Student Fiscal Appeals

Original Implementation: January 30, 2007
Last Revision: January ~~28, 2020~~*30, 2023*

Purpose

This policy establishes the process of evaluation and resolution of all student fiscal appeals.

General

An independent~~The~~ Fiscal Appeals Panel will consider appeals related to Stephen F. Austin State University (SFA) fiscal policy as it applies to student charges. The *confidential* panel will be appointed by the vice president for finance and administration~~, chaired by the bursar,~~ and include academic and administrative representation. The panel will make its decision based on the ~~written~~ information *provided*~~submitted~~.

Appeals will be considered when a student believes that extenuating circumstances justify removal or modification of charges. Appeals must be submitted in written form and must be based on extenuating circumstances, such as (but not limited to) catastrophic illness *in the family*, ~~injury,~~ death in the family, or ~~*economic hardship*call up for military service~~. Appeals of the penalty for excessive time to graduation and repetition of a course may be based on economic hardship for the student, and will be considered on a case~~--~~by~~--~~case basis. Appeals pertaining to the requirements to maintain eligibility for certain exemptions and waivers may also be based on economic hardship for the student or other good cause, and will be considered on a case~~--~~by~~--~~case basis.

Unless there are extenuating circumstances, appeals should be filed within 60 days of the date of the charge on the student's account that the student is requesting to appeal. Appeals will be considered only for the specific charge and specific term for which the appeal is requested.

The following may be appealed to the panel: penalty for excessive time to graduation (the 30 and 45-hour rule), extenuating circumstances culminating in withdrawal, late add fee, reinstatement fee, $1,000 tuition rebate, penalty for repetition of a course more than twice (3-peat), and ~~loss of~~ eligibility for certain exemptions and waivers.

Specific *procedures* for making an appeal are found *on the* ~~in the Student Fiscal Appeals Guidelines, Procedures, and Form located on SFA's business office~~*Student Business Services* website *on the Forms link* and at the ~~business~~ *Student Business Services* office.

Cross Reference: Tex. Educ. Code § 54.014, .2001; 19 Tex. Admin. Code § 13.108; Tuition Rebate (6.21); Student Fiscal Appeal~~s Guidelines, Procedures, and~~ Form

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: ~~Controller~~*Director of Treasury and Student Business Services*

Forms: Student Fiscal Appeal Form ~~(part of the Student Fiscal Appeals Guidelines, Procedures, and Form)~~*, Student Fiscal Appeals Guidelines and Procedures*

Board Committee Assignment: Finance and Audit Committee

Revision History: January 28, 2020
January 31, 2017
January 28, 2014
October 22, 2012
April 17, 2012
January 25, 2010

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Student and Non-Student Accounts Receivable

Policy Number: 3.28

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 4/11/2022

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

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

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for <u>each</u> substantive revision: Text clarification.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Michaelyn Greene, Director of Treasury and Student Business Services
Judi Kruwell, Associate Vice President for Finance and Administration
Gina Oglesbee, Vice President for Finance and Administration
Damon Derrick, General Counsel

Student and Non-Student Accounts Receivable

Original Implementation: July 15, 2008
Last Revision: ~~April 11, 2022~~ *January 30, 2023*

Purpose

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

General

Procedures will be maintained by the office of student business services, for at least the following:

- to ensure that the requested extension of credit is not a prohibited transaction.
- to ensure that any extension of credit (installment plan contract or repayment agreement) is done ~~so~~ in a prudent manner~~, including the use of standardized credit applications and legal authority required for approval of the requested credit~~.
- to analyze whether credit should be extended to students who are in default on other obligations or for whom previous obligations have been written off as uncollectible. If a student account is past due, a transcript and registration hold will be placed on the account.
- for managing and monitoring the billing and collection activities on student accounts.
- for recording and monitoring student billing and subsequent payments received on student accounts.
- to ensure that amounts reported as receivables on the financial statement are recorded in accordance with generally accepted accounting principles.

Criteria for Recognizing an Account Receivable

A student account receivable ~~or~~ will be recognized (recorded in the university's financial records) when:

- a student has enrolled for classes at the university or has been registered for classes by the university;

- a student has incurred charges for costs associated with attendance (tuition, fees, housing and meal charges, post office charges, book purchases, parking permits and fines, etc.) from which a benefit to the student is derived;
- payment is *expected*~~due~~ to the university from the student or a third party;
- payment has not been received (collected) by the university from the student or third party;
- the account receivable does not represent an extension of credit that is prohibited by law; and~~,~~
- the recording is deemed to be appropriate by the university's fiscal officers.

A non-student account receivable will be recognized (recorded in the university's financial records) when:

- *a charge has been incurred by a non-student for university goods or services;*
- *payment is expected to the university;*
- *payment has not been received (collected) by the university; and*
- *the recording is deemed to be appropriate by the* ~~*univerisity's*~~*university's fiscal officers.*

Recording an Account Receivable in the Financial Records

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

In the event that a student withdraws during the semester, the student charges will be adjusted in accordance with state law.

A non-student accounts receivable will be recorded in the financial records by the office of financial reporting. The department responsible for the accounts receivable should maintain records and send timely information to the office of financial reporting.

Reconciling Accounts Receivable

The office of student business services maintains records of student accounts receivable and prepares a reconciliation of the student receivable records and the financial accounting records on a timely basis.

The office of financial reporting reconciles the non-student records provided by the responsible

department.

Aging Accounts Receivable

The office of student business services also maintains an aging schedule for all student accounts receivable *and non-student accounts receivable* with the total of the aging schedule balanced to the total recorded accounts receivable. At year end, the aging schedule may be analyzed to aid in the process of the calculation of the allowance for doubtful accounts.

Collecting Accounts Receivable

Guidelines and procedures for collection of delinquent accounts will be maintained by the office of student business services.

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

- the account balance is at least 30 days old;
- the debtor has not exhibited concern regarding the delinquent account (i.e., requested a repayment agreement); and,
- the debtor is not an active student.

An account will be considered delinquent if it is past due.

Billing and Collection Activity on Delinquent Accounts or Accounts in Default

Active Students: Active students will be billed throughout the term with due dates set by the office of student business services. Students may be assessed penalties for late payments, but will not be turned over for collection in the term if they are actively enrolled.

Inactive Students: Delinquent accounts will be analyzed and processed on a regular basis. Any general deposits will be applied to inactive students' outstanding balances to defray the amounts due to the university. As appropriate, delinquent accounts on inactive students will be subject to collection activity. Attempts will be made to contact students before delinquent accounts are turned over to collections. Students will not be assessed collection agency fees or collection costs if they ~~make a payment or~~ set up a repayment agreement *with reoccurring payments* prior to the account being turned over to a collection agency. Collection agency fees assessed to the student will be negotiated in advance by the university and approved by the Texas Attorney General's office. Additionally, accounts may also be reported to the Texas Comptroller of Public Accounts as authorized by Texas Government Code § 403.055 to ensure that no treasury warrants are issued or payments are paid to the debtor until the debt is paid.

If a debtor with a delinquent account establishes a repayment agreement *with ~~reoccurring~~recurring payments* and makes scheduled payments towards the balance ~~within one of the warning periods~~, the debtor will be treated as an "active" student and will not be turned over to a collection agency unless monthly payments cease before the account balance is paid in full. *Once an account has been placed with collections, payments may not be accepted at the university.* If the account is turned over for collection, collection costs, collection agency fees and/or attorney fees will apply. There will be transcript and registration holds placed on the student's account until the balance has been paid in full.

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

Write-Off of an Uncollectible Account

The university will establish procedures to determine when the write-off of an uncollectible account will occur. These write-off procedures will consider both the age of the account and the amount due from the student.

Allowance for Doubtful Accounts

The university records an allowance for doubtful accounts on past due accounts. Prior to closing each fiscal year's books, the office of student business services and office of financial reporting will analyze and adjust the allowance for doubtful accounts, with offsets to the appropriate revenue accounts or bad debt expense, in accordance with accounting guidelines. An allowance for doubtful accounts will be set up as a contra-receivable in the general ledger.

Cross Reference: Texas Comptroller of Public Accounts Fiscal Policies and Procedures, Accounting for Uncollectible Accounts (APS 027); Tex. Gov't Code § 403.055; Ch. 2107; Tex. Educ. Code § 54.006

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Treasury and Student Business Services

Forms: None

Board Committee Assignment: Finance and Audit Committee

Revision History: April 11, 2022
January 29, 2019
January 26, 2016
April 14, 2015
April 17, 2012
July 19, 2011

Reports

- President
- Faculty Senate
- Staff Council
- Student Government Association

FACULTY SENATE CHAIR – DR. CHRIS MCKENNA

Christopher J. McKenna is an Associate Professor in the Department of Business Communication and Legal Studies at Stephen F. Austin State University. He has been awarded PhD and Master's degrees in English from the University of North Carolina at Chapel Hill and a BA in English and Economics from the University of Virginia. In addition to his academic career, Dr. McKenna spent over two decades as a financial-technology programmer, analyst, and manager at several world-class banks, broker-dealers, consulting firms, and hedge funds both domestically and abroad.

FACULTY SENATE REPORT

Presenter: Chris McKenna, Faculty Senate Chair

Report Topic:

- Student Recognitions

Faculty Senate Presentation

Public Recognitions…

…of Student Citizens…

…(and a Challenge).

Chris McKenna
© 2023

Jan-2023

Student Citizen #1

Malisia Callahan



Student Citizen #2

Kristen Baker



Student Citizen #3

Noah Cutler



STAFF COUNCIL – ALISON REED, CHAIR

Alison Reed serves as the Interim Director of the Center for Teaching & Learning (CTL) and the 2022-2023 Chair of Staff Council.

Alison joined the CTL team in January of 2019. In her role as interim director, she is responsible for the long-term planning for and day-to-day administration of the Center. Alison concurrently serves as the Learning Experience Design Coordinator for the Center. In this role, she is responsible for overseeing and supporting learning experiences in face-to-face and distance education, as well as coordinating distance education activities for the university.

Prior to becoming the LxD Coordinator, Alison served as the CTL's Distance Education Coordinator for two years. Over the last decade, Alison has worn many hats at SFA. She has worked with SFA's international students by assisting in admissions and immigration support in the Office of International Programs. After completing her degree at SFA, Alison fell in love with early childhood education, and began teaching at the SFA Early Childhood Lab in the Pre-K I classroom. She later joined the Human Resources Department, where she implemented online training reconciliation and outlined compliance reporting procedures as well as providing compensation and classification support.

Alison holds a Master of Education in Teaching and Learning with a focus in Online Teaching and Technology and a B.S. in Child and Family Development with a minor in Early Childhood Education from Stephen F. Austin State University.

STAFF COUNCIL REPORT

Presenter: Alison Reed

Report Topics:

Fall 2022 Activities
Spring 2023 Initiatives

Staff Council Report

Monday, January 30, 2023

Since We Last Met

Quantifying progress in four short months...

Staff Council

2
Council meetings held

120+
meeting attendees

4
staff members recognized

$3,000
awarded

6
committees at work

4
bylaws amendments

Topics of Significance

Focusing our efforts on what matters most...

Staff Council

President's Achievement Award

Staff Equity & Merit Policies

Communication & Connection

System Affiliation

Presidential Search

Compensation Increases

Our Next Steps

What to expect from Staff Council in the coming months...

Staff Council



Increasing staff recognition efforts.



Ensuring consideration of staff expertise during system affiliation.



Listening to the needs of our constituents.

Questions?



SGA PRESIDENT – MADISON GARTMAN

Madison Gartman is a fourth-generation lumberjack, majoring in Agribusiness with a minor in Pre-Law. She is a Senior on a five-year track. After graduation, Madison plans to attend a Texas Law School to specialize in property and agriculture law. Madison is passionate about policy and all things agriculture. In her free time, she helps young agriculturists with livestock projects, public speaking, and leadership opportunities.

SGA COMMUNICATIONS DIRECTOR – NATHAN LYONS

Nathan Lyons is a junior from Lufkin and is majoring Political Science.

STUDENT GOVERNMENT ASSOCIATION REPORT

Presenter: Madison Gartman and Nathan Lyons

Report Topics:

- Passed Legislation
- SGA Week
- Chamber Days in Austin
- Community Service
- Senatorial Elections and upcoming Presidential Elections

PRESIDENT'S REPORT

Presenter: Steve Westbrook, University President

Report Topics:

Vice President for Enrollment Management
Vice President for Student Affairs
Legislative Session Update
Purple Promise
Affiliation Transition
Capital Campaign