



REPORT TO THE BOARD OF REGENTS

March 23, 2022

Meeting 354

**STEPHEN F. AUSTIN
STATE UNIVERSITY**

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EXECUTIVE SESSION

Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to reported complaints, EEOC charges, Public Information Act, <i>Ann Wilder v. SFASU</i> ; <i>Christin Evans v. Sydney Miley, et al.</i> and <i>Marlene Kahla, Ph.D. v. Board of Regents of Stephen F. Austin State University, et al.</i> (Texas Government Code, Section 551.071)	47
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Stephen F. Austin State University

Board of Regents

Meeting 354

March 23, 2022

OPEN MEETING NOTICE

**Stephen F. Austin State University
Board of Regents Board Meeting and Committee Meetings
Nacogdoches, Texas
March 23, 2022
Meeting 354
Austin Building, Room 307**

The Board of Regents of Stephen F. Austin State University will convene a one-day Board Meeting and Committee Meetings on March 23, 2022 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>.

WEDNESDAY, March 23, 2022

1:30 p.m.

CALL TO ORDER IN OPEN SESSION

Welcome and Introductions

RECESS TO COMMITTEE MEETINGS

MEETING OF THE BUILDING AND GROUNDS COMMITTEE

(Scheduled for approximately 1:35 p.m. or following the previous reports)

Facilities Tour of Residence Halls and the Miller Science Building.

Presentation and Committee Action on Agenda Items 8-9:

Report: Construction Report

8. LaNana Creek Trail – Advanced Agreement for the 2019 Safe Routes to School/Transportation Alternatives Grant Program

Report: Capital Improvements Plan Kirksey Report Overview

9. Building and Grounds Policy Revisions

Campus Programs for Minors 13.5

Markers, Monuments and Artwork 16.17

Skating, Skateboarding and Motorized Scooters 13.20

Solicitation on Campus 16.25

Space Assignment, Management and Planning 16.3

Report: Intercollegiate Athletic Advisory Committee Report

EXECUTIVE SESSION

(Scheduled for approximately 5:00 p.m.)

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

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*; and *Marlene Kahla, Ph.D. v. Board of Regents of 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 chief audit executive, 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 president. (Texas Government Code, Section 551.074)

RECONVENE BOARD MEETING IN OPEN SESSION

(Scheduled for approximately 7:00 p.m.)

ESTIMATED ADJOURNMENT OF BOARD MEETING

(Scheduled for approximately 7:00 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 354
March 23, 2022**

ROLL CALL

Regents

Karen Gantt, Chair
Tom Mason, Vice Chair
Jenn Winston, Secretary
David Alders
Robert Flores
Brigittee Henderson
Judy Olson
Laura Rectenwald
Nancy Windham
Spencer Coffey, Student Member

Administrators

Scott Gordon
Damon Derrick
Gina Oglesbee
Erma Brecht
Michara DeLaney-Fields
Anthony Espinoza
Brandon Frye
Graham Garner
Ryan Ivey
Judi Kruwell
Lorenzo Smith
Jill Still
Charlotte Sullivan



Building and Grounds Committee

Stephen F. Austin State University

Building and Grounds Committee

Tour of Facilities

Wednesday, March 23, 2022

Schedule

1:35 p.m. Travel from Austin Building to Kerr Hall
 . Tour Hall 10
 Tour North Hall
 Tour Lumberjack Village and Clubhouse
3:00 p.m. Tour Miller Science
3:30 p.m. Return to Austin Building

Golf Carts will be provided and driven by UPD.

Tours to be provided by:

Dr. Brandon Frye
Ms. Carrie Charley
Dr. Kimberly Childs
Dr. Wes Brown
Dr. Kevin Langford



CONSTRUCTION UPDATE

Stephen F. Austin State University

**Board of Regents
Building and Grounds Committee**

March 23, 2022



Construction Update

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Homer Bryce Turf and Track Replacement	10
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March 23, 2022

Construction Summary

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Project status current as of February 28, 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	N/A	HEF	\$ 4,500,000	\$ 1,314,166	\$ -	\$ 1,314,166	\$ 3,185,834	0%	UNK
College of Fine Arts Expansion	Dec '20	Revenue Financing Bonds	\$ 50,000,000	\$ 18,569,888	\$ 29,284,227	\$ 47,854,115	\$ 2,145,885	57%	Feb '23
Basketball Practice Facility	Jul '19	Revenue Financing Bonds	\$ 29,232,845	\$ 26,643,613	\$ 2,538,371	\$ 29,181,983	\$ 50,862	100%	Oct '21
Capital Improvements Plan	N/A	Revenue Financing Bonds	\$ 200,000	\$ -	\$ 199,850	\$ 199,850	\$ 150	-	-
Power Plant 1 Upgrade	Oct '20	HEF	\$ 3,500,000	\$ 3,146,848	\$ 350,009	\$ 3,496,857	\$ 3,143	100%	Oct '21
Music and Boynton Utility System Upgrade	Jun '21	HEF	\$ 2,000,000	\$ 1,244,426	\$ 755,571	\$ 1,999,998	\$ 2	89%	Apr '22
Culinary Café Relocation and Renovation	Oct '20	HEF Fund Balance	\$ 1,500,000	\$ 1,203,229	\$ 289,174	\$ 1,492,403	\$ 7,597	99%	Jan '22
Education & General Roof Replacement & Repair	Feb '21	HEF	\$ 600,000	\$ 506,552	\$ 86,450	\$ 593,002	\$ 6,998	77%	Jul '22
Homer Bryce Turf & Track Replacement	Jun '21	Donated Funds	\$ 1,400,000	\$ 1,172,243	\$ 174,707	\$ 1,346,950	\$ 53,050	100%	Dec '21
Shelton Gym Air Handler Replacement	TBD	HEF	\$ 675,000	\$ -	\$ 349,589	\$ 349,589	\$ 325,411	0%	TBD
Totals			\$ 93,607,845	\$ 53,800,965	\$ 34,027,948	\$ 87,828,913	\$ 5,778,932		

*2019 Residence Hall / Dining Hall Bond available balance of \$39,220,53.02

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Construction Summary

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Campus Space Realignment and Renovation***Board Order 18-32*****Project Team**

Owner's Rep:	Physical Plant
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:	\$4,500,000.00

Construction Details

Notice to Proceed:	N/A
Percent Complete:	0%
Substantial Completion:	unknown
Guaranteed Max Price:	n/a

Project Update

- On hold, pending further administrative direction
- Board Order 22-33, \$1,310,000 for IT Infrastructure Refresh

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
4,500,000.00	1,314,165.73	0.00	1,314,165.73	3,185,834.27

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Construction Summary

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College of Fine Arts Expansion***Board Order 20-10*****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

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: \$50,000,000.00
 Increased from \$37,000,000 to \$50,000,000 *Board Order 20-10*

Construction Details

Notice to Proceed: Dec-2020
 Percent Complete: 57%
 Substantial Completion: Feb-2023
 Guaranteed Max Price: \$41,956,925.00
 \$779,838.65 Phase I: Demolition & Abatement
 \$41,177,086.35 Phase II: Building Construction

Project Update

- Coordinating furniture, fixtures, and equipment, in preparation of procurement
- Synchronizing tie in to central plant
- Building expected to open Fall 2023

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
50,000,000.00	18,569,888.33	29,284,226.90	47,854,115.23	2,145,884.77

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Construction Summary

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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	<i>Board Order 19-38</i>
Project Approval:	Jul-2019	
Project Budget:	\$29,232,845	
	Increased from \$26,000,000 to \$28,500,000	<i>Board Order 20-22</i>
	Increased from \$28,500,000 to \$29,232,845	<i>Board Order 21-27</i>

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

Project Update

- Finalizing punch list tasks and additional facility needs
- Closeout in process
- External audit pending

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
29,232,845.00	26,643,612.83	2,538,370.55	29,181,983.38	50,861.62

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Construction Summary

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Capital Improvements Plan***Board Order 22-24*****Project Team**

Owner's Rep:	Physical Plant
Design & Engineering:	Kirksey Architecture + Team
Contractor:	-
Project Support:	-

Scope of Work

Replace air handler for Shelton Gym.

Project Details

Funding Source:	Revenue Financing Bonds
Project Approval:	Jan-2022
Project Budget:	\$200,000.00

Construction Details

Notice to Proceed:	-
Percent Complete:	-
Substantial Completion:	-
Guaranteed Max Price:	-

Project Update**Cost Analysis**

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
200,000.00	0.00	199,850.00	199,850.00	150.00

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Construction Summary

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Power Plant 1 Upgrade***Board Order 19-54*****Project Team**

Owner's Rep:	Physical Plant
Design & Engineering:	Two Fifteen Engineering & EMA Engineering
Contractor:	Core Construction
Project Support:	Gessner Engineering

Scope of Work

Work includes upgrades to the utility distribution system with additional lines and HVAC equipment Power Plant 1 to support the fine arts project and provide additional utility support capacity.

Project Details

Funding Source:	HEF	<i>2019-20 Capital Budget</i>
Project Approval:	Jul-2019	
Project Budget:	\$3,500,000.00	

Construction Details

Notice to Proceed:	Oct-2020
Percent Complete:	100%
Substantial Completion:	Oct-2021
Guaranteed Max Price:	n/a

Project Update

- Pending final payment on phase of work

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
3,500,000.00	3,146,847.81	350,008.76	3,496,856.57	3,143.43

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Construction Summary

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Music & Boynton Utility System Upgrade**Board Order 20-68****Project Team**

Owner's Rep:	Physical Plant
Design & Engineering:	Two Fifteen Engineering & EMA Engineering
Contractor:	Core Construction
Project Support:	Gessner Engineering

Scope of Work

This project provides additional support for the Power Plant 1 expansion project and the expanded fine arts facilities. This project will add an additional chiller to Power Plant 1, remove the old energy inefficient equipment in both Boynton and Music buildings, and connect both buildings to the hydronic piping system. Site work, installation, and flood mitigation will be included in the utility infrastructure upgrade.

Project Details

Funding Source:	HEF
Project Approval:	Jul-2021
Project Budget:	\$2,000,000.00

Construction Details

Notice to Proceed:	Jun-2021
Percent Complete:	89%
Substantial Completion:	Apr-2022
Guaranteed Max Price:	n/a

Project Update

- Final connection underway
- Material delay
- Parking lot build-back end of April / early May

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
2,000,000.00	1,244,426.35	755,571.39	1,999,997.74	2.26

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Construction Summary

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Culinary Café Relocation & Renovation***Board Order 19-54*****Project Team**

Owner's Rep: Physical Plant
 Design & Engineering: GLS
 Contractor: Vaughn Construction
 Project Support: Two Fifteen Engineering, Gessner Engineering, Cox Construction

Scope of Work

Work includes renovation of the residence located at 1401 Mound Street and relocation of the Culinary Café from its current location in the College of Education Annex.

Project Details

Funding Source: HEF Fund Balance *2019-20 Capital Budget*
 Project Approval: Jul-2019
 Project Budget: \$1,500,000.00

Construction Details

Notice to Proceed: Oct-2020
 Percent Complete: 99%
 Substantial Completion: Jan-2022
 Guaranteed Max Price: n/a

Project Update

- Coordinating warranty items and delayed material arrivals
- Finalizing landscape & hardscape
- Processing final payments
- Final project closeout expected April 2022

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
1,500,000.00	1,203,228.89	289,174.35	1,492,403.24	7,596.76

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Construction Summary

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Education and General Roof Replacement & Repair *Board Order 20-69***Project Team**

Owner's Rep: Physical Plant
 Design & Engineering: n/a
 Contractor: Vaughn Construction, Reneau Roofing, Carney Roofing
 Project Support: n/a

Scope of Work

The Lucille E. Norton Health and Physical Education (HPE) Building and complex contains the Kinesiology Department and serves as the hub for various university functions. The 70,000 square foot building was last reroofed in 1985, the warranty is expired, and it is nearing the end of its useful life. The board approved to split the re-roofing in two phases to spread the cost of a period of years. In addition, various E&G roofs require more than regular preventative maintenance to extend their life.

Project Details

Funding Source: HEF
 Project Approval: Jul-2020
 Project Budget: \$600,000.00

Construction Details

Notice to Proceed: Feb-2021
 Percent Complete: 77%
 Substantial Completion: Jul-2022
 Guaranteed Max Price: n/a

Project Update

- McGee low roof replacement and main roof repairs
- McKibben roof repairs
- HPE partial replacement, partial repair
- Tucker House roof and gutter replacement
- Various other E&G repairs
- Project extension for additional repairs & replacements on HPE

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
600,000.00	506,552.00	86,450.00	593,002.00	6,998.00

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Construction Summary

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Homer Bryce Turf & Track Replacement***Board Order 21-73*****Project Team**

Owner's Rep:	Physical Plant
Design & Engineering:	n/a
Contractor:	Symmetry Sports Construction
Project Support:	n/a

Scope of Work

The artificial turf football field and track at Homer Bryce Stadium has significant wear and tear issues and needs to be replaced. This project will replace the Homer Bryce Stadium football field artificial turf and the Fletcher Garner track using 100-percent private-donated funds.

Project Details

Funding Source:	Donated Funds
Project Approval:	Apr-2020
Project Budget:	\$1,400,000.00

Construction Details

Notice to Proceed:	Jun-2021
Percent Complete:	100%
Substantial Completion:	Dec-2021
Guaranteed Max Price:	n/a

Project Update

- Received final warranty
- Pending final payment / release of retainage

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
1,400,000.00	1,172,243.00	174,707.00	1,346,950.00	53,050.00

March 23, 2022

Construction Summary

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Shelton Gym Air Handler Replacement***Board Order 21-73*****Project Team**

Owner's Rep: Physical Plant
 Design & Engineering: -
 Contractor: ArklaTex Mechanical
 Project Support: -

Scope of Work

Replace air handler for Shelton Gym.

Project Details

Funding Source: HEF *2020-21 Capital Budget*
 Project Approval: Jul-2021
 Project Budget: \$675,000.00

Construction Details

Notice to Proceed: -
 Percent Complete: 0%
 Substantial Completion: TBD
 Guaranteed Max Price: -

Project Update

- Equipment ordered

Cost Analysis

Project Budget	Expenditures	Encumbered	Total to Date	Avail Balance
675,000.00	0.00	349,589.00	349,589.00	325,411.00

LANANA CREEK TRAIL – ADVANCED FUNDING AGREEMENT FOR THE 2019
SAFE ROUTES TO SCHOOL/TRANSPORTATION ALTERNATIVES GRANT
PROGRAM

Explanation:

In July 2019, the Board of Regents approved Board Order 19-51, authorizing the submission of four grant applications to the Texas Department of Transportation (TxDOT) Safe Routes to School / Transportation Alternatives (SRTS/TA) Grant Program to construct and enhance pedestrian sidewalks, trails, and bicycle paths, including the Lanana Creek Trail project with a total projected cost of \$1,742,889, of which the university would be responsible for twenty percent (\$348,578). Due to construction escalation costs, TxDOT increased the total projected cost to \$1,811,274. This increased the university's contribution to \$362,255. In April 2021, the Board of Regents approved Board Order 21-48, revising the university's contribution.

On April 29, 2021, the Texas Transportation Commission approved funding for the Lanana Creek Trail TA project. The university is required to execute an Advanced Funding Agreement (AFA) with TxDOT. The AFA is a contract that outlines the specific terms and conditions of the grant-funded project. The grant requires a twenty percent local match of \$362,255. TxDOT is contributing \$217,000 towards the local match, leaving the university to contribute the remaining \$145,255 to complete the twenty percent match.

Recommendation:

The administration recommends approval to execute an Advanced Funding Agreement with TxDOT and commitment of a \$145,255 cash match in support of the grant funded project. The administration further recommends the remaining balance of \$217,000 from the previously approved \$362,255 contribution be made available for any additional costs associated with the project, including but not limited to addition of appropriate health and safety features. The administration further recommends authorization of the president to sign all associated purchase orders and contracts as necessary.

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:

- Campus Programs for Minors 13.5
- Markers, Monuments and Artwork 16.17
- Skating, Skateboarding and Motorized Scooters 13.20
- Solicitation on Campus 16.25
- Space Assignment, Management and Planning 16.3

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Campus Program for Minors

Policy Number: 13.5

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

Date of last revision, if applicable: April 30, 2019

Unit(s) Responsible for Policy Implementation: Vice President of Student Affairs; Campus Living, Dining, and Auxiliary Services

Purpose of Policy (what does it do): The purpose of the Campus Program for Minors is to educate University employees and volunteers of such programs by establishing requirements relating to sexual abuse and child molestation training and examination. The proposed rules are necessary to comply with Senate Bill (SB) 1414, 82nd Legislature, Regular Session, 2011, which amended Texas Education Code, Section 51.976.

The rules will impose a requirement for all staff or volunteers in a position involving contact with campers at a campus program for minors to successfully complete an approved training and examination program on sexual abuse and child molestation; establish criteria for a training and examination program on sexual abuse and child molestation; require a training and examination program on sexual abuse and child molestation to be approved by DSHS; and provide civil penalties for a person violating the Act or a rule or order adopted under the Act.

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: The reviewers revisited the Texas Education Code Title 3, Subtitle A, Chapter 51, Subchapter Z and made clarifications and corrections to the policy definitions and code language.

Specific rationale for deletion of policy:

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

Additional Comments:

Reviewers:

Student Affairs Policy Review Committee

Carrie Charley, Executive Director , Campus Living, Dining & Auxiliaries

Brandon Frye, Vice President of Student Affairs

Damon Derrick, General Counsel

Campus Programs for Minors

Original Implementation: April 23, 2013

Last Revision: April 30, 2019/12, 2022

Stephen F. Austin State University is committed to providing a safe environment for its students, employees and guests. The university sponsors programs on campus ~~from time to time that~~ *that at times involve minors as participants. Campus shall mean all real property over which the university has possession and control by law.* In addition, the university may grant use of its facilities to third parties for programs that involve minors *as participants*. This policy provides for regulation of these campus programs for minors (CPM).

Definitions: ~~As detailed in Texas Education Code, Chapter 51, Subchapter Z, §51.976~~

Abuse – includes the following acts or omissions by a person:

- a. mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development or psychological functioning;
- b. causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child's growth, development or psychological functioning;
- c. physical injury that results in substantial harm to the child or the genuine threat of substantial harm from physical injury to the child, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent, guardian or managing or possessory conservator that does not expose the child to a substantial risk of harm;
- d. failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child;
- e. sexual conduct harmful to a child's mental, emotional or physical welfare, including conduct that constitutes the offense of continuous sexual abuse of a young child or ~~children~~ *disabled individual* under Section 21.02, Penal Code, indecency with a child under Section 21.11, Penal Code, sexual assault under Section 22.011, Penal Code, or aggravated sexual assault under Section 22.021, Penal Code;
- f. failure to make a reasonable effort to prevent sexual conduct harmful to a child;
- g. compelling or encouraging the child to engage in sexual conduct as defined by Section 43.01, Penal Code, including compelling or encouraging the child in a manner that constitutes an offense of trafficking of persons under Section 20A.02(a)(7) or (8), Penal Code, *solicitation of* prostitution under Section 43.02(b)(1), Penal Code, or compelling prostitution under Section 43.05(a)(2), Penal Code;
- h. causing, permitting, encouraging, engaging in or allowing the photographing, filming or depicting of the child if the person knew or should have known that the resulting photograph,

- film or depiction of the child is obscene as defined by Section 43.21, Penal Code, or pornographic;
- i. the current use by a person of a controlled substance as defined by Chapter 481, Health and Safety Code, in a manner or to the extent that the use results in physical, mental or emotional injury to a child;
- j. causing, expressly permitting or encouraging a child to use a controlled substance as defined by Chapter 481, Health and Safety Code;
- k. causing, permitting, encouraging, engaging in or allowing a sexual performance by a child as defined by Section 43.25, Penal Code;
- l. knowingly causing, permitting, encouraging, engaging in or allowing a child to be trafficked in a manner punishable as an offense under Section 20A.02(a)(5), (6), (7) or (8), Penal Code, or the failure to make a reasonable effort to prevent a child from being trafficked in a manner punishable as an offense under any of those sections; or
- m. forcing or coercing a child to enter into a marriage.

Campus Program for Minors (CPM) – programs that:

- a. include participants who are minors;
- b. are operated by or on the campus of the university, including programs operated by third parties;
- c. offer recreational, athletic, religious, or educational activities to participants for all or part of at least two (2) days.

Contact With Minor(s) – in the context of an employment or volunteer position described in this policy, interaction with minors that is direct and reasonably anticipated. The term does not include interaction that is merely incidental, or an employee or volunteer acting as a guest speaker, entertainer, or fulfilling any other role whose attendance at the campus program for minors is for a limited purpose or limited time if the employee or volunteer has no direct or unsupervised interaction with campers.

Minor – a child, under the age of 18, who is attending a campus program for minors.

Neglect — *an act or failure to act by a person responsible for a child's care, custody, or welfare evidencing the person's blatant disregard for the consequences of the act or failure to act that results in harm to the child or that creates an immediate danger to the child's physical health or safety and includes:*

- a. the leaving of a child in a situation where the child would be exposed to *an immediate danger* ~~or~~ substantial risk of physical or mental harm, without arranging for necessary care for the child and the demonstration of an intent not to return by a parent, guardian or managing or possessory conservator of the child;
- b. the following acts or omissions by a person:

1. placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child's level of maturity, physical condition or mental abilities and that results in bodily injury or *an immediate danger*/~~a substantial risk of immediate~~ harm to the child;
 2. failing to seek, obtain or follow through with medical care for a child, with the failure resulting in or presenting *an immediate danger*/~~a substantial risk of death, disfigurement or bodily injury~~ or with the failure resulting in an observable and material impairment to the growth, development or functioning of the child;
 3. the failure to provide a child with food, clothing or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services had been offered and refused;
 4. placing a child in or failing to remove the child from a situation in which the child would be exposed to *an immediate danger*/~~a substantial risk of sexual conduct harmful to the child~~; or
 5. placing a child in or failing to remove the child from a situation in which the child would be exposed to acts or omissions that constitute abuse under "Abuse" definitions (e), (f), (g), (h) or (k) committed against another child.
- d. the failure by the person responsible for the child's care, custody, or welfare to permit the child to return to the child's home without arranging for the necessary care for the child after the child has been absent from the home for any reason, including having been in residential placement or having run away; or
 - e. a negligent act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program, including failure to comply with an individual treatment plan, plan of case, or individualized service plan, that causes or may cause substantial emotional harm or physical injury to, or the death of, a child served by the facility or program as further described by rule or policy.

Neglect does not include the items specified under Tex. Family Code § 261.001(4)(B).

Reporting Neglect or Abuse

A person having cause to believe that a minor has been abused or neglected by any person shall immediately (within 48 hours) make a report to the University Police Department or other local law enforcement agency. This legal requirement must be communicated to all individuals participating in the management/supervision of CPMs and employees and volunteers of third-party camps utilizing university facilities.

Procedures for Campus Programs for Minors

The university will adopt a procedure for CPMs that will include, but not be limited to, the following:

- a. *For the purposes of this policy, this designee is the Coordinator for Camps and Conferences and can be contacted at reservations@sfasu.edu*~~A designee(s) who is authorized to review and approve camps and programs for minors on behalf of the university;~~
- b. Procedures for reporting suspected abuse/molestation of minors;
- c. A requirement to purchase medical coverage through the university camp insurance program and to provide evidence of liability insurance endorsing sexual molestation coverage and listing the university as additionally insured at levels approved by and meeting the standards of Environmental Health, Safety, & Risk Management.
- d. Payment of required CPM administration fees as may be assessed.

Required Training

This policy requires child abuse prevention training for employees/volunteers of CPMs and establishes standards for such camps and programs. *Training will not be required for university employees or third party personnel whose positions of employment do not involve contact with minors at a CPM.*

An individual hired or assigned to an employee or volunteer position involving contact with minors at a camp and program for minors is required to complete training and examination on sexual abuse and child molestation meeting the following criteria:

- a. Successful completion of a Child Protection Training course approved by the Texas Department of State Health Services.
- b. Training must be completed prior to the employees' or volunteers' interacting with minors.
- c. A certificate of completion shall be kept on file for two years *by the program's operator (i.e., camp director).*
- d. Employees or volunteers of third-party camps using university facilities may substitute the university-approved training course with an approved course as listed with the Texas Department of State Health Services.
- e. ~~Training will not be required for university employees or third party personnel whose positions of employment do not involve contact with minors at a CPM.~~

Cross Reference: Tex. Educ. Code § 51.976; Tex. Fam. Code §§ 261.001-.111; Texas

Department of State Health Services Approved Training Programs

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

Contact for Revision: ~~Director of Student Services~~ *Executive Director of Campus Living, Dining, and Auxiliaries*

Forms: None

Board Committee Assignment: Building and Grounds

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Markers, Monuments, and Artwork

Policy Number: 16.17

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: Vice President for Finance and Administration

Purpose of Policy (what does it do): Stephen F. Austin State University has a large dynamic campus that is constantly in a state of change to meet the various needs of the diverse departments that make up the university as a whole. There are limitations on where and how markers, monuments, and artwork may be added to or removed from the campus so as not to encumber future university needs. The rules articulated in this policy apply to all students, faculty, staff, and their approved organizations, as well as all other persons and groups.

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: Committee changes.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Judith Kruwell, Interim Vice President for Finance and Administration
John Branch, Interim Director of the Physical Plant
Jill Still, Vice President for University Advancement
Damon Derrick, General Counsel

Markers, Monuments, and Artwork

Original Implementation: July 17, 2001

Last Revision: ~~January 29, 2019~~ April 12, 2022

Purpose

Stephen F. Austin State University has a large dynamic campus that is constantly in a state of change to meet the various needs of the diverse departments that make up the university as a whole. There are limitations on where and how markers, monuments, and artwork may be added to or removed from the campus so as not to encumber future university needs. The rules articulated in this policy apply to all students, faculty, staff, and their approved organizations, as well as all other persons and groups.

Definitions

Markers, monuments, or artwork include all types of features that are erected, affixed, or otherwise installed on any institutional building or land for a time period extending beyond 14 days.

Non-permanent markers, monuments, or artwork would be those meeting the criteria described in Policy 16.24, Section IV concerning signs displayed for 14 days or less.

General

Markers, monuments, or artwork including historical markers or signs, may be placed on or removed from campus when it is in the best interest of the university. ~~A committee will review all such requests. Nominations for a new marker, monument, or artwork and applications for removal of an existing marker, monument, or artwork may be found on the Physical Plant Department (PPD) website. The university master plan committee can review requests and make recommendations to the President's cabinet who will review location and design. The president will make the final determination on requests for non-permanent markers, monuments, or artwork. The president will make a recommendation to the Building & Grounds Committee of the Board of Regents for all other requests.~~

Markers, monuments, or artwork placed on campus without prior written permission will be removed by the PPD. Removed items will be held for sixty (60) days prior to disposal. Notification will be provided if possible.

Committee

~~The vice president of finance and administration will appoint a markers, monuments, and artwork committee that includes one representative from each of the following: development, alumni, faculty, physical plant, university marketing and communications, and a student representative. Each faculty~~

~~and staff member will serve on the markers, monuments, and artwork committee for a term of two (2) years, with the possibility of reappointment. The SFA student representative will serve a term of one (1) year with the possibility of reappointment. The markers, monuments, and artwork committee will review all nominations for markers, monuments, and artwork as well as applications for deaccession of markers, monuments, and artwork. Upon review of the nominations and applications by the markers, monuments, and artwork committee, recommendations will be made to the vice president of finance and administration for final approval.~~

New Marker, Monument, or Artwork

Upon receipt of a ~~nomination request~~ for a new marker, monument, or artwork by a university stakeholder, ~~the markers, monuments, and artwork committee will review the nomination for a new marker, monument, or artwork for the following~~ *the university can consider the following:*

- Preservation of the beauty of the SFA campus;
- Historical significance;
- Advancement of the university's educational mission;
- Building access and campus circulation is not impeded;
- Size, scope, and relevance;
- Copyright;
- Safety;
- Prominence and location on campus;
- Aesthetic merit;
- Funding for costs including installation, maintenance, and insurance.

Please note that each marker, monument, or artwork ~~nomination request~~ will be considered individually based on the SFA campus master plan and SFA policy and procedure as well as current and future costs. ~~The markers, monuments, and artwork committee and/or the vice president of finance and administration~~ *University* reserves the right to refuse ~~nominations requests~~ for markers, monuments, and artwork after review of the ~~nomination request~~.

Deaccession

Upon receipt of an ~~application~~ *a request* to remove a marker, monument, or artwork by a university stakeholder, ~~the markers, monuments, and artwork committee will review the application for the following~~ *the university can consider the following:*

- Safety;
- Aesthetic merit;
- Historical significance;
- Accidental loss or destruction;
- Repatriation;
- Educational value;

- Building access;
- Size, scope, and relevance;
- Condition;
- Prominence and location on campus;
- Cost of maintenance and insurance.

Please note that each marker, monument, and artwork ~~application-request~~ for removal will be considered individually based on the SFA campus master plan and SFA policy and procedure as well as current and future costs. The ~~markers, monuments, and artwork committee and/or the vice president of finance and administration-university~~ reserves the right to refuse ~~applications-requests~~ for removal of markers, monuments, and artwork after review of the application.

Exceptions to ~~Committee~~ Review

Markers or monuments honoring or in memory of an individual are limited to students, faculty, or staff who have passed away while in a student, faculty, or staff status. Such monuments are limited to the memorial walk area on the south side of the Ag Pond. Markers or monuments may not be placed at any other location on campus.

Monuments will be purchased by the individual or group desiring to place the monument on the walk. Installation will be by PPD. The PPD will provide maintenance at the same level as the existing walk. Markers that are broken or otherwise damaged or lost will not be the responsibility of PPD. Requests to place a marker should be directed to the director of the physical plant.

The Walk of Recognition (located at SFA fountain plaza) includes markers and bricks as coordinated through the SFA Alumni Association. Requests and guidelines for placement of markers and bricks at the Walk of Recognition are established by the SFA Alumni Association separate from this policy.

Cross Reference: Signs and Exhibits (16.24)

Responsible for Implementation: Vice President for Finance and Administration; *Vice President for University Advancement*

Contact for Revision: Vice President for Finance and Administration; *Vice President for University Advancement*

Forms: ~~Nomination for a New Monument, Marker or Artwork, Application for Removal of an Existing Monument, Marker or Artwork on PPD website~~ *None*

Board Committee Assignment: Building and Grounds

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Skating, Skateboarding, and Motorized Scooters

Policy Number: 13.20

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: Vice President for Finance and Administration

Purpose of Policy (what does it do): The purpose of this regulation is to establish guidelines governing the use of skateboards, rollerblades, or other types of skating apparatuses.

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:

Specific rationale for deletion of policy: N/A

Additional Comments:

Definitions added and text updates for clarification.

Reviewers:

Judith Kruwell, Interim Vice President for Finance and Administration
John Fields, Chief of Police
Damon Derrick, General Counsel

Skating, Skateboarding, and Motorized Scooters

Original Implementation: January 24, 1989

Last Revision: April 1230, 202249

Purpose

The purpose of this regulation is to establish guidelines governing the use of skateboards, rollerblades, or other types of skating apparatuses.

Definitions:

Skateboard *is* – a non-motorized device where two or more wheels are attached to a platform upon which the rider stands.

Rollerblades *are a* –shoe or device that attaches to a shoe, having one or more sets of wheels.

Hover Board *is* – a motorized personal vehicle consisting of a platform for the feet mounted on two wheels and controlled by the way the rider distributes their weight.

Motorized Scooters *-are-* a power stand-up scooters using a small unit gas engine or electric motor.

Regulations:

1. Persons choosing to ride a skateboard or use rollerblades may do so as a means of transportation only on sidewalks while on the university campus.
2. Persons riding a skateboard or rollerblades shall keep all of the wheels on the ground while operating them as a means of transportation. At no time shall a rider perform any stunts or acts that could be deemed as stunts, or act in a way that impedes pedestrian traffic on the sidewalks.
3. The rider shall refrain from using a skateboard or rollerblades on any public street, parking garage facility, Homer Bryce Stadium, Johnson Coliseum, or in any building.
4. Persons riding a skateboard or rollerblades shall yield the right of way to all pedestrians, motorized vehicles, and bicycles.
5. Persons riding a skateboard or rollerblades shall not ride in or around any areas of construction on the university campus.
6. The use or storage of hover boards on campus is prohibited.
7. Motorized scooters are prohibited on campus unless prescribed by a qualified medical provider with appropriate medical documentation. Students must also receive approval by the Office of Disability Services.

8. Events that have been prearranged, with proper facility reservations, approval from the University Police Department, and under the direct supervision of the Campus Recreation Department, such as skateboarding club or rollerblading club practices and competitions, are not subject to these regulations.

Any person who violates all or part of this policy may be subject to disciplinary actions through the university and an order to immediately remove the skateboard or rollerblades from the university campus.

Cross Reference: Accessibility for Persons with Disabilities (2.2); Parking and Traffic Regulations (13.14), as related to bicycles

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

Contact for Revision: Chief of University Police

Forms: None

Board Committee Assignment: Building and Grounds

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Solicitation on Campus

Policy Number: 16.25

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

Date of last revision, if applicable: 4/20/2021

Unit(s) Responsible for Policy Implementation: Vice President of Student 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 each substantive revision: Adjusted policy to refer alleged violations of this policy to the appropriate office for students or employees. Also updated references to comply with new law.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Student Affairs Policy Review Committee
Andrew Dies, Assistant Vice President of Student Affairs/Dean of Students
Brandon Frye, Vice President of Student Affairs
Damon Derrick, General Counsel

Solicitation on Campus

Original Implementation: July, 1980

Last Revision: April 20, 2021/2, 2022

Definitions

1. Solicitation means the sale or offer for sale of any property or service, whether for immediate or future delivery, and the receipt of, or request for, any gift or contribution. However, this term does not apply to an appointment between a student or employee, and another person (solicitor); if the appointment does not interfere with or disturb the normal activities of the student or employee, or the university.
2. Campus shall mean all real property over which the university has possession and control by law.
3. University group shall mean a recognized student, faculty, or staff organization.
4. Outside group shall mean any organization or group that is not included within the term "university group."
5. University agent shall mean a person acting in the course and scope of that individual's employment on behalf of an academic college, department, or program, or a university council, committee, or auxiliary enterprise.
6. University function shall mean any activity directly sponsored by the university.
7. University department shall mean any academic or administrative department of the university.

Time, Place, and Manner Regulations

1. No solicitation shall be conducted in any building or structure on the campus. However, the following activities shall not be deemed to be solicitations prohibited by this section:
 - a. From the day the residence halls open through the first day of classes each semester, the sale or offer for sale of any newspaper in an area designated by the appropriate university official.
 - b. The distribution, sale or offer for sale of any newspaper, magazine, or other publication by means of a vending machine or rack in an area designated in advance by the appropriate university official.
 - c. The sale or offer for sale of any food or drink item by means of a vending machine in an area designated in advance by the appropriate university official.
 - d. The sale or offer for sale of any publication of the university or of any book or other printed material to be used in the regular academic work of the university.
 - e. The operation by the university or its subcontractor of any bookstore, specialty store, laundry service, dining and retail facilities, student center, or other service facility maintained for the convenience of the students, faculty, and staff.
 - f. The sale or offer for sale by the university or its sub-contractor of food and drink items,

- programs, and tickets at athletic contests.
- g. The collection of membership fees or dues by a university group.
- h. The collection of admission fees for the exhibition of movies or other programs that are sponsored by the university, or a university group, and are scheduled in accordance with the Use of University Facilities (16.33) policy.
- i. The posting of ads and for sale notices in newspapers or on campus kiosks designated for such purposes by the appropriate university official, provided that such ads and notices posted on bulletin boards conform to the Expressive Activities (16.4) policy.
- j. University recognized groups conducting fund raising activities approved by the appropriate university official. The university requires that only members of the group approved to conduct fundraising may solicit directly. Non-members may not be used to solicit on behalf of the organization.
- k. Other solicitation activities as approved by the appropriate university official.
- 2. No solicitation shall be conducted on the grounds, sidewalks, and streets of the campus except by:
 - a. a university agent; or
 - b. a university group.
- 3. Solicitation to buy complimentary copies of textbooks are specifically prohibited anywhere on the campus or in any building.
- 4. Only university departments and the SFA Alumni Association may be approved to solicit as agents of a commercial organization.
- 5. Solicitation conducted on the campus must not:
 - a. disturb or interfere with the regular academic or institutional programs of the university;
 - b. interfere with the free and unimpeded flow of pedestrian and vehicular traffic on the sidewalks and streets and at places of entry and exit to university buildings;
 - c. harass or intimidate the person or persons being solicited; or
 - d. violate an exclusivity agreement entered into with the university.
- ~~6.—If an employee or faculty or staff organization violates the provisions of this policy, the incident should be reported to Human Resources. If an individual student or student group violates the provisions of this policy, the appropriate university official, with the approval of the vice president to whom that individual reports, may prohibit the offender from engaging in any solicitation on the university campus for a specified period~~
- ~~7.6. of time not to exceed one (1) year~~*an incident report should be filed with the Dean of Students Office. Any violations by an outside group should be reported to the Vice President for Finance and Administration. In the case of a repeated violation of these rules, the following sanctions shall may apply:*
 - a. ~~The appropriate university official with the approval of the vice president to whom the individual reports~~*The Assistant Vice President of Student Affairs and Dean of Students, or their Designee, may suspend or cancel the recognition status of an offending student organization.*
 - b. ~~The appropriate university official~~ ~~The appropriate university official, with the approval~~

~~of the vice president to whom the individual reports,~~ may suspend the use of university facilities by an offender in accordance with the Penalty and Hearing section of the Use of University Facilities (16.33) policy;

- c. The university may prosecute an offender for trespass in accordance with Chapter 51 of the Texas Education Code.

Procedures for Conducting Raffles on Campus

1. University groups authorized to conduct raffles under the Charitable Raffle Enabling Act (Tex. Occ. Code Ch. 2002) may conduct raffles on campus
2. All proceeds from the sale of tickets must be spent for the charitable purposes of the organization.
3. The qualified university group is limited to ~~two~~ *four* (24) raffles per calendar year (January 1 - December 31) and may not conduct more than one (1) raffle at a time. This will be monitored by the Office of Student Engagement ~~Programs~~ within the Division of Student Affairs.
4. The sponsoring university group may not promote the raffle through television, radio, newspaper, or other medium of mass communication by the use of paid advertising, or promote or advertise statewide, other than on the university group's internet website or through a publication or solicitation, including a newsletter, social media or e-mail, provided only to previously identified supporters of the university group, or sell or offer to sell tickets for the raffle statewide.
5. The university group conducting the raffle may not compensate a person directly or indirectly for organizing or conducting a raffle or for selling or offering to sell tickets to the raffle, unless that person is employed by the university group and the work organizing or conducting the raffle is no more than a de minimis portion of that person's employment with the university group. Persons who are not members of the university group may not sell or offer tickets to the raffle.
6. The university group conducting the raffle must have the prize in its possession or post bond for the full amount of the money value of such prize before raffle tickets are sold. The prize awarded at a raffle may not be money and the value of the prize may not exceed \$275,000. The following must be printed on each raffle ticket sold or offered for sale:
 - a. the name of the university group conducting the raffle and the address of the organization or of a named officer of the organization;
 - b. the price of the ticket; and
 - c. a general description of each prize that has a value of more than \$10 and is to be awarded in the raffle.

Financial Policies of Student Organizations

1. The Vice President ~~offer~~ for Student Affairs or designee may request a financial statement of any student organization at any time. The requirements of the financial statement shall be established by the *Assistant Vice President of Student Affairs and Dean of Students, or their*

Designee ~~dean of student affairs.~~

2. Any registered student organization failing to comply with the provisions of this section may be subjected to sanctions provided by the Time, Place, and Manner Regulations section.

Additional Rules

In addition to these rules, solicitation conducted in:

- a. residence halls must comply with the rules governing residence halls.
- b. the Baker Pattillo Student Center must comply with the rules governing the Baker Pattillo Student Center; and
- c. academic buildings must comply with the rules governing academic buildings.

Cross Reference: U.S. Const. amend. I; U.S. Const. amend. XIV, §1; Charitable Raffle Enabling Act, Tex. Occ. Code Ch. 2002; Tex. Educ. Code §§ 51.204, .209, 101; Use of University Facilities (16.33); Expressive Activities (16.4)

Responsible for Implementation: Vice President ~~off~~ Student Affairs

Contact for Revision: Vice President ~~off~~ Student Affairs; *Assistant Vice President of Student Affairs and Dean of Students*

Forms: Fundraising Approval

Board Committee Assignment: Building and Grounds

STEPHEN F. AUSTIN
STATE UNIVERSITY
Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Space Assignment, Management, and Planning

Policy Number: 16.3

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: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes the process for assignment, reassignment, management, planning, and modification of Stephen F. Austin State University space to promote the most efficient stewardship of this limited resource.

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 changes.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Judith Kruwell, Interim Vice President for Finance and Administration
John Branch, Interim Physical Plant Director
Damon Derrick, General Counsel

Space Assignment, Management, and Planning

Original Implementation: January 29, 2019

Last Revision: ~~None~~ April 12, 2022

Purpose

This policy establishes the process for assignment, reassignment, management, planning, and modification of Stephen F. Austin State University space to promote the most efficient stewardship of this limited resource.

Definitions

Space means all interior buildings and facilities and exterior areas owned or leased by the university.

Educational and general (E&G) space means an area which is used for academic instruction, research, and support of the institution's mission. It does not include space that is permanently unassigned, or space used for operations independent of the institution's mission.

Auxiliary enterprise space are buildings and facilities that are managed as essentially self-supporting activities. Examples are residence halls, food services, student health services, intercollegiate athletics, retail spaces, campus recreation, and student center spaces.

Space management refers to oversight of all university space and the assignment and reassignment of such to remain in compliance according to this policy and state and federal codes, regulations, and laws.

Space planning means the creation of ideas, solutions, and recommendations for space-related needs.

Space assignment means allocating/designating space ~~to~~*for use by* a particular individual or unit.

Space reassignment means reallocating/re-designating space ~~from~~*for use by* one individual or unit to another.

Routine maintenance includes expenditures made for the normal upkeep of physical properties (i.e. land, buildings, and equipment) including recurring, preventive, and on-going maintenance necessary to delay or prevent the failure of critical and non-critical building systems and excludes work that requires emergency attention, alters the structure, or supports an event.

General

Stephen F. Austin State University (not any group, individual, or unit within it) owns and/or controls all interior and exterior spaces on campus as well as additional properties off-campus including leased properties. All space decisions are based upon the Higher Education Coordinating Board (THECB) space utilization requirements and aligned with academic, research, clinical, administrative, or community engagement needs which are consistent with the strategic initiatives of the university. The assignment, reassignment, alteration, and/or reclassification of space are made to meet the overall needs and best interests of the university. Oversight and management of space will remain in compliance with this policy and state and federal codes, regulations, and laws.

Space Assignment, Reassignment, Construction and/or Renovation

Assignment and utilization of university space shall be the decision of the president or his/her delegate, who is authorized to assign or reassign space to any unit on campus. The president may delegate such decision-making authority.

~~Space modification or design requests are required for all changes to university space including, but not limited to reassignment, reclassification, and changes to capacity, use, or function, and alteration or renovation not considered routine maintenance. Space modification or design requests are Changes to the use of space are reviewed by the space modification assessment committee and/or the university master plan committee and recommendations are made to the cabinet for final review. submitted to the provost and vice president for academic affairs and to the vice president for finance and administration for final approval regarding E&G space and to the vice president for university affairs and to the vice president for finance and administration for final approval regarding auxiliary space.~~

Vacated Space

Space vacated within an academic or administrative unit due to normal employee turnover may remain internally assigned within that unit at the discretion of the president or his/her designee. Space vacated by an academic or administrative unit that occurs due to a permanent reduction in workforce, downsizing or elimination of a unit, reorganization, or relocation reverts to the university administration for re-assignment.

Cross Reference: None

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: President

Forms: Request for space modification or design is located on the SFA business forms webpage.

Board Committee Assignment: Building and Grounds



Executive Session

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*; and *Marlene Kahla, Ph.D. v. Board of Regents of 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 chief audit executive, 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 president. (Texas Government Code, Section 551.074)