

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.

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

RETIREMENTS

Appendix 1

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

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
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Guest Lecturers	7.15.	46
Institutional Reserves	3.19.	48
Library Faculty	7.17.	51
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
Purchase of Electronic and Information Resources	17.16.	94
Reasonable Workplace Accommodations	11.22.	98
Regents Scholar	7.24.	103
Reporting of Abuse, Exploitation or Neglect of Elderly Persons or Persons with Disabilities	13.18.	106
Selection of Academic Deans	4.9.	109
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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-Responsibilities, 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 each 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;
- *Develops and manages course schedules for each semester/parts of term;*
- *Assigns and manages 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 each 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 each 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 eContinuing 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 \$1,0500,000 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 \$1,0500,000, or amounts over \$1,0500,000 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 \$1,0500,000 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

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 Provost and Executive Vice President for Academic Affairs. 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 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

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 *Provost* and *Executive Vice President* for Academic Affairs. If recommended, the proposal will be forwarded to the President, who may present it to the Board of Regents for consideration. ~~For final approval, 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

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 each 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, 2019

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 inability to 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.

~~34.~~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 from 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 *Emeritus* 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 Vice President* for Academic Affairs 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*rovost and *V*ice *P*resident for *A*cademic *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*meritus may be given by the *P*resident to a retired administrative official to recognize meritorious service. Privileges and qualifications that accompany the title shall be determined by the *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~~Provost and ~~Executive Vice P~~resident of Academic Affairs 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 each 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 same 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 “~~department/academic 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~~ 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 control/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~~ 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, Sseminar, and Llaboratory courses, 2) Practicum and Internship courses, 3) Private Lessons, 4) Thesis and Ddissertations, 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~~Office 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* ~~course shall 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 an ~~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*.^[L]~~See~~
- B. Deans monitor and approve faculty workloads under their authority and review workload reports submitted by ~~chair~~*academic unit heads*, 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* (4.24); ~~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

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 each 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~~ 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 expenditures ~~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 each 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 31, 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 eligibility, 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 each 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

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

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 Academic 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 each 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 Academic 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~~review/comment/respond to allegations, evidence, and committee reports in accordance with Section III.C of this policy.
- Inform respondents, complainants, and witnesses of the procedural steps in the research misconduct proceeding.
- Appoint the chair and members of the inquiry and investigation committees, ensure that those committees are properly staffed and that there is expertise appropriate to carry out a thorough and authoritative evaluation of the evidence.
- Determine whether each person involved in handling an allegation of research misconduct has an unresolved personal, professional or financial conflict of interest and take appropriate action, including recusal, to ensure that no person with such conflict is involved in the research misconduct proceeding.
- In cooperation with other institutional officials, take all reasonable and practical steps to protect or restore the positions and reputations of good faith complainants, witnesses and committee members and counter potential or actual retaliation against them by respondents or other institutional members.
- Keep the 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 encompasses 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 examining relevant research records and materials. Then, 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.

~~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 findings* 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 information regarding any relevant aspects of the investigation, including witnesses identified by the respondent, and record or transcribe each interview, provide the recording or transcript to the interviewee for correction, and include the recording or transcript in the record of 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 complainant'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 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

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 each 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

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 Academic 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: Text clarification.

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

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,~~
The 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 the~~ 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 each 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 31, 2022~~ April 3, 2024

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 include~~ 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

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~~ *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

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 each 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 ~~offer university-student~~ *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 ~~offer 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

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 each 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 each 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

Reasonable Workplace Accommodations ~~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* 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 each substantive revision: Text clarification; revised eligibility 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 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 responsibility 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~~Provost and ~~Executive V~~ice ~~P~~resident for ~~A~~cademic ~~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~~Provost and ~~Executive V~~ice ~~P~~resident for ~~A~~cademic ~~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~~Provost and ~~Executive V~~ice ~~P~~resident for ~~a~~Academic ~~A~~ffairs in consultation with the academic unit heads and college faculty.

The ~~P~~Provost and ~~Executive V~~ice ~~P~~resident for ~~a~~Academic ~~a~~Affairs 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~~Provost and ~~Executive V~~ice ~~P~~resident for ~~A~~cademic ~~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~~Provost and ~~Executive V~~ice ~~P~~resident for ~~a~~Academic ~~a~~Affairs. 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 each 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

Upon 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

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 each substantive revision: The Emergency 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 each 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, 2019/22

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. ~~Residence Life and Student Center~~ - Employees designated by the ~~director of residence life~~ *Executive Director of Campus Living, Dining, and Auxiliary Enterprises*.
4. ~~3. Student Center~~ - Employees designated by the ~~director of student services~~ *the Baker Pattillo Student Center*.
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* ~~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 each 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 (available on mySFA Human Resources website)*

Board Committee Assignment: Finance and Audit

Revision History: October 28, 2019
 November 7, 2016
 January 28, 2014
 January 25, 2011

Report to the Board of Regents – October 2022
Grants¹ 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) = \$45,622

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*

¹For purposes of this report, the term grant refers to awards in the form of grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships or gifts. Prepared by the Office of Research & Graduate Studies.

Report to the Board of Regents – October 2022
 Grants¹ 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*

¹For purposes of this report, the term grant refers to awards in the form of grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships or gifts. Prepared by the Office of Research & Graduate Studies.

Report to the Board of Regents – October 2022
Grants¹ 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	* <i>ARP- At-Risk Students at Comprehensive Regional Universities</i>	
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	* <i>ARP – 2022 Child Care Relief Fund (CCRF)</i>	
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	* <i>Collaborative Research: IRES Sites: Student Research in Freshwater Ecosystems at the Epicenter of Neotropical Biology</i>	
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	* <i>GEER – SFA Educator Preparation Planning for Innovative Partnerships with Local Education Agencies (K-12 School Districts)</i>	
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**New awards or additional funds added to a current award*

¹For purposes of this report, the term grant refers to awards in the form of grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships or gifts. Prepared by the Office of Research & Graduate Studies.

Report to the Board of Regents – October 2022
 Grants¹ 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) = \$436,265

Private Entity and Local Government Awards

Previously Described Awards:

**New awards or additional funds added to a current award*

¹For purposes of this report, the term grant refers to awards in the form of grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships or gifts. Prepared by the Office of Research & Graduate Studies.

Report to the Board of Regents – October 2022
 Grants¹ 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*

¹For purposes of this report, the term grant refers to awards in the form of grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships or gifts. Prepared by the Office of Research & Graduate Studies.