

# **Stephen F. Austin State University**

## **MINUTES OF THE BOARD OF REGENTS**



**Nacogdoches, Texas**

**October 18 and 19, 2006  
Volume 230**

**BOARD MINUTES FOR OCTOBER 18 AND 19, 2006  
VOLUME 230**

Page

**APPROVAL OF MINUTES**

Board Order 07-01 Approval of July 12, 2006 and July 13, 2006 Minutes .....	3
---	---

**PERSONNEL**

Board Order 07-02 Approval of Personnel Items	
Faculty Appointments for 2006-2007 .....	3
Staff Appointments for 2006-2007 .....	5
Changes of Status for 2006-2007 .....	5
Retirements .....	9
Reclassifications .....	9

**ACADEMIC AND STUDENT AFFAIRS**

Board Order 07-03 Approval of Academic Affairs Items	
Small-Size Class Lists for Summer II 2006 and Fall 2006 .....	10

**FINANCIAL AFFAIRS**

Board Order 07-04 Approval of Financial Affairs Items	
Annual Audit Plan and Report .....	10
Internal Audit Charter .....	11
SFASU Foundation, Inc. Agreement .....	11
Resolution for General American Mutual Holding Company .....	11
Temporary Services Contract .....	11
Purchase over \$50,000 – Jack Camp .....	11
Purchase over \$50,000 – Yearbooks .....	11

**BUILDING AND GROUNDS**

Board Order 07-05 Approval of Building and Grounds Items	
Remodeling of Administrative Offices .....	12
Fundraising Plan and Mitigation Agreement for Baseball/Softball Complex .....	12
Purchase of Property at 117 E. Starr Avenue .....	13

## **UNIVERSITY POLICIES AND PROCEDURES**

Board Order 07-06 Adoption of Policy Revisions .....	13
--	----

### **REPORTS**

President  
Faculty Senate  
Student Government Association  
Audit Services Report

### **APPENDIX**

Appendix 1 – Small-Size Class Lists for Summer II 2006 and Fall 2006	
Appendix 2 – Internal Audit Charter	
Appendix 3 – Agreement between Stephen F. Austin State University Foundation, Inc. and Stephen F. Austin State University	
Appendix 4 – Resolution for General American Mutual Holding Company	
Appendix 5 – Agreement with Temple-Inland for Execution of Conservation Easement for Mitigation	
Appendix 6 – Policy Revisions	
B-4	Camp and Conference Reservations..... P-3
B-5	Campus Facilities for Political Purposes..... P-14
B-24	Property Transfer and Disposal ..... P-15
B-34	Property Liability..... P-19
C-13.5	Food Services ..... P-21
C-15	Gift Reporting..... P-22
C-16	Gifts, Loans, Endowments and Bequests ..... P-24
C-20.A	Local Purchase Authorization ..... P-29
C-25	Private Solicitation ..... P-32
C-39	Withdrawal without Financial Clearance ..... P-33
C-41.A	Investments: Endowment Funds..... P-35
C-42	Property Inventory Management ..... P-47
D-6	Authority for Official Statements..... P-58
D-8	Authorization for University President to Suspend Faculty and Staff..... P-59
D-17	Health and Safety..... P-60

D-20.5	Items Requiring Board of Regents Approval .....	P-63
D-25.5	Private Support Organizations or Donors.....	P-67
D-30	Selection of the President .....	P-69
D-30.1	Selection of Vice Presidents, Athletic Director and Head Coaches .....	P-70
D-35	Displaying Serious Psychological Problems .....	P-71
E-9	Salary Supplements, Stipends and Additional Compensation .....	P-75
E-33.1	New Employee Orientation .....	P-84
E-34	Organized Work Stoppage.....	P-86
E-43.5	Risk Management .....	P-87
E-47.1	Sick Leave Pool .....	P-93
E-57	Performance Management Plan.....	P-97
F-3	Bookstore Special Orders .....	P-100
F-4	Bookstore Textbook Orders.....	P-101
F-11	Express Mail .....	P-102
F-12	Faculty and Staff Athletic Purchases.....	P-103
F-15	Guest Speaker .....	P-104
F-18	Mail Services .....	P-106
F-21	Notary Public.....	P-108
F-26	Student Employment Center.....	P-110
F-30	Ticket Office Services .....	P-115
F-31	Vending .....	P-116

**Stephen F. Austin State University  
Minutes of the Meeting of the  
Board of Regents  
Nacogdoches, Texas  
October 18 and 19, 2006  
Austin Building 307**

**Wednesday, October 18, 2006**

The meeting of the Board of Regents was called to order at 8:00 a.m., Wednesday, October 18, 2006, by Chair Valerie Ertz.

**PRESENT:**

Board Members:	Ms. Valerie Ertz, Chair
	Mr. Richard Boyer
	Dr. Margarita de la Garza-Graham
	Mr. Joe Max Green
	Mr. Kenneth James
	Mr. Paul Pond
	Mr. James Thompson
	Ms. Stephanie Tracy
	Mr. Melvin White
	Mr. Fred Wulf

President:	Dr. Baker Pattillo
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Vice-Presidents:	Ms. Debbie Baisden
	Mr. Steve Westbrook
	Dr. Marlin Young

General Counsel:	Ms. Yvette Clark
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Other SFA administrators, staff, and visitors

The chair welcomed the board members and guests to the meeting. She discussed the schedule for the two-day session of the board of regents and then recessed the meeting to allow the board committees to meet.

*The Building and Grounds Committee convened at 8:02 a.m. and adjourned at 9:10 a.m. The Finance Audit Committee convened at 9:17 a.m. and adjourned at 10:40 a.m. The Academic and Student Affairs Committee convened at 10:55 a.m. and adjourned at 12:40 p.m. Following a lunch recess and attendance of the board members at an open house for the Counseling and Career Services office, the Marketing Committee convened at 2:20 p.m. and adjourned at 2:32 p.m.*

The chair reconvened the board meeting at 2:35 p.m. and called for an executive session to consider the following items:

**LEGAL ADVICE AND REPORT ON PENDING LITIGATION**

Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to, Flynn vs. SFASU, legal

advice regarding patent matters, university name use and possible involvement in community projects. (Texas Government Code, Section 551.071)

**REAL ESTATE**

Deliberations Regarding the Purchase, Exchange, Lease, Sale or Value of Real Property (Texas Government Code, Section 551.072)

**GIFTS AND DONATIONS**

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

**PERSONNEL MATTERS REGARDING SPECIFIC UNIVERSITY EMPLOYEES**

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

The board reconvened in open session at 6:00 p.m. and recessed with no action taken.

**Thursday, October 19, 2006**

Chair Ertz reconvened the meeting on Thursday, October 19, 2006, at 9:02 a.m. in room 307 of the Austin Building.

**PRESENT:**

**Board Members:**

Ms. Valerie Ertz, Chair  
Mr. Richard Boyer  
Dr. Margarita de la Garza-Graham  
Mr. Joe Max Green  
Mr. Kenneth James  
Mr. Paul Pond  
Mr. James Thompson  
Ms. Stephanie Tracy  
Mr. Melvin White  
Mr. Fred Wulf

**President:**

Dr. Baker Pattillo

**Vice-Presidents:**

Ms. Debbie Baisden  
Mr. Steve Westbrook  
Dr. Marlin Young

**General Counsel:**

Ms. Yvette Clark

Other SFA administrators, staff, and visitors

Dr. Pattillo introduced Dr. John Goodall and Dr. C. W. Bahs, who introduced visiting theatre students from Rose Bruford College in Sidcup, Kent, England.

Mr. Steve Westbrook introduced Charles Hueber, who presented senior counseling staff from Jack Camp.

## **APPROVAL OF MINUTES**

### **BOARD ORDER 07-01**

A correction to the July 12, 2006, minutes was noted. Upon motion by Regent Wulf, seconded by Regent Green, with all members voting aye, it was ordered that the minutes of the July 12, 2006, and the July 13, 2006, meetings be approved, as amended.

## **PERSONNEL**

### **BOARD ORDER 07-02**

Upon motion by Regent Green, seconded by Regent Wulf, with all members voting aye, it was ordered that the following personnel items be approved:

### **FACULTY APPOINTMENTS FOR 2006 – 2007**

#### **BUSINESS**

Dale Spradling, Visiting Professor of Accounting, Ph.D. (University of Houston) at a salary of \$84,204 for 100 percent time for nine months, effective August 22, 2006.

#### **EDUCATION**

Linda Black, Instructor of Secondary Education and Educational Leadership, M.A. (Southwest Texas State University) at a salary of \$46,000 for 100 percent time for nine months, effective August 22, 2006, contingent upon completion of doctorate by May 30, 2007.

Tracey Covington Hasbun, Instructor of Elementary Education, M.A. (Stephen F. Austin State University) at a salary of \$41,000 for 100 percent time for nine months, effective August 22, 2006, contingent upon completion of doctorate by August 31, 2012.

Stephanie Jevas, Assistant Professor of Kinesiology and Health Science, Ph.D. (University of Houston) at a salary of \$52,000 for 100 percent time for nine months, effective August 22, 2006.

Alan Larson, Instructor of Human Services, M.A. (Western Washington University) at a salary of \$46,000 for 100 percent time for nine months, effective August 22, 2006, contingent upon completion of doctorate by August 31, 2007.

Ralph Lester Marshall, Assistant Professor of Secondary Education and Educational Leadership, Ed.D. (Illinois State University) at a salary of \$51,500 for 100 percent time for nine months, effective August 22, 2006.

Mark Seaman, Instructor of Secondary Education, M.A. (University of Houston) at a salary of \$46,000 for 100 percent time for nine months, effective August 22, 2006, contingent upon completion of doctorate by December 31, 2006.

Le'Ann Solmonson, Assistant Professor of Human Services, Ph.D. (Sam Houston State University) at a salary of \$50,000 for 100 percent time for nine months, effective August 22, 2006.

Janet Tareilo, Assistant Professor of Secondary Education and Educational Leadership, Ed.D. (Sam Houston State University) at a salary of \$47,500 for 100 percent time for nine months, effective August 22, 2006.

#### **FINE ARTS**

Marsha Blount, Lecturer of Art Education, M.A. (Stephen F. Austin State University) at a salary of \$40,000 for 100 percent time for nine months, effective August 22, 2006.

#### **FORESTRY AND AGRICULTURE**

Michael Maurer, Assistant Professor of Agriculture, Ph.D. (University of Florida) at a salary of \$56,833 for 100 percent time for nine months, effective August 22, 2006.

#### **LIBERAL AND APPLIED ARTS**

Emmerentie Oliphant, Associate Professor of Social Work, Ph.D. (Rand Afrikaans University, South Africa) at a salary of \$51,000 for 100 percent time for nine months, effective August 28, 2006.

Steven Short, Visiting Assistant Professor of History, Ph.D. (Texas Tech University) at a salary of \$38,000 for 100 percent time for nine months, effective August 22, 2006.

#### **SCIENCES AND MATHEMATICS**

Roberta Connell, Clinical Instructor of Nursing, M.S.N. (University of Rhode Island), at a salary of \$54,000 for 100 percent time for nine months, effective August 22, 2006.

Danielle R. Johnson, Lecturer of Mathematics and Statistics, M.A. (Stephen F. Austin State University), at a salary of \$33,750 for 100 percent time for nine months, effective August 22, 2006.

Antonio Mondragon, Visiting Instructor of Physics and Astronomy, M.S. (Texas A&M University), at a salary of \$42,750 for 100 percent time for nine months, effective August 22, 2006, contingent upon completion of doctorate by December 31, 2006.

## STAFF APPOINTMENTS FOR 2006 – 2007

### **ADMISSIONS**

Janet Lynn McLeroy, Admission Counselor, at a salary of \$28,000 for 100 percent time for 12 months, effective September 1, 2006.

### **ATHLETICS**

Christopher Ryan Dane, Athletic Trainer, at a salary of \$34,586 for 100 percent time for 12 months, effective September 1, 2006.

Trey D. Schroeder, Head Coach-Golf, at a salary of \$30,000 for 100 percent time for 10.5 months, effective July 17, 2006.

Christopher T. Watford, Assistant Coach-Softball, at a salary of \$27,200 for 100 percent time for 10.5 months, effective July 17, 2006.

### **COLLEGE OF EDUCATION**

Christi L. Coleman, Certificate Officer/PBIC Coordinator, at a salary of \$44,100 for 100 percent time for 12 months, effective June 1, 2006.

Krista K. Guerrero, Assistant Coordinator of ATC Grant Program, at a salary of \$36,500 for 100 percent time for 12 months, effective August 21, 2006.

### **PHYSICAL PLANT**

Harold E. Hall, Jr., Assistant Director of Physical Plant, at a salary of \$72,000 for 100 percent time for 12 months, effective August 1, 2006.

### **CAMPUS RECREATION**

Michael Maningas, Coordinator of Outdoor Pursuits, at a salary of \$38,000 for 100 percent time for 12 months, effective September 5, 2006.

### **UNIVERSITY ADVANCEMENT**

Earl Forney, Database Specialist, at a salary of \$32,000 for 100 percent time for 12 months, effective July 31, 2006.

## CHANGES OF STATUS FOR 2006 – 2007

### **ACADEMIC AFFAIRS**

Richard A. Berry, from Dean of Fine Arts, at a salary of \$122,097 for 100 percent time for 12 months, to Associate Provost/Vice President for Academic Affairs, at

a salary of \$128,097 for 100 percent time for 12 months, effective August 21, 2006.

Marlin Young, from Associate Provost/Vice President for Academic Affairs, at a salary of \$126,800 for 100 percent time for 12 months, to Provost/Vice President for Academic Affairs, at a salary of \$145,000 for 100 percent time for 12 months, effective July 24, 2006.

#### **ATHLETICS**

Brittany M. Burton, from Graduate Student in Wellness Center, at a salary of \$7,500 for 50 percent time for 12 months, to Strength and Conditioning Assistant for Athletics, at a salary of \$30,000 for 100 percent time for 12 months, effective September 1, 2006.

John Curta, from Intern/Coach for Athletics, at a salary of \$5.15 per hour for 100 percent time for six weeks, to Assistant Coach for Men's Basketball, at a salary of \$30,000 for 100 percent time for 10.5 months, effective September 1, 2006.

Tennille R. O'Neal, from Intern/Coach for Athletics, at a salary of \$5.15 per hour for 100 percent time for nine months, to Assistant Coach for Women's Basketball, at a salary of \$30,000 for 100 percent time for 10.5 months, effective September 1, 2006.

Lee Ann Riley, from Head Coach for Women's Basketball, at a salary of \$103,799 for 100 percent time for 12 months, to Head Coach for Women's Basketball, at a salary of \$104,837 for 100 percent time for 12 months, effective September 1, 2006.

Adelaida L. Sanchez, from Intern at a salary of \$7,500 for 50 percent time for nine months, to Athletics Media Relations Specialist, at a salary of \$19,000 for 100 percent time for 12 months, effective September 1, 2006.

Kathy J. Springfield, from Administrative Assistant for Athletics, at a salary of \$26,573 for 100 percent time for 12 months, to Academic Services Assistant for Athletics, at a salary of \$30,000 for 100 percent time for 12 months, effective September 1, 2006.

#### **COLLEGE OF EDUCATION**

Nancy D. Parr, from Substitute Teacher of Early Childhood, at a salary of \$2,658 for 100 percent time for Summer II, to Pre-Kindergarten II Teacher Early Childhood, at a salary of \$31,900 for 100 percent time for 12 months, effective August 14, 2006.

#### **COLLEGE OF FINE ARTS**

John W. Goodall, from Professor of Music, at a salary of \$57,198 for 100 percent time for nine months, to Interim Dean of Fine Arts, at a salary of \$88,000 for 100 percent time for 12 months, effective September 1, 2006.

#### **COLLEGE OF FORESTRY AND AGRICULTURE**

Joey L. Bray, from Supervisor Broiler Research Center, at a salary of \$32,566 for 100 percent time for 12 months, to Associate Director Poultry Research Center, at a salary of \$48,000 for 100 percent time for 12 months, effective September 1, 2006.

Lynn Clark, from Accounting Supervisor for Controller, at a salary of \$28,142 for 100 percent time for 12 months, to Assistant to the Director of the Columbia Center, at a salary of \$30,000 for 100 percent time for 12 months, effective September 16, 2006.

#### **COLLEGE OF LIBERAL AND APPLIED ARTS**

Mark D. Barringer, from Associate Professor of History, at a salary of \$47,853 for 100 percent time for nine months, to Interim Associate Dean of College of Liberal and Applied Arts and Associate Professor of History, at a salary of \$56,854 for 100 percent time for nine months, effective September 1, 2006.

#### **COLLEGE OF SCIENCES AND MATHEMATICS**

Beatrice A. Clack, from Director/Associate Professor of Biotechnology, at a salary of \$70,155 for 100 percent time for 11 months, to Director of Development/Associate Professor of Biotechnology for College of Sciences and Mathematics, at a salary of \$70,857 for 100 percent time for 11 months, effective September 1, 2006.

James K. Langford, from Assistant Professor of Biology, at a salary of \$40,336 for 100 percent time for nine months, to Director of Pre-Professional Programs and Assistant Professor of Biology for 100 percent time at a salary of \$40,784 for nine months, effective August 24, 2006.

#### **FINANCE AND ADMINISTRATION**

Danny R. Gallant, from Director Financial Services, at a salary of \$80,993 for 100 percent time for 12 months, to Associate Vice President of Budget and Finance at a salary of \$87,000 for 100 percent time for 12 months, effective September 1, 2006.

## **PHYSICAL PLANT**

Lee Brittain, from Assistant Director of Physical Plant, at a salary of \$72,705 for 100 percent time for 12 months, to Director of Physical Plant at a salary of \$82,000 for 100 percent time for 12 months, effective October 1, 2006.

Michael B. Rustad, from Supervisor Building Maintenance of Physical Plant, at a salary of \$59,700 for 100 percent time for 12 months, to Supervisor Building Trades/Renovation at a salary of \$62,297 for 100 percent time for 12 months, effective September 1, 2006.

Ronald E. Watson, from Manager Custodial Services of Physical Plant, at a salary of \$53,733 for 100 percent time for 12 months, to Assistant to Director of Physical Plant at a salary of \$57,270 at 100 percent time for 12 months, effective September 1, 2006.

## **PUBLIC AFFAIRS**

Shirley Luna, from Assistant Director of Public Affairs, at a salary of \$39,973 for 100 percent time for 12 months, to Associate Director of Media Relations at a salary of \$48,973 for 100 percent time for 12 months, effective September 1, 2006.

Donna Parish, from Editorial Coordinator, at a salary of \$32,665 for 100 percent time for 12 months, to Assistant Director of Creative Services at a salary of \$37,565 for 100 percent time for 12 months, effective September 1, 2006.

## **PRESIDENT'S OFFICE**

Susan H. Williams, from Assistant to Vice President, at a salary of \$38,600 for 100 percent time for 12 months, to Special Assistant to the President at a salary of \$50,000 for 100 percent time for 12 months, effective July 13, 2006.

## **UNIVERSITY ADVANCEMENT**

Jill Still, from Director of Development at a salary of \$48,594 for 100 percent time for 12 months, to Director of Development at a salary of \$50,994 for 100 percent time for 12 months, effective September 1, 2006.

## **UNIVERSITY AFFAIRS**

Steven B. Westbrook, from Executive Director for Student Affairs, at a salary of \$87,329 for 100 percent time for 12 months, to Interim Vice President for University Affairs at a salary of \$99,329 for 100 percent time for 12 months, effective August 14, 2006.

## RETIREMENTS

Mingteh Chang, Professor of Forestry, effective August 31, 2006.

William D. Hearell, Professor of English and Philosophy, effective August 11, 2006.

John D. Rulfs, Director of Physical Plant, effective August 31, 2006.

## RECLASSIFICATIONS

### **COLLEGE OF EDUCATION**

Lisa Stone, from Assistant to Dean College of Education, at a salary of \$32,455 for 100 percent time for 12 months, to Coordinator of Advising Center for Education at a salary of \$33,721 for 100 percent time for 12 months, effective September 1, 2006.

### **CONTROLLER**

Virginia Walker, from Supervisor Accounts Payable, at a salary of \$31,482 for 100 percent time for 12 months, to Manager Accounts Payable at a salary of \$36,800 for 100 percent time for 12 months, effective September 1, 2006.

### **COUNSELING AND CAREER SERVICES**

Sheri Mullican from Assistant Director Career Services, at a salary of \$47,515 for 100 percent time for 12 months, to Associate Director of Counseling and Career Services at a salary of \$51,000 for 100% time for 12 months, effective September 1, 2006.

### **ENVIRONMENTAL HEALTH, SAFETY AND RISK MANAGEMENT**

Donna Teel, from Assistant Safety Officer, at a salary of \$39,642 for 100 percent time for 12 months, to Safety Officer at a salary of \$42,000 for 100 percent time for 12 months, effective September 1, 2006.

### **FINANCIAL AID**

Rebecca Shepherd, from Coordinator of Scholarships, at a salary of \$36,800 for 100 percent time for 12 months, to Assistant Director of Financial Aid at a salary of \$40,000 for 100 percent time for 12 months, effective September 1, 2006.

## **INFORMATION TECHNOLOGY SERVICES**

Shawn Hardy, from Programmer/Analyst I, at a salary of \$31,549 for 100 percent time for 12 months, to Programmer/Analyst II at a salary of \$35,000 for 100 percent time for 12 months, effective September 1, 2006.

## **INSTRUCTIONAL TECHNOLOGY**

Bryan Tarpley, from Instructional Systems Administrator, at a salary of \$33,668 for 100 percent time for 12 months, to Systems Administrator for Office of Instructional Technology at a salary of \$36,000 for 100 percent time for 12 months, effective September 1, 2006.

## **PUBLIC AFFAIRS**

Joseph Alford, from Publications Specialist, at a salary of \$30,656 for 100 percent time for 12 months, to Publications Specialist at a salary of \$32,000 for 100 percent time for 12 months, effective September 1, 2006.

## **STUDENT AFFAIRS OPERATIONS**

Shelly Lackey, from Assistant to Director Auxiliary Services, at a salary of \$53,162 for 100 percent time for 12 months, to Assistant Director Student Affairs Operations at a salary of \$59,162 for 100 percent time for 12 months, effective September 1, 2006.

# **ACADEMIC AND STUDENT AFFAIRS**

### **BOARD ORDER 07-03**

Upon motion by Regent James, seconded by Regent Boyer, with all members voting aye, it was ordered that the following academic affairs item be approved:

#### SMALL-SIZE CLASS LISTS FOR SUMMER II 2006 AND FALL 2006

The Summer II 2006 and Fall 2006 small-size class lists presented in Appendix 1 were approved.

## **FINANCIAL AFFAIRS**

### **BOARD ORDER 07-04**

Upon motion by Regent Thompson, seconded by Regent White, with all members voting aye, it was ordered that the following financial affairs items be approved:

#### ANNUAL AUDIT PLAN AND REPORT

The annual audit plan, work schedule, and staffing plan, as presented by the director of audit services, was approved. The annual audit report for fiscal year ending August 31, 2006 was approved as presented.

### INTERNAL AUDIT CHARTER

The Internal Audit Charter for the department of audit services was approved as presented in Appendix 2.

### SFASU FOUNDATION, INC. AGREEMENT

The board approved the replacement agreement between Stephen F. Austin State University and the Stephen F. Austin State University Foundation, Inc. as submitted in Appendix 3.

### RESOLUTION FOR GENERAL AMERICAN MUTUAL HOLDING COMPANY

The board adopted the resolution in Appendix 4 requesting that insurance proceeds checks containing errors that were issued by General American Mutual Holding Company as part of its liquidation under Missouri law be reissued and the payment information be corrected for any future disbursements.

### TEMPORARY SERVICES CONTRACT

Authorization was given to award a contract to Kelly Services for temporary staffing services used by the university on an as needed basis to be effective through August 31, 2008 with the option to renew for two additional two-year periods. The source of funding will be from the individual departments utilizing the services. The president is authorized to sign the contract.

### PURCHASE OVER \$50,000 – JACK CAMP

The board of regents authorized the president to approve contracts between the university and Camp Olympia in excess of \$50,000 necessary for the production of the 2007 sessions of Jack Camp.

### PURCHASE OVER \$50,000 - YEARBOOKS

The board of regents authorized the president to approve payment to Taylor Publishing Company for the production of 2006 Stone Fort yearbooks in the amount of \$52,368.15.

It was further ordered that Agenda Item 19, Authorization for Lease of Space for Banking Services in Student Center, be tabled for further review and future action.

## **BUILDING AND GROUNDS**

### **BOARD ORDER 07-05**

Upon motion by Regent Green, seconded by Regent Pond, with all members voting aye, it was ordered that the following building and grounds items be approved:

#### **REMODELING OF ADMINISTRATIVE OFFICES**

The university was authorized to remodel the office of the vice president for finance and administration, converting the vault into an office by upgrading the lighting, electrical, wall and floor treatments and including furnishings. It was approved for the offices of the vice presidents for university affairs and academic affairs, as well as the administration lobby/reception areas, to have lighting, electrical work, and ceiling, wall and floor treatments renovated as considered necessary. The physical plant will act as general contractor for the project. The cost will not exceed \$100,000 and will be paid from budgeted HEAF funds.

#### **FUNDRAISING PLAN AND MITIGATION AGREEMENT FOR BASEBALL/SOFTBALL COMPLEX**

The board of regents endorsed the fundraising plan for the baseball/softball complex as presented below and approved the recognized naming rights thresholds. Formal naming recognition on gifts over \$500,000 will be brought back before the board of regents for appropriate acknowledgement. A fundraising goal to reach 25% of the project costs must be met by January 2008, or the project will be reevaluated at that time.

The Complex	Bo Pilgrim
The Baseball Stadium	\$750,000
The Softball Stadium	\$500,000
The Fieldhouse	\$500,000
Baseball and Softball Pressboxes	\$100,000 each
2 Locker Rooms	\$50,000 each
2 Batting Cages	\$25,000 each
Training Room	\$25,000
Weight Room	\$25,000
2 Home Team Dugouts	\$25,000 each
2 Visiting Team Dugouts	\$20,000 each
4 Foul Poles	\$15,000 each

### Stadium Seating:

Purchaser's name or designated name "In Memory Of" or "In Honor Of" permanently engraved on each stadium seat	866 Baseball Chairback Seats	\$1,200 each
	355 Softball Chairback Seats	\$1,200 each

(Stadium Seat Financing Option: Purchase more than one seat and pay \$50/month for each seat for two years)

Bronze "Wall of Names" at Stadium Entrance	One Name	\$300 each
	Two Names	\$250 each
	Three or More Names	\$200 each

Formal approval of the mitigation transaction was given at a cost not to exceed \$10,000 per acre plus associated maintenance fees (source of funds – previously designated fund balance), and the president was authorized to sign the mitigation agreement as presented, with the director of physical plant authorized to sign all necessary closing paperwork reviewed by the general counsel.

### PURCHASE OF PROPERTY AT 117 EAST STARR AVENUE

The university was authorized to purchase the property at 117 E. Starr for the appraised value of \$78,000 plus associated purchase and closing cost. This property is otherwise known as Lot 9 – D of Block 45 within the city of Nacogdoches, Texas. The director of the physical plant was authorized to sign the required documents on behalf of the university. The source of funds will be designated fund balance.

## **UNIVERSITY POLICIES AND PROCEDURES**

### **BOARD ORDER 07-06**

Upon motion by Regent Green, seconded by Regent Graham, with all members voting aye, the Board of Regents adopted the policy revisions as presented in Appendix 6.

## **REPORTS**

President Pattillo presented comments on the following topics:

- Baseball/Softball Complex fundraising plan
- Technology policies for the university
- Desired mid-year salary raises for the faculty and staff
- Homecoming activities
- President's Christmas Reception on December 14
- Commencement on December 16

Dr. Chris Baker, Chair of the Faculty Senate reported on the following topics:

- Funding for academics at SFA
- Faculty Senate initiatives

Brittany Scott, President of the Student Government Association, presented comments concerning the following topics:

- SGA Retreat at the Pineywoods Conservation Center
- Student Regent application process
- SGA legislation update and school spirit ideas
- SFA parking suggestions
- Student opinions: opposition to joining a system, campus signage, new construction

Gina Oglesbee, Director of Audit Services, offered comments concerning:

- Annual Risk Assessment
- Audit Plan
- Quality Assurance Review

Chair Ertz adjourned the meeting of the Board of Regents at 10:05 a.m.

## **Texas Higher Education Coordinating Board Rules Currently in Effect (9-2006)**

### **Chapter 5. Rules Applying to Public Universities and/or Health-Related Institutions of Higher Education in Texas** **Subchapter B. Role and Mission, Tables of Programs, Course Inventory**

#### **§5.23 Definitions**

**§5.23.5** Organized classes--Classes whose primary mode of instruction is lecture, laboratory, or seminar.

**§5.23.8** Small classes--Undergraduate level classes with less than 10 registrations, and graduate level classes with less than five registrations.

#### **§5.26 Offering of Small Classes by Public Universities**

In accordance with **Texas Education Code, §51.403(d)**, public universities may offer organized small classes which:

**§51.403(d.1)** have been approved by the governing board of the university;

**§51.403(d.2)** is a required course for graduation (the course is not offered each semester or term, and, if canceled, may affect the date of graduation of those enrolled);

**§51.403(d.3)** is a required course for majors in this field and should be completed this semester (or term) to keep proper sequence in courses;

**§51.403(d.4)** is a course in a newly established degree program, concentration, or support area;

**§51.403(d.5)** is part of an interdepartmental (cross-listed) course taught as a single class by the same faculty at the same station, provided that the combined enrollments do not constitute a small class;

**§51.403(d.6)** is a first-time offering of the course;

**§51.403(d.7)** is class size-limited by accreditation or state licensing standards;

**§51.403(d.8)** is class size-limited by availability of laboratory or clinical facilities; or

**§51.403(d.9)** is voluntarily offered by a faculty member in excess of the institutional teaching load requirement and for which the faculty member receives no additional compensation.

**Source Note:** The provisions of this §5.26 adopted to be effective May 28, 2003, 28 TexReg 4124

**SMALL CLASSES**  
**Summer II 2006**

Course Information					
Section Id.	Title	Number Enrolled	Credit Hour Value	Credit Hours	Texas Education Code Offering Compliance
AGD 361 001	AGRICULTURAL DEVELOPMENT	9	3	27	§51.403(d.2, d.3)
MLG 580 501	DEVEL SELF-DISCIPLINED LEAR	4	3	12	§51.403(d.2)
MUS 140 001	MUSIC APPRECIATION	9	3	27	§51.403(d.2, d.3)
SPA 232 001	INTERMEDIATE SPANISH	5	3	15	§51.403(d.9)
SPE 432 001/ SPE 532 001	ED APPRAISAL EXCEPTIONAL CHILD	9	3	27	§51.403(d.2, d.3)
SPE 438 001/ SPE 562 001	INSTRUCT FOR PERS W/DISABL/ INSTR STRAT EXCEPT LEARNERS	9	3	27	§51.403(d.2, d.3)
Total Estimated Credit Hours in Small Classes				135	
Total Estimated SFA Credit Hours Summer II 2006				18,951	
Estimated Small Class Credit Hours as a Percentag of SFA Total Credit Hours				0.7%	

DATE:

10/19/06

APPROVAL:

Valerie EES

**SMALL CLASSES**  
Fall 2006

Course Information					
Section Id.	Title	Number Enrolled	Credit Hour Value	Total Credit Hours	Texas Education Code Offering Compliance
CSC 342 001	ALGORITHM ANALYSIS	7	3	21	§51.403(d.2)
HMS 137 201	PRINCIPLES OF FOOD SCIENCE	1	1	1	§51.403(d.1)
HMS 137L201	PRIN OF FOOD SCI LAB	1	2	2	§51.403(d.1)
HMS 460 201	HOUSING & FURNISHING	1	3	3	§51.403(d.1)
HMS 353 301	PARENTING	7	3	21	§51.403(d.1)
RHB 422 020	ADV CHEM SUB USE & ABUSE	9	3	27	§51.403(d.2, d.3)
SPE 465 020	ED PROGRAMMING STU WITH AUTISM	9	3	27	§51.403(d.2, d.3)
AGN 469 400	PLANT PROTECTION	6	3	18	§51.403(d.1)
FOR 546 001	FIRE ECOLOGY AND MANAGEMENT	4	3	12	§51.403(d.2, d.3)
FOR 411 001	TIMBER MANAGEMENT	8	3	24	§51.403(d.2, d.3)
FOR 427 001	REGIONAL SILVICULTURE	8	3	24	§51.403(d.2, d.3)
CHE 241 001	INORGANIC CHEMISTRY	4	3	12	§51.403(d.2, d.3)
CHE 241L020	INORGANIC CHEMISTRY LAB	4	1	4	§51.403(d.2, d.3)
CHE 337 001	PHYSICAL CHEMISTRY I	4	4	16	§51.403(d.2, d.3)
CHE 452L051	COMPREHENSIVE BIOCHEMISTRY I LAB	4	1	4	§51.403(d.2, d.3)
CHE 443 001	INSTRUMENTAL ANALYSIS	8	4	32	§51.403(d.2, d.3)
GOL 520 001	GEOCHEMISTRY	4	3	12	§51.403(d.2, d.3)
GOL 568 002	SPECIAL STUDIES IN GEOLOGY	4	3	12	§51.403(d.2, d.3)
STA 524 001	APPLIED MULTIVARIATE ANALYSIS	3	3	9	§51.403(d.2)
STA 525 001	APPLIED NONPARAMETRIC STATISTICS	3	3	9	§51.403(d.2)
MTH 305 001	INTRO TO NUMERICAL METHODS	6	3	18	§51.403(d.2)
STA 320 001	STATISTICAL METHODS	7	3	21	§51.403(d.2)
MTH 419 001	PROBABILITY THEORY	7	3	21	§51.403(d.2)
PHY 431 001	INTRO QUANTUM MECHANICS	9	3	27	§51.403(d.2)
MLG 424 501	MATHEMATICS IN THE MIDDLE GRADES	9	3	27	§51.403(d.3)
RDG 415 041	RDG ASSESSMENT & INSTRUCTION	9	2	18	§51.403(d.4, d.6)
<b>Total Estimated Credit Hours in Small Classes</b>				<b>422</b>	
<b>Total Estimated SFA Credit Hours Fall 2006</b>				<b>146,554</b>	
<b>Estimated Small Class Credit Hours as a Percentag of SFA Total Credit Hours</b>				<b>0.3%</b>	

Date:

10/19/06

Approval:

Valerie E. E. J.

**STEPHEN F. AUSTIN STATE UNIVERSITY**  
**PURPOSE, AUTHORITY, AND RESPONSIBILITY of the**  
**DEPARTMENT OF AUDIT SERVICES**  
**INTERNAL AUDIT CHARTER**  
**October 19, 2006**

**PurposePurpose**

The purpose of the Department of Audit Services *through internal auditing is to provide independent, objective assurance and consulting activities that add value and improve university operations. Audit Services helps the university accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.* [g1]

Audit Servicestø provides the Board of Regents and the President an independent appraisal of the adequacy and the effectiveness of the uUniversity's system of internal administrative and accounting controls and the quality of performance when compared with established standards. The primary objective is to assist the Board of Regents, the President and uUniversity management in the effective discharge of their responsibilities.

**Authority**  
**Authority**

The Department of Audit Services is an integral part of Stephen F. Austin State University and functions within established policies. The Director of Audit Services reports functionally to the Board of Regents and administratively to the President.

~~The Department will operate within the guidelines of Standards for the Professional Practice of Internal Auditing as published by the Institute of Internal Auditors and the Texas Internal Auditing Act (Article 6252-5d., V.A.C.S.).~~

The Department of Audit Services will have unrestricted access to all University activities; records, both manual and electronic; property; and personnel relevant to any area being reviewed. Members of the Audit Services' staff will handle all documents and other information acquired in the course of their duties prudently.

**Standards and Independence**

~~The Department will operate within the guidelines of the Institute of Internal Auditors (IIA) International Standards for the Professional Practice of Internal~~

*Auditing, IIA Code of Ethics, and the Texas Internal Auditing Act (Article 6252 - 5d., V.A.C.S.).* [92]

Internal auditors are and will remain independent of the activities or operations they review; they will not engage in any activity which would impair their independence.

### **Responsibility**

The Department of Audit Services will fulfill its responsibility to the Board of Regents and the President by:

- -developing an audit plan based on risk analysis which includes the concerns of management
- ~~by~~ providing audit coverage that consistently meets the needs and expectations of management
- *following up on* ~~by responding to~~ identified weaknesses, findings and recommendations from previous audit work
- ~~and by~~ participating in a program of quality assurance designed to ensure the increasing professionalism of the department and standard of the work performed.
- *performing consulting services including advisory and related service activities, the nature and scope of which are agreed upon and which are intended to add value and improve the university's governance, risk management, and control processes without assuming management responsibility. Examples include counsel, advice, facilitation, training, and committee service.* [93]

Annually the Director of Audit Services will submit information on the annual audit plan, work schedule, and staffing plan to the President for his review and to the Board of Regents for their approval. Quarterly the Director will provide activity reports to the President and the Board of Regents detailing progress against the annual audit plan, audit accomplishments, and highlights of any significant audit findings and recommendations. *The Director of Audit Services will submit reports as required to the State Auditor's Office, Governor's Office, Legislative Budget Board and Sunset Advisory Commission.*

[94]The scope of audit activities will include all controls, reports and operations of the University. The Department of Audit Services will examine and evaluate:

- \*The reliability and integrity of financial and operating information and the means used to identify, measure, classify and report information.

- \*—The systems established to ensure compliance with policies, plans, procedures, laws and regulations that could have a significant impact on the University.
- \*—The means of safeguarding assets and verifying their existence.
- \*—The economy and the efficiency with which resources are employed.
- \*—The extent to which the operations and programs of the University are consistent with its objectives and goals.

\_\_\_\_\_  
Director of Audit Services \_\_\_\_\_ Date

\_\_\_\_\_  
Tito Guerrero, President \_\_\_\_\_ Date

**Memorandum of Understanding  
between Stephen F. Austin State University Foundation  
and Stephen F. Austin State University**

THIS AGREEMENT, entered into as of this 19th day of October, 2006, by and between Stephen F. Austin State University (the "University") and the Stephen F. Austin State University Foundation, Inc. (the "Foundation").

The University is an agency of the State of Texas, organized and existing under Chapter 101, Texas Education Code, as an institution of higher education located in Nacogdoches, Texas. The governing body of the University is the Board of Regents (collectively, the "Regents").

The Foundation was organized and incorporated in 1975 as a non-profit corporation under the laws of the State of Texas for the purpose of stimulating voluntary private support from alumni, parents, friends, corporations, foundations, and others for the benefit the University. The governing body of the Foundation is its Board of Trustees (collectively, the "Trustees").

The parties are entering into this agreement for the purpose of defining the relationship between them pursuant to Chapter 2255 of the Texas Government Code, and to implement the policy (D-25.5) of the Regents governing the University's relationship with private support organizations.

While this agreement is in effect, the University recognizes the Foundation as existing solely for the support of the University. The parties agree that the Foundation is a necessary and beneficial component of the University's overall program for university advancement and for the development and management of private sources of funding for capital acquisition, operations, endowments, and other purposes relating to the mission and priorities of the University, and to provide opportunities for students and a margin of institutional excellence unavailable with state funds.

The Foundation is dedicated to assisting the University in the building of the endowments and in addressing, through financial support, the long-term academic and other priorities of the University.

As stated in its articles of incorporation, the Foundation is a separately incorporated 501 (c)(3) organization and is responsible for identifying and nurturing relationships with potential donors and other friends of Stephen F. Austin State University; soliciting cash, securities, real and intellectual property, and other private resources for the support of the University; and acknowledging and stewarding such gifts in accordance with donor intent and its fiduciary responsibilities.

Furthermore, in connection with its fund-raising and asset-management activities, the Foundation retains and/or partially supports personnel experienced in planning for and

managing private contributions and works with the University to assist and advise in such activities. In consideration of the mutual commitments herein contained, and other good and valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

### **FOUNDATION NAME, SEAL AND LOGOTYPE**

Consistent with its mission to help to advance the plans and objectives of the University, the Foundation is granted the use of the name, Stephen F. Austin State University, however, the Foundation will operate under its own seal and logotype and shall not use the university seal or other identifying marks in the promotion of its business and activities without specific written approval by the University.

### **INSTITUTION OR SYSTEM GOVERNANCE**

- The Board of Regents of the University is responsible for overseeing the mission, leadership, and operations of the University.
- The Board of Regents is responsible for setting priorities and long-term plans for the University.
- The Board of Regents is legally responsible for the performance and oversight of all aspects of University operations.
- The Board of Regents is responsible for the employment, compensation, and evaluation of all University employees, including the President.

### **THE FOUNDATION'S RELATIONSHIP TO THE INSTITUTION**

- The Foundation is a separately incorporated 501 (c) (3) nonprofit organization created to raise, manage, distribute, and steward private resources to support the various missions of the University.
- The Foundation Board of Trustees is responsible for the control and management of all assets of the Foundation, including the prudent management of all gifts consistent with donor intent.
- The Foundation Executive Director is responsible for the performance and oversight of all aspects of its operations based on a comprehensive set of bylaws that clearly address the board's fiduciary responsibilities, including expectations of individual board members based upon ethical guidelines and policies.
- The Foundation Board of Trustees is responsible for the evaluation of the Foundation Executive Director. The Foundation Executive Director is a University Vice President and the President of the University retains ultimate supervision, evaluation, hiring and firing authority over this individual's employment. The evaluation of the Foundation Executive Director (which is also the University Vice President for Advancement) conducted by the Foundation Board will be submitted to the University President for his consideration.
- The Foundation currently has no employees, but relies on University employees to fulfill its responsibilities. All salary related decisions for this Vice President/Executive Director remain solely with the University President. Cost

sharing arrangements for salary and benefits may be negotiated between the parties and reduced to writing when needed. Any payments (other than reimbursements of expenses) made by the Foundation to the Foundation Executive Director (or other University employees) shall first be submitted to the President for approval before being provided to the University employee. The President will consider these payments within the overall salary scales of the University to determine whether they should be awarded to a University employee.

- When issues arise which create a conflict between the University and the Foundation, the Vice President/Foundation Executive Director (or other University employees who assist the Foundation) shall maintain a duty of loyalty and ultimate fiduciary responsibility to the University as an employee of the State of Texas.

### **THE INSTITUTION'S RELATIONSHIP TO THE FOUNDATION**

- The University President is responsible for communicating the University's priorities and long-term plans, as approved by the Regents, to the Foundation.
- The University recognizes that the Foundation is a private corporation with the authority to keep all records and data confidential consistent with the law. In turn, the Foundation recognizes that some University records may be public information under the law and others may be confidential by statute (e.g. confidentiality of student records are protected by FERPA). To the extent that University employees assisting the Foundation may have access to certain confidential student or other University records, such information will be confidentially maintained and utilized only in accordance with state and federal laws.
- Stephen F. Austin State University shall establish and enforce policies that support the Stephen F. Austin State University Foundation, Inc.'s ability to respect the privacy and confidentiality of donor records, to the extent permitted under Texas law.
- The executive director of the Foundation shall be the University Vice President for University Advancement and shall be included as a member of the University President's cabinet and senior administrative team, within the discretion of the President.
- The University shall include the Foundation as an active and prominent participant in the strategic planning for the University.
- The President of the University shall serve as an ex-officio, non-voting member of the Foundation board and shall assume a prominent role in fund-raising activities.
- In consideration for Foundation services including but not limited to donor database management, endowment fund management, donor stewardship, and donor recognition the University will provide the Foundation without charge fair and reasonable in-kind support including office space, equipment, technology and supplies as necessary in the determination of the President for the Foundation to carry out its responsibilities and activities.

## **FOUNDATION RESPONSIBILITIES**

### **1. Fund-Raising**

- The Foundation shall create an environment conducive to increasing levels of private support for the mission and priorities of the University.
- The Foundation, in consultation with the University President and the Office of University Advancement, is responsible for planning and executing comprehensive fund-raising and donor-acquisition programs in support of the institution's mission. These programs include annual giving, major gifts, planned gifts, special projects, and campaigns as appropriate.
- The Foundation will establish, adhere to, and periodically assess its gift-management and acceptance policies. It will promptly acknowledge and issue receipts for all gifts on behalf of the Foundation and the University and provide appropriate recognition and stewardship of such gifts.
- The University recognizes that the Office of University Advancement and the Foundation share major responsibility for fund-raising. University representatives will coordinate all fund-raising initiatives including major gifts solicitations with the Office of Advancement.
- The University President will work in conjunction with the leadership of the Foundation board and the Foundation executive director to identify, cultivate, and solicit prospects for private gifts.
- The Foundation shall not accept grants from state or federal agencies, except in special circumstances that are approved by the Foundation Board of Trustees and the governmental agency.
- The Foundation shall establish and enforce policies to protect donor confidentiality and rights.

### **2. Asset Management**

- The Foundation will establish asset-allocation, disbursement, and spending policies that adhere to applicable federal and state laws including the Uniform Prudent Investor Act (UPIA) and the Uniform Management of Institutional Funds Act (UMIFA). Such policies will be shared with the University upon request.
- The Foundation will receive, hold, manage, invest, and disperse contributions of cash, securities, patents, copyrights, and other forms of property, including immediately vesting gifts and deferred gifts that are contributed in the form of planned and deferred-gift instruments.
- The Foundation serves as custodian of the University endowment files and shall maintain the endowment files in an organized and timely manner.
- The Foundation shall be responsible for managing donor stewardship of all University owned endowment assets including, but not limited to, annual report to donors.
- The Foundation will timely report University endowment distribution amounts to the appropriate University accounts for use in fulfilling the donor's original

purpose and shall regularly communicate with applicable account holders to properly utilize such assets appropriately.

- The Foundation shall make comprehensive endowment, gift, and other asset reports regularly to the University Board of Regents, or as otherwise requested by the Board of Regents. The University reserves the right to request specific information about the Foundation's assets, policies, investments, contracts and other relationships or information at any time.
- The Foundation will engage an independent accounting firm annually to conduct an audit of the Foundation's financial and operational records and will provide the University with a copy of the annual audited financial statements, including management letters.

### **3. Institutional Flexibility**

- The Foundation will explore through the SFA Real Estate Foundation, Inc. current opportunities, including acquisition and management of real estate on behalf of the University for future allocation, transfer, or use.
- The Foundation may serve as an instrument for entrepreneurial activities for the University and engage in such activities as purchasing, developing, or managing real estate for University expansion, student housing, or retirement communities. It also may hold licensing agreements and other forms of intellectual property, borrow or guarantee debt issued by their parties, or engage in other activities to increase Foundation revenue with no direct connection to a University purpose.
- When distributing gift funds to the University, the Foundation will disclose any terms, conditions, or limitations imposed by donor or legal determination on the gift. The University will abide by such restrictions and provide appropriate documentation.

### **4. Transfer of Funds**

- The Foundation is the primary depository of private gifts and will transfer funds to the designated entity within the institution in compliance with applicable laws, University policies, and gift agreements. The Executive Director of the Foundation shall be responsible for knowing and understanding applicable laws, University policies and gift agreements to guide the Foundation's decisions.
- The Foundation's disbursements on behalf of the University must be reasonable business expenses that support the institution, are consistent with donor intent, and do not conflict with the law. Reasonableness shall initially be defined by the Foundation Board of Trustees in making its disbursement decisions, but the University reserves the right to intervene on the question of reasonableness of business expenses if necessary.
- Funds gifted to the University for a restricted purpose are considered a charitable trust. Legal titles to such funds cannot be transferred to the Foundation without petitioning a court of competent jurisdiction as outlined under state law.

## **FOUNDATION FUNDING AND ADMINISTRATION**

- The Foundation is responsible for establishing a financial plan to underwrite the cost of Foundation programs, operations, and services.
- The Foundation has the right to use a reasonable percentage of all endowment assets and charitable trusts under management, the annual unrestricted funds, assess fees for services, or impose gift taxes, to support its operations on behalf of the University. Such assessments shall be in accordance with properly approved Foundation policies and fully disclosed to the University at least annually, or when a material change has been imposed. No assessments will be made to University owned funds or endowments without the written approval of the University.
- University endowments are funds given to the university and accounted for on the university's books, which meet the endowment requirements established by University policy.
- The University will provide office space, computer and telephone systems, utilities, adequate personnel, office supplies, and other such services that may be necessary or required to fulfill the responsibilities and obligations of the Foundation.
- The Foundation shall maintain copies of the plans, budgets, and donor and alumni records developed in connection with the performance of its obligations.
- The Foundation will provide access to data and records to the University on a need-to-know basis in accordance with applicable laws, Foundation policies, and guidelines. The Foundation will provide copies of its annual report, and other information that may be publicly released.

## **TERMS OF THE MEMORANDUM OF UNDERSTANDING (MOU)**

This Memorandum of Understanding, made this 19th day of October, 2006, by and between the Board of Stephen F. Austin State University and the Stephen F. Austin State University Foundation, Inc. (an Internal Revenue Code §501 (c) (3) nonprofit corporation), is intended to set forth policies and procedures that will contribute to the coordination of their mutual activities.

To ensure effective achievement of the items of the agreement, the University and the Foundation officers and board representatives shall hold periodic meetings to foster and maintain productive relationships and to ensure open and continuing communications and alignment of priorities.


Provided the Foundation has first executed this agreement, this agreement is effective upon its approval by the Regents.

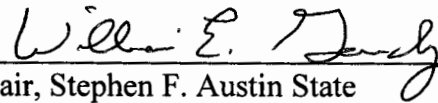
Either party may, upon 90 days prior written notice to the other, terminate this agreement. Notwithstanding the forgoing, either party may terminate this MOU in the event the other party defaults in the performance of its obligations and fails to cure the default within a reasonable time after receiving written show cause notice.

Should the University choose to terminate this agreement the Foundation may require the University to pay, within 180 days of written notice, all debt incurred by the Foundation on the University's behalf including, but not limited to, lease payments, advanced funds, and funds borrowed for specific initiatives, unless the Foundation continues to maintain sufficient assets and resources available to pay its debts or unless University payment of such debts is otherwise prohibited under law. Should the Foundation choose to terminate this agreement the University may require the Foundation to pay debt or obligations it holds on behalf of the Foundation in like manner. Upon termination, the parties shall reasonably attempt to negotiate whether dissolution of the Foundation is appropriate and how endowed funds and assets collected for the benefit of the University and controlled by the Foundation should be handled thereafter.

Consistent with provisions appearing in the Foundation's bylaws and its articles of incorporation, should the Foundation cease to exist or cease to be an Internal Revenue Code §501(c)(3) organization, the Foundation will transfer its assets and property to the University, to a reincorporated successor Foundation, or to the state or federal government for public purposes, in accordance with the law and donor intent.

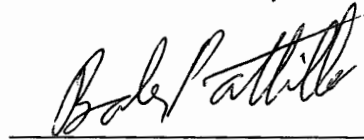
IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed by their duly authorized officers as of the day and date first above written.

  
Chair, Stephen F. Austin State University  
Board of Regents

  
Chair, Stephen F. Austin State  
University Foundation

Date: 10/19/2006

Date: 10-23-06

  
President  
Stephen F. Austin State University

  
Executive Director  
Stephen F. Austin State  
University Foundation

Date: 10-30-2006

Date: 10-30-2006

**BOARD OF REGENTS**

**OF**

**STEPHEN F. AUSTIN STATE UNIVERSITY**  
Nacogdoches, Texas

**RESOLUTION REQUESTING  
RE-ISSUANCE OF CHECKS FOR INSURANCE PROCEEDS**

**WHEREAS**, General American Mutual Holding Company issued two checks to the University, who is the owner of the policy, as part of its liquidation under Missouri law, in the sums of \$11,628.91 (No. 00000050816) and \$2,253.92 (No. 00200269990); and

**WHEREAS**, the checks were payable to the University, but incorrectly contained the insured's address, used the social security number of the insured as the recipient identification number, and misspelled the University's name; and

**WHEREAS**, in order to re-issue the checks with the correct information, American General Mutual Holding Company requires that a corporate resolution be passed requesting the re-issuance;

**NOW THEREFORE BE IT RESOLVED** that the Stephen F. Austin State University Board of Regents, by the passing of this Resolution, does hereby request that General American Mutual Holding Company re-issue checks for \$11,628.91 and \$2,253.92 payable to the University with the corrected information and that they correct their payment information for any further disbursements that may occur in this matter; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the minutes of the October 19, 2006 meeting of the Board.

**THE BOARD OF REGENTS, STEPHEN F. AUSTIN STATE UNIVERSITY**

  
Valerie Ertz, Chair

  
James Thompson, Secretary

**AGREEMENT FOR EXECUTION OF  
CONSERVATION EASEMENT  
FOR MITIGATION**

This Agreement is entered into this day by and between TIN INC., doing business as TEMPLE-INLAND, and Stephen F. Austin University ("SFASU") to memorialize the obligations of the parties consistent with the issuance of Permit No. (to be assigned) by the U. S. Army Corp. of Engineers ("USACE") relating to construction within a jurisdictional wetlands area as provided in said Permit (project number 200500092). By recordation of a Conservation Easement, Temple-Inland and SFASU intend to mitigate activities of SFASU relating to the construction of its new baseball park upon approximately twenty (20) to fifty (50) acres of real property in Nacogdoches County, Texas.

Upon the mutual covenants and conditions herein expressed, and for good and valuable consideration, the parties hereby agree as follows:

1. Obligations of Temple-Inland:

- (a) On or before thirty (30) days following final approval by USACE of the Conservation Easement, Temple-Inland shall execute and file of record said Conservation Easement to be drafted in general accordance with the provisions of the Texas Uniform Conservation Easement Act of 1983, and in form mutually acceptable to Temple-Inland, SFASU, and the Grantee of said easement, and in compliance with the terms of USACE Permit No. (to be assigned).
- (b) At the time of the execution of this Agreement, the parties hereto intend to seek USACE approval of an acceptable entity (e.g.-reputable land trust, SFASU School of Forestry, etc.) as the easement holder. It shall be the obligation of Temple-Inland to find an easement holder suitable and acceptable to SFASU and USACE to receive and to hold the Conservation Easement. The Conservation Easement will include language that permits scientific research and periodic tours of the property that are consistent with the intent of the Conservation Easement.
- (c) The Conservation Easement shall be filed of record by Temple-Inland in the county where the property is located. The property to be included in the Conservation Easement (the "Mitigation Area") is approximately twenty (20) to fifty (50) acres (TIN compartment/stand 03210-018), more or less, to be determined based on USACE permit requirements and by final survey out of the Nathaniel Benton Survey, Abstract No. 88, Nacogdoches County, Texas.

- (d) Temple-Inland shall complete the survey of the approximate twenty (20) to fifty (50) acre Mitigation Area made the subject of the Conservation Easement, and shall submit a copy of said survey, when completed, to the SFASU, the Grantee of the Easement, and to USACE.

2. Obligations of SFASU:

- (a) SFASU shall pay to Temple-Inland, within five (5) days of the execution hereof, the amount of \$15,000.00 as Earnest Money. In the event SFASU completes all of its obligations contemplated hereby and closes and funds this transaction in full, the Earnest Money shall be credited to the Purchase Price for the Conservation Easement. In the event SFASU fails to complete its obligations and fund the Purchase Price, Temple-Inland shall be entitled to retain the Earnest Money as liquidated damages. The Earnest Money shall be refunded by Temple-Inland to SFASU only in the event Temple-Inland fails or is unable, to complete its obligations hereof in the time period allowed.
- (b) On the Closing Date, SFASU shall pay Temple-Inland via wire transfer the Purchase Price which shall be an amount equal to \$10,000.00 per acre multiplied by the number of acres in the Mitigation Area as surveyed, the cost of surveying the Mitigation Area (not to exceed \$15,000), and any stewardship endowment fees required by the Grantee of the Easement (not to exceed 25% of the appraised value of the property). Temple-Inland shall pay all other costs associated with this Agreement and Mitigation Area, including, without limitation, recording fees, attorneys' fees for Temple-Inland, the costs of implementing the Mitigation Plan as described in the Permit, and real estate property taxes.

3. Temple-Inland represents, warrants and covenants to SFASU that:

- (a) Temple-Inland has not received any notice of, and has no knowledge of, any pending or threatened taking or condemnation of the Mitigation Area.
- (b) Temple-Inland is a duly formed corporation of the State of Delaware. Temple-Inland is in existence and in good standing in accordance with the laws of the State of Texas and is authorized and qualified to own the Mitigation Area. Temple-Inland has complete and full authority to execute this Agreement and to record the Declaration.
- (c) Temple-Inland holds marketable fee simple title to the Mitigation Area, and there are no liens, easements or other encumbrances affecting the Mitigation Area, that would prevent the implementation of, and

continued compliance with, the Mitigation Plan.

- (d) Each of the persons executing this Agreement on behalf of Temple-Inland further represents and warrants that the persons signing this Agreement on behalf of Temple-Inland are duly qualified and appointed representatives of Temple-Inland and have all requisite power and authority on behalf of Temple-Inland to enter into this Agreement as the valid, binding and enforceable obligation of Temple-Inland.
  - (e) Temple-Inland has no knowledge of, nor has Temple-Inland received any notice of, any actual or threatened action, litigation, or proceeding by any organization, person, individual or governmental agency (including governmental actions under condemnation authority or proceedings similar thereto) against the Mitigation Area or Temple-Inland, nor has any such organization, person, individual or governmental agency communicated to Temple-Inland anything that Temple-Inland believes to be a threat of any such action, litigation or proceeding.
  - (f) Temple-Inland has received no notice of and has no knowledge of any violations of law, municipal or county ordinances, or other legal requirements with respect to the use of the Mitigation Area.
4. SFASU represents, warrants and covenants to Temple-Inland that:
- (a) SFASU is a duly formed state university of the State of Texas. SFASU is in existence and in good standing in accordance with the laws of the State of Texas.
  - (b) Each of the persons executing this Agreement on behalf of SFASU further represents and warrants that the persons signing this Agreement on behalf of SFASU are duly qualified and appointed representatives of SFASU and have all requisite power and authority on behalf of SFASU to enter into this Agreement as the valid, binding and enforceable obligation of SFASU.
5. Closing of this transaction including but not limited to funding of the Purchase Price, and recordation of the Conservation Easement, shall occur on or before, 2007. The Closing Date may be extended by mutual agreement of the parties as evidenced in writing.

Executed to be effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

TIN INC. d/b/a TEMPLE-INLAND

By: \_\_\_\_\_  
Jack C. Sweeny,  
Executive Vice President –  
Forest Products

STEPHEN F. AUSTIN STATE UNIVERSITY

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**Policies Approved by the Board of Regents  
October 19, 2006**

<b>Policy Number</b>	<b>Policy Name</b>	<b>Action/Change</b>	<b>Page Number</b>
B-4	Camp and Conference Reservations	Major rewrite.	P-3
B-5	Campus Facilities for Political Purposes	Reviewed with no changes.	P-14
B-24	Property Transfer and Disposal	Deleted and incorporated into C-42.	P-15
B-34	Property Liability	Procedural clarification. Title updated.	P-19
C-13.5	Food Services	Removed references to food services contract. Other minor wording changes and title updates made.	P-21
C-15	Gift Reporting	Expansion of definition of "gift-in-kind." Requirement added for appraisal of in-kind gifts over \$5,000 in value. Deleted reference to credit card gift.	P-22
C-16	Gifts, Loans, Endowments and Bequests	Updated title.	P-24
C-20.A	Local Purchase Authorization	Deleted entirely. Process discontinued on 9/1/06.	P-29
C-25	Private Solicitation	Deleted entirely as obsolete.	P-32
C-39	Withdrawal Without Financial Clearance	Minor wording changes. Moved administration from VPAA to VPFA.	P-33
C-41.A	Investments: Endowment Funds	Adjustment made in target allocation for the endowment funds. Changed distribution policy.	P-35
C-42	Property Inventory Management	Major rewrite.	P-47
D-6	Authority for Official Statements	Reviewed with no changes.	P-58
D-8	Authorization for University President to Suspend Faculty and Staff	Reviewed with no changes.	P-59
D-17	Health and Safety	Major rewrite.	P-60
D-20.5	Items Requiring Board of Regents Approval	Raised threshold for board approval of projects, contracts, purchases, change orders, etc. from \$50,000 to \$100,000	P-63

<b>Policy Number</b>	<b>Policy Name</b>	<b>Action/Change</b>	<b>Page Number</b>
D-25.5	Private Support Organizations or Donors	Added Government code reference.	P-67
D-30	Selection of the President	Minor wording changes.	P-69
D-30.1	Selection of Vice Presidents, Athletic Director and Head Coaches	Reviewed with no changes.	P-70
D-35	Displaying Serious Psychological Problems	Minor wording changes. Added cross reference to other policies. Updated title.	P-71
E-9	Salary Supplements, Stipends, and Additional Compensation	Title change and major rewrite.	P-75
E-33.1	New Employee Orientation	Minor wording changes. Title updated.	P-84
E-34	Organized Work Stoppage	Added statutory reference.	P-86
E-43.5	Risk Management	Major rewrite.	P-87
E-47.1	Sick Leave Pool	Added statutory reference.	P-93
E-57	Performance Management Plan	Major rewrite.	P-97
F-3	Bookstore Special Orders	Staffing changes described. Purchasing procedures included. Title updated.	P-100
F-4	Bookstore Textbook Orders	Titles updated.	P-101
F-11	Express Mail	Procedure deleted as a policy.	P-102
F-12	Faculty and Staff Athletic Purchases	Minor wording changes.	P-103
F-15	Guest Speaker	Minor wording changes. Added cross references to other university policies. Updated title.	P-104
F-18	Mail Services	Minor wording changes.	P-106
F-21	Notary Public	Application procedure clarified. Added reference to necessary forms.	P-108
F-26	Student Employment Center	Major rewrite.	P-110
F-30	Ticket Office Services	Minor wording changes. Title updated.	P-115
F-31	Vending	Title updated.	P-116

## Camp and Conference Reservations

B-4

Original Implementation: 1987

Last Revision: ~~October 23, 2003~~ *October 19, 2006*

Each year Stephen F. Austin State University is host to a variety of camps, clinics, workshops, and conferences. To facilitate the many and varied requests of these groups, the Coordinator for University Reservations and Conferences, referred to in this booklet as the Coordinator, located in the ~~University Student Center, room 1102H~~, is available to assist Camp Directors in arranging housing, meal tickets, meeting space, insurance, parking permits, and banquets. A camp, as referred to in this document, refers to all special programs, camps and conferences.

### Eligibility

Any camp or conference requesting use of University facilities must have a University sponsor. If profit-making agencies are involved with the program, the sponsoring organization must receive prior approval from the Vice President for ~~Business Affairs~~ *Finance and Administration* to conduct the camp. It is the responsibility of the ~~sponsoring individual or organization~~ *University sponsor* to ensure that programs and activities conducted in the ~~University Student Center~~ or at other locations on the University campus are in compliance with the Americans with Disabilities Act.

### Age of Participants

Camp participants under ten (10) years of age are not permitted to stay over-night in the residence halls unless accompanied by parents and under close supervision at all times.

### Request for Camp/Conference Facilities

~~The first step for the Camp Directors will be to~~ must submit a completed "Camp/Conference Reservation Contract" to the Coordinator ~~(see appendix for sample) to request the use of University facilities (see appendix for sample). The form should be completed with estimates of size of the camp.~~ *An estimated number of attendees (including counselors and directors) for the camp must be included on this form.* Housing, meal cards, meeting space and other requests will be reserved according to the stated needs on this form. Completion and return of these forms as early as possible will help assure that each specific need will be met. Some areas are limited and will be supplied on a first-come, first-serve basis. A packet containing passes, tickets, insurance forms and instructions will be assembled and should be picked up at the Coordinator's office two (2) weeks before the scheduled camp date.

### Insurance Requirements

It is the responsibility of the ~~sponsoring department~~ *University sponsor* to ensure that each group has appropriate liability coverage. All non-credit participants spending the night in

University residence halls must be insured. A per camper/night fee will be assessed at the completion of the camp and ~~billed to the proper account~~ *included on the invoice for camp expenses*. A list of names of all participants to be insured must be submitted to the office of the Coordinator on the first working day of the camp session. ~~Completing~~ *Completion* of insurance forms ~~are~~ *is* the responsibility of the Camp Director. Forms returned because of insufficient information are also the Camp Director's responsibility.

### **Health Clinic**

A *University* medical release and consent form (~~see appendix for sample~~) must be completed and signed by the parent/guardian of each camper under age 18. Neither the clinic nor local hospitals will treat a minor student without this release form in hand. The Camp Director is responsible for having these forms signed and readily accessible at all times in case of an emergency.

Claim forms are available from the Coordinator as needed. The attending *SFASU Health Clinic* physician/professional will forward the claim form to the insurance carrier following a medical visit. *In the event that a camper requires treatment at a local hospital, the insurance claim form must be returned to the Coordinator to insure correct processing of the claim.* No claim will be processed without the signature of a camp official.

A camp official must accompany a student camper to the University Health clinic, local hospital emergency room, or pharmacy.

### **Emergency Phone Numbers**

All camp participants should be informed that a campus 911 number is available to them should an emergency take place.

Parents of participants should be informed of the twenty-four (24) hour emergency phone number (936) 468-2608 at the University Police Department.

### **Billing Procedures**

Billing for summer camps will be handled through the Coordinator's office. Costs for meals, housing and insurance will be negotiated each year and the projected costs made available upon request. An account number or billing address should be supplied at the time of the original camp reservation. ~~After the camp is completed~~ *Upon completion of the camp, one total invoice bill for all* lodging, damages, lost keys, meals, special banquets, SFA food service deliveries and pick-ups, insurance, and other applicable costs will be ~~assessed~~ *issued to the Camp Director. and billed to the camp account.* Any damages, etc. discovered after the close of the camp will remain the Camp Director's responsibility. *Payment must be made in full within 30 days of the date of the invoice.*

**Camp cancellations** must be made **in writing** to the Coordinator. Cancellations within one month to two weeks prior to the starting date of the camp will incur a \$100 dollar cancellation fee. There will be a \$150 per day charge for each day that the camp was scheduled when the cancellation is made within two weeks of the beginning date of the camp.

## **Housing**

The Camp Director should estimate as closely as possible the number of students and counselors needing University housing for the camp session. Space will be reserved as per the reservation completed by the Camp Director. Concurrent camps may result in two or more groups occupying the same residence hall. ~~In the event that this becomes necessary, the Camp Director will be allowed the opportunity to request additional facilities. The request for additional facilities will be granted if housing facilities are available. Additional fees will be charged for this service and will be established according to the type of facility requested.~~

Before the camp session, the Camp Director will receive lists of final hall assignments, summer Hall Directors and their current phone numbers. Two weeks before the camp session the ~~Housing Department~~ University will send floor plans, roommate lists, information specific to the building, such as rooms being used for storage and not available to campers, and the current phone number for the Hall Director. The Camp Director should contact the Hall Director as soon as the lists are received and should keep the Hall Director updated on changes and special needs the camp may have in the hall.

If it is necessary for a camp to have ~~camp~~ staff or campers arrive one night early or check out one day later than the main camp, the early arrivals/late checkouts may be housed in a different facility for this time. Any early arrivals or late checkouts must have authorized supervision.

## **Final Arrangements**

At least two (2) weeks prior to the start of the camp session the Camp Director should contact the ~~Hall Director~~ Coordinator assigned to the camp to finalize arrangements. Issues to be discussed include early arrivals, pre-camp inventory of the residence hall, check-in and checkout procedures, room assignments, storage of equipment, late departures, and ~~post-end of conference camp~~ inventory of the residence hall.

The SFA Housing Department is responsible for the overall cleaning of the residence halls, but it is the Camp Director's responsibility to make sure campers' posters, trash and other items are removed from the rooms and taken to the dumpster. The Camp Director is responsible for removal of any writing on walls, mirrors or doors prior to departure.

Housing damages and lost key charges are assessed after the group has left the residence hall, but remain the Camp Director's responsibility. (See Damages for more information)

Groups meeting in the lobbies of the residence halls are responsible for the general cleaning of these areas. Food deliveries are not permitted after the front desk closes. Participants may not use hallways, floors, or rooms other than those assigned to the camp.

### **Special Accommodations**

Any camper or conference attendee that will need special accommodations due to a disability should contact the Coordinator prior to arrival on campus.

### **The Camp/Conference Director Responsibilities**

(Participants as presented below refer to all individuals associated with the camp/conference including campers, instructors, staff and guests).

The Camp/Conference Director:

1. Will provide counselors and staff for the camps, ~~preferably a minimum of one counselor per ten campers is required.~~ Campers ~~should~~-must be supervised ~~during any free time~~ at all times.
2. Inspects residence hall facilities immediately prior to and after the camp session;
3. Advises participants of appropriate check-in and checkout procedures including charges for damages and lost keys;
4. Familiarizes participants with University policies, especially those pertaining to fire and emergency evacuation procedures, appropriate conduct, possession of controlled substances and fire arms, and authorized entry into rooms;
5. Maintains discipline of all participants;
6. Cooperates with the residence hall director and staff who are responsible for the safety, security and maintenance of the building;
7. Collects and has readily available all Medical Release and Consent Forms on all participants;
8. Informs the University in advance of early and late arrivals;
9. Completes insurance forms at the time of treatment;
10. Handles insurance forms returned for lack of student information;
11. Furnishes the ~~coordinator~~-Coordinator with a camp roster as soon as possible but no later than twenty-four (24) hours after camp check-in begins.
12. It is the responsibility of the ~~sponsoring individual or organization~~ University sponsor to ensure that programs and activities conducted in the University Student Center or at other locations on the University campus are in compliance with the Americans with Disabilities Act.

### **The Hall Director's Responsibilities**

The Hall Director is responsible for supervising the SFA residence hall staff. He/she will develop a comprehensive work schedule, assist with distribution of keys and room assignments as needed to provide the best possible service to ~~conference~~-camp guests.

The hall director will be available to assist the Camp/Conference Director in providing adequate supervision and disciplinary guidelines to campers.

After camp completion, the Hall Director will be responsible for submitting to the Housing Department the final count of rooms/beds used.

The Hall Director:

1. Acts as a daily contact person to assigned groups;
2. Prepares staff for handling emergencies and familiarizes them with overall building layout (elevators, fire alarms, etc.);
3. Interprets, supports, and enforces University policies, procedures, and regulations;
4. Completes work orders and maintenance requests as needed for efficient hall maintenance;
5. Completes administrative paperwork as required by the Residence Life Office or the Housing Department.
6. Assesses all Housing charges at the Conclusion of the conference.

#### **Hall Director Phone List**

~~Units 6620 Wilson 4906~~

Wisely 2663	Hall 14 5408
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Todd 4907	Griffith 5401
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North 2644	Hall 16 5100
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Hall 10 4708	Steen 4607
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Mays 4707	Kerr 5306
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South 2793	Hall 20 2671
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The Hall Director reports to the Coordinator of Residence Life.

#### **The Residence Hall Staff's Responsibilities**

The residence hall staff, under the supervision of the Coordinator of Residence Life and the day-to-day responsibility of the Hall Director, will assist in summer camp programs.

The Hall Staff:

1. Cooperates with the Hall Director in the operation of the residence hall;
2. Assists with check-in and preparation of facilities for each camp;
3. Assists with checkout and inspection of rooms at the close of each camp ;

4. Performs desk responsibilities during assigned desk hours, gives information, checks guests in and out, issues keys, takes messages, and/or any other duties deemed necessary;
5. Serves as a referral/resource person to camp participants;
6. Assists in acquainting Camp Director with University policy, emergency procedures and facilities lay-out;
7. Maintains necessary reports and an accurate accounting of money, keys, maintenance requests, damages, etc.;
8. Is accessible in emergency situations;
9. Maintains duty hours as assigned by the Hall Director;
10. Attends staff meetings as assigned by the Hall Director; and,
11. Performs other duties as assigned by the Hall Director.

### **Residence Hall Rules and Regulations**

**Agenda/Schedule.** A copy of the agenda or schedule for each conference group must be left with the Hall Director to assist the residence hall staff in directing students during their stay.

**Alcohol.** Alcohol is not allowed in residence halls at any time.

**Cleaning Fee.** Cleaning charges may result if the participant leaves the room in any condition that requires custodial personnel to be called in for extra cleaning or the removal of trash from the building.

**Controlled Substance.** Unlawful use, manufacture, possession, or delivery of any controlled substance or dangerous drug is prohibited in residence halls.

**Damages.** The camp will be charged for any damages to the residence hall or its furnishings. Attaching signs or posters to the doors or the walls with tape may result in damage charges. The University is not responsible for any damage to a camper's room as a result of theft, vandalism, or maintenance failure. The Housing Department encourages a representative from each group to conduct a walk through inspection of each room prior to the arrival of the camp. All pre-existing damages should be noted at that time. The Hall Director will be available to inspect each room with the Camp Director upon request. The Camp Director is responsible for removal of any writing on walls, mirrors or doors prior to departure. Housing damages and lost key charges are assessed after the group has left the residence hall, but remain the Camp Director's responsibility.

**Desk.** The desk will be open from 10 a.m. until the Camp curfew (no later than midnight). Messages for camp participants received by desk attendants will be posted in a central location and not delivered to individual rooms. The Hall Director will unlock the front doors at the time requested by the camp director. The front door will be locked at midnight, or earlier if requested. Any one that is locked out of the building may use the emergency phone located next to the door to contact the University Police Department for admittance to the building.

**Desk Deliveries.** Deliveries of prepaid merchandise may be made to the residence hall desk while it is open. Desk assistants will notify participants of a delivery, but shall in no way be made accountable for such items. Occupants will be contacted for deliveries when payment is needed.

**Discipline and Supervision.** It is the responsibility of the Camp Director or camp staff to administer discipline to participants who violate camp or University regulations. On occasions when camp personnel are not available, residence hall personnel will temporarily handle the situation. In cases of chronic or severe discipline problems, the residence hall director reserves the right to recommend that a camp participant be sent home. Violation of federal, state or municipal law will require the involvement of the University Police Department. All camps must provide on - site camper supervision throughout the duration of the camp. This includes overnight supervision within the residence hall.

**Emergency.** In case of an emergency call 911 or University Police at (936) 468-2608.

**Entry-Authorized Entry Into Rooms.** Entry into a residence hall does not normally constitute a search. University personnel and the camp staff may enter a room to remove a potential fire, safety, or health hazard; to perform maintenance; to correct situations intruding upon the comfort of others (a phone or alarm clock continuously ringing, loud radios, etc.); to retrieve items upon request of the participant's immediate family; and to retrieve the personal belongings of other individuals where there is no apparent dispute to ownership of the property.

All other situations which would require entry into a room should be coordinated with the Hall Director who may consult with University Police.

**Evacuation Procedures.** All persons are required to evacuate a building when an emergency alarm is activated. If an alarm sounds, each person must leave the room and proceed to the nearest clear exit. Stairwells must be used instead of elevators. If the camper is unable to exit the room, a towel, sheet, or similar item should be placed outside the window, so that emergency personnel will know that someone is in the room. Camp Directors may request that a fire drill be scheduled during the camp by contacting the Hall Director prior to arrival.

**Facility Sharing.** In order to be more energy efficient, two or more camps may be scheduled in the same facility.

**Firearms.** Possession or use of weapons or explosives (such as pistols, rifles, shotguns, firecrackers, cherry bombs, or any weapons prohibited by laws of the state of Texas) in University-owned-or-controlled buildings is prohibited.

**Fire Safety.** No incense or candles may be burned in residence halls. If an extinguisher is maliciously discharged, a fee for refilling the extinguisher and for clean-up will be assessed. Transmission of a false alarm is a violation of state law and violators will be prosecuted.

**Gambling.** Gambling in any form is prohibited.

**Games.** Because of potential physical harm or residence hall damage, active games such as running and the use of frisbees, footballs, ice or water fights etc., are not allowed within residence halls. It is the responsibility of the camp to store the equipment for the camp such as basketballs, etc.

**Guests With Disabilities.** ~~Conference-Camp~~ guests that need any special accommodations should contact SFA's Camp Coordinator prior to arrival.

**Housekeeping.** Housekeeping staff are on duty Monday through Friday. Common areas of the residence halls and community bathrooms are cleaned daily. Cleaning of individual rooms and trash in individual rooms is the responsibility of the camper. Any housekeeping concerns should be reported to the front desk.

**Keys.** Keys are issued according to the Camp Director's request and University Policy at the time of check-in. Keys must be turned in to residence hall staff at checkout. A replacement fee will be assessed for each key that is not returned at the end of the camp session. This charge covers the cost to change the lock and make a new set of keys. Camp officials will not be issued master or front door keys to any building. In the event a camper is locked out of a room, Camp Staff will be asked to confirm the identity and room assignment of the camper before a new key is issued. Each Camp Director will develop the camp procedure for lockouts.

**Laundry Facilities.** Coinless washing machines and dryers are located in each residence hall.

**Lost and Found.** Lost and found items should be turned in to the front desk. At the end of each camp, the Camp Director may pick up any lost and found items. Anything left over from the camp will be turned in to the ~~University~~-Student Center Information Desk on campus. SFA ~~cannot~~-will not be responsible for lost or stolen items.

**Maintenance.** Any maintenance problems should be reported to the Hall Director or desk personnel. Abuse of elevators, televisions, laundry machines or ice equipment or other excessive maintenance charges may be billed to the camp.

**Medication.** The residence hall staff will not dispense any type of medication to a camper. Contact the SFA health clinic at (936) 468-4008 if a camper will need assistance with medication during the camp session.

**Movies.** No movies may be shown in the residence hall lobbies due to licensing law restrictions.

**Pets.** No pets are allowed within the residence halls.

**Public Areas.** Eating, drinking and smoking are not permitted in the lobbies, hallways, laundry rooms, community baths or other public areas. Pizza parties etc., should be held outside or the food distributed and the campers dispersed to their rooms.

**Roommates.** The Camp Director will handle all roommate problems. If a room change is necessary, consult the Hall Director.

**Smoking.** No smoking is allowed in the residence halls or on the front porches during camps.

**Storage.** Rooms used for reasons other than living space will be charged the private room rate, (i.e. storage, offices or conference rooms).

**Telephones.** The University does not furnish telephones for individual residence hall rooms. Camp staff members are encouraged to bring telephones. Local telephone service is provided in each room. Dial 9 for an outside line. In order to place a long distance phone call, a telephone calling/credit card must be used. Incoming collect calls may not be accepted. The phone number is printed on the telephone jack.

**Trash Policy.** The SFA Housing Department is responsible for the overall cleaning of the residence halls, but it is the Camp Director's responsibility to make sure campers' posters, trash and other items are removed from the rooms and taken to the dumpsters located outside of each building. The Housing Department will furnish each camper with a plastic trash bag when they check into the building and large bags at the end of each camp to gather all of the smaller bags for removal from the building.

**Vending.** Vending machines are provided for the convenience and enjoyment of the camp participants. Empty or malfunctioning machines should be reported to the front desk as soon as possible. Camp participants who lose money in the machines should report to ~~the the U.C. Business Office~~ *Student Center Information Desk*, ~~located in the basement of the University Center~~, for a refund.

**Windows.** Windows in residence halls must be closed at all times for air conditioning systems to function properly. Window screens may not be removed by residents.

### **Dining Service**

Meal and Hall Access tickets to be used by camps will be enclosed in the camp packet according to the estimated number stated on the reservation form at a price per card. As a general rule, 10% extra meal tickets will be included to handle lost and damaged cards at no charge. Meal cards are numbered for use in assignment. If a card is lost, the Coordinator's office- may be notified immediately and SFA Dining Services will be alerted to watch for the lost card. ~~SFA Dining Services will charge the group for actual meals eaten. There will be a charge for failure to notify reservations if the group misses a meal. The count will be taken at the cafeteria register and that count will be considered final, should a dispute arise.~~

To facilitate quick access to the cafeteria when several large groups are on campus simultaneously, meal times- should be staggered. ~~From the information provided on the reservation form, Food Services will be notified of the first and last scheduled meals to be eaten in the cafeteria and whether or not the group will be missing a meal. If the group misses a meal and the Coordinator was not notified, a 75% minimum charge will be assessed.~~ Special banquets in the University-Student Center can be arranged through the Coordinator's office according to ~~University-Student Center policies.~~ *SFA Dining Services will charge the camp for all meals scheduled according to the Camp/Conference Reservation Contract based on the actual number of attendees at the camp.*

### ***Campus HPE-Recreational Facilities and Programs***

#### **PHYSICAL ACTIVITY FACILITIES**

~~Primary physical activity facilities are the Shelton Gym, Norton Health and Physical Education Complex (HPE), the outdoor swimming pool, tennis courts, and intramural fields and sand volleyball courts. Facility requests for the use of campus recreational facilities and programs will be made in writing by the Camp Director on the Camp/Conference Reservation Contract. All physical activity facilities and programs for camps will be scheduled around academic classes (to be set in March), maintenance, intramural-campus recreation programs and field conditions.~~

- ~~1. Shelton Gym—basketball or general use. One regulation size basketball court or two smaller basketball courts with P.A. system and bleachers for approximately one thousand. Can be booked for sports camps and cheerleading camps during the day, 8am—7 pm. Can be booked for recreational camp use from 7pm—10pm. Camps will be allowed one gym only.~~
- ~~1. Norton HPE Complex—five basketball courts with no seating or PA system. Can be booked for sports camps and cheerleading camps from 8am—7pm and for recreational use from 7pm—10pm. Camps will be allowed one gym only.~~
- ~~2. Outdoor Swimming Pool—capacity of 150 swimmers, can be booked from 7pm—10pm for camp use with a two-hour minimum.~~
- ~~3. Tennis Courts—twelve courts available for camps/conferences, can be reserved from 8am—10pm. No equipment will be furnished by the University.~~
- ~~4. Intramural fields—located on Wilson Drive, usually set up for softball during the summer months. Can be requested from 8am—10pm. The fields will not be confirmed until two weeks prior to the camp.~~
- ~~5. Sand volleyball Courts—four courts. Can be reserved from 8am—10pm.~~

#### **University Center Games Area**

~~The Games area located in the University Center basement will be available to campers during regular SFA hours. Special permission for use at other times may be granted by the Director of Auxiliary Services. Group reservations should be made on the camp reservation form. Cost for games and machines are posted in the Games area. A late charge may be assessed for groups staying after hours.~~

### **University-Student Center Meeting Rooms**

Rooms in the University-Student Center are made available to summer camps on a first-come, first-serve basis following established University-Student Center policies. Only food purchased through the University is to be served in the University-Student Center meeting rooms. Arrangements for room set-up and food orders for banquets or meetings must be made in the Coordinator's office two weeks prior to the event. Failure to notify the Coordinator of a cancellation approximately 72 hours in advance of the scheduled activity will result in payment of the cost incurred by the University-Student Center or Food Service personnel. University-Student Center decorating restrictions will be strictly enforced. The Nibbler's Nook and the lounge areas are non-reservable areas during regular operating hours. Lounges are primarily intended for general use by the public. Due to limited space in the University-Student Center, rooms in the U.C. will not be available for storage before the camp dates. Boxes shipped before the group's arrival to the campus must be held by the sponsoring department.

### **Academic Buildings for Meeting Rooms**

The Coordinator will be available to assist Camp Directors in reserving meeting spaces in academic buildings and auditoriums following policy guidelines for each building. For assistance, the Camp Director should specify dates, hours, and group size on the reservation form.

### **Coliseum**

Reservations for use of the coliseum will be arranged by the Coordinator following the University regulations for coliseum usage. A per-event fee may be charged.

### **University Police/Parking**

Parking permits will be available through the Coordinator's office for campers bringing cars and buses to the SFA campus. Parking permits are to be displayed in the car window while on campus and disposed of after the camp is completed. If a group of parking spaces is needed, the Coordinator will arrange with the University Police Department for an area to be marked off for the camp.

**Source of Authority:** Board of Regents, President, Vice President for University Affairs

**Cross Reference:** None

**Contact for Revision:** Director of the ~~Auxiliary Services~~ Student Center

**Forms:** Medical Release and Consent Form (available in ~~Auxiliary Services~~ Student Center Administration); Camp/Conference Reservation Contract (available in ~~Auxiliary Services~~ Student Center Administration); Camp Director's Check List Form (available in ~~Auxiliary Services~~ Student Center Administration)

**Campus Facilities for Political Purposes****B-5**

Original Implementation: April 27, 1970

Last Revision: ~~April 18, 2000~~ *October 19, 2006*

While the use of the facilities of the University for partisan political assemblies and meetings is not normally encouraged, the faculty and administration, as members of a learned and honorable profession, may properly exercise their acknowledged individual rights and obligations of citizenship free of University discipline or censorship.

Individual political candidates and their election organizations are not permitted to reserve a University facility for campaign activities. However, if a candidate is invited by a University group, then he/she may appear in the facility, provided that the group extending the invitation is responsible for reserving the facility and meeting the costs related to the event.

No member of the Board of Regents shall undertake to influence the political opinions of personnel subject to the Board's jurisdiction, but such personnel are requested to exercise their individual rights or citizenship or academic freedom in a responsible manner reasonably calculated not to identify or associate with the University.

A University employee may not use his/her official authority or influence to coerce the political action of a person or body.

**Source of Authority:** Board of Regents Rules and Regulations, Texas Government Code § 556.004

**Cross Reference:** None

**Contact for Revision:** President

**Forms:** None

**Property Transfer and Disposal****B-24**

Original Implementation: January 1, 1985

Last Revision: February 4, 2004

~~Surplus or salvage property is not to be disposed of in any manner other than those described herein. Disposition of property acquired through Federal or State grants and contracts must respect the terms of the grant or contract under which it was acquired.~~

~~Surplus Property is defined as any personal property that is in excess of the needs of the department and which is not required for its foreseeable need. Surplus property may be new or used but must have additional useful life.~~

~~Salvage Property is defined as any personal property which through use, time or accident is so depleted, worn out, damaged, consumed, or outdated that it is obsolete and/or can no longer serve the purpose for which it was originally intended.~~

**TRADE-IN OF EQUIPMENT**

~~Before declaring property surplus or salvage a department may consider trading in the property on new property of the same general type when such exchanges are in the best interest of the University. Trade-ins must be included in vendor negotiations from the beginning; not added after completion of a contract. The requisition must include the following information about each piece of equipment to be traded in: description, inventory number, approximate age and condition; i.e., poor, good, working, not working, etc. It is the department's responsibility to remove and return the inventory number plate to the Property Manager.~~

~~Trade-ins are offered "where is, as is, at the State's option" during the bid process. The final decision to trade is made after the bids have been received and an evaluation has been performed by Purchasing and the department. The evaluation must consider 1) the value to the University if the equipment can be utilized in another area for the same or other suitable purposes; 2) the value of the equipment if offered in a public sale.~~

**PROPERTY TRANSFERS BETWEEN DEPARTMENTS**

~~Property may be transferred from one department to another by the use of the Property Transfer Form (PTF). The form is to be signed by the department head transferring the equipment and by the department head receiving the equipment. After completion, all copies of the form are to be forwarded to the Property Manager.~~

~~Section I is to be completed by the department transferring the equipment. The form and the physical property are to be forwarded to the department accepting responsibility for the equipment.~~

~~Section II is to be completed by the department receiving the equipment. Once the department head accepting the equipment signs the form, he/she is accepting responsibility for the care and control of the equipment. The completed form is to be forwarded to the Property Manager. After the transfer is recorded a copy of the PTF will be returned to the department head accepting responsibility for the equipment.~~

~~Microcomputers transferred between departments for re-use as a microcomputer, whether for connecting to the internet or not, should be confirmed by the ITS Technical Support Group or the department's designated technical representative to insure it meets minimum standards for reliability, performance and compatibility with current versions of software.~~

### ~~TRANSFERS TO SURPLUS~~

~~When equipment is determined to be surplus or salvage and will not be transferred between departments, the department must contact the Property Manager. At the Property Manager's direction the department should complete Section I of the Property Transfer Form (PTF) for a transfer to Surplus. The PTF and equipment are to be delivered to the surplus storage area. The Property Manager may direct the department to provide documentation other than the PTF depending on the disposal action taken. Surplus or salvage property is not to be delivered to the surplus storage area or otherwise disposed of without first contacting the Property Manager.~~

~~Once an item is declared surplus or salvage, the Property Manager will determine which disposal option best meets the needs of the University. Options for disposal will be considered in the order listed below:~~

- ~~1. re-use on campus through transfer to another department~~
- ~~2. cannibalization for part~~
- ~~3. sell or donate to another state agency~~
- ~~4. posting on the Coordinating Board web site for purchase by or donation to a public school or school district (instructional materials only, including data processing equipment)~~
- ~~5. donation only to a political subdivision, school district, volunteer fire department or assistance organization classified under 501C~~
- ~~6. all remaining data processing equipment will be transferred to the Texas Department of Criminal Justice~~
- ~~7. all remaining items will be advertised for public sale~~
- ~~8. donation to a private non-profit entity~~

~~9. discarded~~

## ~~TRANSFERS FROM SURPLUS~~

~~Equipment declared surplus or salvage is available, without cost, for transfer to those departments in need of such equipment. Availability is on a first come, first serve basis after screening for the proposed purpose. Inspection of the equipment may be arranged by contacting the Property Manager.~~

~~Microcomputers transferred from Surplus to departments for re-use as a microcomputer, whether for connecting to the internet or not, should be confirmed by the ITS Technical Support Group or the department's designated technical representative to insure it meets minimum standards for reliability, performance and compatibility with current versions of software.~~

## ~~POSTING INSTRUCTIONAL MATERIALS TO THE COORDINATING BOARD WEB SITE~~

~~All surplus items determined to be "materials or equipment that can be used for instructional purposes" will be posted to the Coordinating Board web site for direct transfer to a public school or school district. Posting may be for consideration or for no consideration as determined by the Property Manager. Disposal options 5-9 can not be considered until "materials or equipment that can be used for instructional purposes" has been posted to the Coordinating Board web site.~~

~~Postings will be made for a minimum one (1) week. All items posted for one week but not transferred to a public school or school district will be disposed of following disposal options 5-9.~~

~~If more than one public school or school district seeks to acquire the same property on substantially the same terms, the Property Manager shall give preference to a public school that is considered low performing by the commissioner of education or to a school district that has a taxable wealth per student that entitles the district to an allotment of state funds under Subchapter F, Chapter 42, Education Code.~~

## ~~TRANSFER OF DATA PROCESSING EQUIPMENT TO THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE~~

~~Computer equipment meeting the definition of "materials or equipment that can be used for instructional purposes" will first be posted to the Coordinating Board web site following established rules. Any data processing equipment not posted and any data processing equipment not transferred to a school district shall be transferred to the Texas Department of Criminal Justice following established rules.~~

~~Data processing equipment means information technology equipment designed for the automated storage, manipulation, and retrieval of data by electronic or mechanical means. The term includes central processing units, front-end processing units, mini-processors, microprocessors, and related peripheral equipment such as data storage devices, document scanners, data entry equipment, terminal controllers, data terminal equipment, computer-based word processing systems other than memory typewriters, and equipment and systems for computer networks.~~

~~Data processing equipment will not be disposed of in any manner other than Disposal Options 1-6 described herein.~~

#### **~~PUBLIC SALE OF EQUIPMENT~~**

~~The Property manager shall determine prices and conduct a public sale on a regular basis. The Director of Purchasing and Inventory will review all items and sale prices prior to each sale. All sales will be advertised with time for all interested parties to view the items prior to the sale day. The Property Manager shall determine a method of access to the property on sale day which is fair and equitable to all interested parties and which prevents unnecessary traffic on campus by non-University personnel prior to the sale.~~

~~The Property Manager is not eligible to purchase any item for which he/she has established pricing. No special privileges will be given to any employee or non-employee wishing to purchase surplus items.~~

~~Proceeds from each sale of surplus property are credited, in the year of the sale, to a revenue category (E&G Surplus Sales or non-E&G Surplus Sales) corresponding to the fund from which the original purchase was made.~~

**Source of Authority:** ~~Texas Government code, Title 10, Subtitle D, Chapter 2175; Texas Government Code, Title 10, Subtitle B, Section 2054.003(3)(A); President; Vice President for Business Affairs~~

**Cross Reference:** Property Inventory and Management Policy C-42

**Contact for Revision:** ~~Director of Purchasing and Inventory~~

**Forms:** ~~Property Transfer Form (available in Purchasing and Inventory)~~

## Property Liability

B-34

Original Implementation: April 22, 2003

Last Revision: ~~February 4, 2004~~ October 19, 2006

Any University employee entrusted with state property may be held financially liable for ~~lost, damaged, destroyed, lost, or and~~ stolen property as outlined in Texas Government Code 403.275.

All University employees will be provided a *copy of this policy at new employee orientation*. ~~written document for acknowledgement that he/she will from time to time be entrusted with the proper maintenance and safekeeping of State and University property. The Property Liability Acknowledgement form will also declare the employee's understanding that he/she will be held financially responsible for any property determined to be missing or stolen due to employee negligence.~~

*Department Head "Property Managers" will be required to sign a Change In Department Head Certification of Property Inventory accepting responsibility for all department property within 30 days of assuming their duties. The Department Head is responsible for identifying Responsible Parties who have been entrusted with the care and safekeeping of specific pieces of property. Employees taking equipment off campus will be required to complete a Removal of Property from Campus form. These forms will include the following statement:*

*"I understand that I am under financial liability for loss or damage to this (these) item(s) if the loss or damage results from my negligence, intentional act, or failure to exercise reasonable care to safeguard, maintain, and service it (them)."*

A person is financially accountable for any property loss sustained by the state if:

- (1) agency property disappears; as a result of the failure of the head of an agency, property manager, or agency employee entrusted with the property to exercise reasonable care for its safekeeping;
- (2) agency property deteriorates as a result of the failure of the head of an agency, property manager, or agency employees entrusted with the property to exercise reasonable care to maintain and service the property; or
- (3) agency property is damaged or destroyed as a result of an intentional wrongful act or of a negligent act of any state official or employee.

If the head of the state agency or property manager has reasonable cause to believe that any property in the agency's possession has been lost, destroyed, or damaged through the negligence of any state official or employee, the head of the agency or property manager shall report the loss, destruction, or damage to the comptroller and the attorney general

not later than the date established by the comptroller. If the head of the state agency or property manager has reasonable cause to believe that any property in the agency's possession has been stolen, the head of the agency or property manager shall report the theft to the comptroller, the attorney general, and the appropriate law enforcement agency not later than the date established by the comptroller.

The attorney general may investigate any report received.

If an investigation by the attorney general reveals that a property loss has been sustained through the negligence of a state official or employee, the attorney general shall make written demand on the official or employee for reimbursement of the loss.

If the demand made by the attorney general is refused or disregarded, the attorney general may take legal action to recover the value of the property as the attorney general deems necessary.

Venue for all suits instituted under this section against a state official or employee is in a court of appropriate jurisdiction of Travis County.

**Source of Authority:** Texas Government Code Ann. Sec. 403.271(a) through 403.278; 2203.004; President; Vice President for *Finance and Administration*~~Business Affairs~~

**Cross Reference:** ~~Property Transfer and Disposal, Policy B-24;~~ Property Inventory and Management, Policy C-42

**Contact for Revision:** Director of Purchasing and Inventory

**Forms:** Property Liability Acknowledgement Form

**Food Services****C-13.5**

Original Implementation: January 20, 1998

Last Revision: ~~October 23, 2003~~ *October 19, 2006*

The University is committed to providing students the opportunity to participate in the selection and evaluation of the food service ~~contractor~~*provider*. Students are encouraged to participate by attending regularly scheduled meetings of the Food Service Advisory Committee. The Advisory Committee provides the Director of ~~Auxiliary Services~~*the Student Center* and food service ~~contractor~~*provider* with immediate feedback on issues and concerns of the students.

~~During the last year of each contract term, the University will ask the Food Service Advisory Committee to participate in the formal evaluation of the food service program. Should the University decide to retain the contractor, the Advisory Committee will assist the Director of Auxiliary Services~~*the Student Center* ~~in the preparation of the terms and conditions of the new contract.~~

~~Should the decision be made to re-bid the contract, an ad hoc committee will be convened. The committee will be appointed by the Vice President for University Affairs and will include members of the Advisory Committee, the faculty and administration.~~

**Source of Authority:** Section 51.940, Texas Education Code; Board of Regents; President; Vice President for University Affairs

**Cross Reference:** ~~Stephen F. Austin State University Web Page~~*None*

**Contact for Revision:** Director of ~~Auxiliary Services~~*the Student Center*

**Forms:** None

## Gift Reporting

C-15

Original Implementation: July 18, 1981

Last Revision: ~~April 20, 1999~~ October 19, 2006

The following procedural steps should be used when depositing private funds.

1. All gifts payable to the University and its departments should be immediately delivered to the Bursar's Office for deposit and must be delivered in a university approved locked bag.
2. Information relevant to any gifts received in the form of cash, checks, money orders, or other forms of negotiable instruments will be forwarded to the Office of Development from the Bursar's Office for purposes of updating donor records and official acknowledgment and receipt of gift. Department receiving gift should complete the "Gift Transmittal" form, attach any original documentation which accompanied the gift, and submit them when depositing the gift at the Bursar's Office. The Bursar's Office will forward the "Gift Transmittal" form and any original documentation included with gift to the Office of Development for gift processing within 24 hours of the deposit. Furthermore, the Bursar's Office will stamp each "Gift Transmittal" form with the date of deposit and initials verifying the gift has been properly recorded and deposited by the university.
3. Deposit of all negotiable instruments must be completed within 24 hours of receipt of the gift and must be accompanied by the "Gift Transmittal" form. Any exceptions must have approval by the Vice President for University Advancement. All exceptions approved by the Vice President for University Advancement must be reported to the President within 48 hours.
4. In-kind gifts, *contributions other than cash, check or other readily negotiable security*, retained in a department, program, activity center, or other University facility, should be reported by completing the "Gift-in-kind Report" form and forwarding it directly to the Office of Development. A comprehensive description of the gift, background information concerning the origin of the gift, *value at the time of contribution* and any correspondence or wishes of the donor, along with a photograph whenever possible, should be included with the completed form. *For those in-kind gifts valued at more than \$5,000, a written qualified appraisal must be submitted, which has been signed and dated by a qualified appraiser.*
5. All gifts, negotiable and in-kind, will be acknowledged officially on behalf of the university by the Office of Development, and may also be acknowledged by the recipient and/or the President. Departments should not generate receipts for gifts unless approved by the Vice President for University Advancement so that duplicate receipts are not produced.

6. Gifts received by the University and made payable to the Stephen F. Austin State University Foundation, Inc. should be forwarded to the Office of Development for transfer and deposit to the Foundation.

~~7. If a university solicited gift is received in the form of credit card, the cost incurred to process the gift will be assessed from the total amount of gift and the remaining portion of gift will be deposited into the appropriate account.~~

8. All eligible matching gift requests will be processed by the Office of Development upon recording the original gift of the donor. If any matching gifts are ineligible to be matched, the matching gift form will be rejected and forwarded to the department submitting the request.

**Source of Authority:** President, Vice President for University Advancement

**Cross Reference:** None

**Contact for Revision:** Vice President for University Advancement

**Forms:** Gift Transmittal form, Gift-in-kind Report form (available in Office of Development)

## Gifts, Loans, Endowments, and Bequests

C-16

Original Implementation: July 18, 1981

Last Revision: ~~April 20, 1999~~ *October 19, 2006*

Authority to accept gifts, loans, endowments and bequests made to Stephen F. Austin State University is vested in the President of the University by the Board of Regents. Gifts, loans, endowments and bequests to any entity of the University should be reported through normal administrative channels.

The President of the University has been authorized to accept gifts under the following conditions:

1. A gift, loan, endowment or bequest which may require commitment of funds, personnel, space or other resources shall be approved by the President prior to any commitment of action on behalf of the University.
2. The University is authorized, with prior approval of the President and ratification by the Board of Regents, to accept gifts or devises of real property for the establishment of scholarships, professorships and other trusts for educational purposes provided such property will not require appropriations by the Legislature for operation, maintenance, repair or construction of buildings.
3. Privacy of donor identity may be granted by the University with the exceptions noted by the Open Records Act or the Internal Revenue Service when public recognition is not desired by the donor.

The terms under which any loan, endowment or bequest is offered and accepted shall be provided in a written agreement between the donor and the University. The General Counsel of the University shall review any bequests made to the University prior to acceptance by the President. All original deeds of trust, wills, endowments, original records, etc., should be forwarded to the Vice President for University Advancement for safekeeping.

The Vice President for University Advancement is the primary source of contact with people in the private sector for purposes of soliciting private funds. No individual or company may be solicited for any gift, loan, endowment, or bequest by any member of the faculty or staff of the University until that individual has presented the Vice President for University Advancement with a copy of the proposal or request for funds.

Research grants or performance contracts which are privately funded are administered through the Office of Research Services, and are not under the provisions of this policy.

### Acknowledgment of Gifts

In order to insure accurate recording of all private support for the institution and to properly acknowledge private donors' gifts, the Vice President for University Advancement will coordinate the acknowledgment of gifts.

### Use of Gifts, Loans, Endowments and Bequests

Gifts, loans, endowments and bequests made to Stephen F. Austin State University shall be used for the purpose designated by the donor. If a purpose is not specified by the donor, and the amount of the gift is \$50,000 or more, utilization shall be as directed by the Board of Regents after consideration of recommendations by the President and the Vice President for University Advancement. If a purpose is not designated, and the amount of the gift is less than \$50,000, utilization shall be as directed and approved by the President of the University.

Gifts received by the University and made payable to the Stephen F. Austin State University Foundation, Incorporated, should be forwarded to the Office of Development for transfer and deposit to the Foundation. No gifts or bequests to the University may be transferred to the Stephen F. Austin State University Foundation, Inc., the Stephen F. Austin State University Alumni Association, Inc., or the Stephen F. Austin Alumni Foundation, Inc. unless the transfer of funds is approved in writing by the donor and the University President. In such cases the recipient shall use the funds in accordance with instructions given by the donor and the University President. An account of all letters of written permission by donors and transfers of gifts and bequests shall be kept by the University and shall be reported to the State Auditor.

Under the authority of the Board of Regents, the President of Stephen F. Austin State University is empowered to negotiate and execute the sale of marketable securities donated to the University when such sale is directed or allowed by the donor of said securities. The proceeds of such sale shall be promptly deposited into a University account, to be used as indicated by the donor, and the details of the sale shall be reported to the Board of Regents at its next regular meeting. All in-kind or real estate gifts would require specific approval by the Board of Regents for liquidation to a University cash account.

Restrictions on the expenditure of gift funds generally reside within the following three criteria:

1. A gift must be expended in accordance with the donor's wishes.
2. The expenditure of the gift funds must be for the demonstrable good of the institution.
3. The expenditure must provide no private gain to either the donor or the person controlling the expenditure of the funds.

The use of gift funds must meet all three criteria collectively. Some specific examples of expenditures from unrestricted gifts that may be for the demonstrable good of the institution, without private gain for the individual expending the funds, are as follows:

1. awards that recognize or promote faculty development, excellence in teaching, academic achievement, athletic achievement, scholarship, or service;
2. costs related to the promotion of the communication of intellectual ideas among students, faculty, staff and administrators of the University;
3. support of student events and activities sponsored by the University;
4. the recruitment of highly qualified students, faculty and staff;
5. costs related to the promotion of the exchange of ideas with community leaders regarding the role of the University and its programs in the community;
6. costs related to the conduct of accrediting agency visits, visits by other officials from other institutions or representatives outside higher education;
7. costs related to the support of continuing education activities.

Examples of expenditures which may not meet the criteria established are as follows:

1. any expenditure that violates the restriction placed on the gift by the donor;
2. the procurement of private property for the personal, unofficial use of any faculty or staff member;
3. donations or other payments to a political party;
4. any other expenditure expressly prohibited by state statute.

Questions concerning an expenditure meeting these criteria should be referred to the Vice President for University Advancement.

Real or personal property acquired through gifts, loans, endowments or bequests is subject to the same management requirements as other State property. Disposal of any property acquired through gifts, loans, endowments or bequests shall be handled in accordance with State law and applicable University policies and procedures. Property acquired through gifts, loans, endowment or bequest can not be disposed of, sold, or transferred without written permission from the Vice President for University Advancement and the President.

### Publicity

The Vice President for University Advancement, in coordination with the faculty/staff contact person, the donor, and the Office of Public Affairs, is responsible for coordinating all publicity related to gifts.

### Matching Gifts

Certain foundations and companies provide gifts to the University which match contributions made by their employees. For tax purposes, certification is required from the University that the gift of the employee has been received.

The matching gift forms, which certify receipt of the gift, require the signature of the Vice President for ~~Business Affairs~~ *Finance and Administration* or the Vice President for University Advancement or the President.

### Foundation Support

The Office of Development has the responsibility of performing certain support functions for the Stephen F. Austin State University Foundation, Inc. This includes receiving, receipting, acknowledging, and reporting gifts received by the Foundation, as provided in the Agreement between Stephen F. Austin State University and the Stephen F. Austin State University Foundation, Inc.

### Library

Unrestricted gifts of books and other library related materials to Stephen F. Austin State University, not to include equipment such as tape recorders, etc., will not require the usual approval process as authorized in this policy.

### Definitions:

1. Gift. A gift includes the gratuitous transfer of cash, cash equivalents such as securities and negotiable instruments, and real or personal property which generates income or may be sold for cash, for the purpose of enhancing the university and its programs, without expectation of specific benefit by the donor.
2. Loan. Real or personal property furnished for the temporary use of the University.
3. Endowment. An endowment is comprised of a gift, in which the donors have stipulated that the principal must be invested and only the income used to fund a project or need. The principal remains intact in perpetuity, thereby continuing to generate income to be used by the university. Endowment funds are classified into four different categories:
  - a. Permanent Endowments. These endowments are sometimes referred to as "true" or "pure" endowments and are assets designated by the donor to be held in perpetuity. The assets of this category of endowments may never be spent and income derived must be expended in accordance with the written terms and conditions established by the donor and the university.
  - b. Term Endowment. In this category of endowments, the donor has specified that following a particular date or event, the assets of the endowment may be expended in accordance with the terms and conditions as specified. Until the passage of the specific date or event, this type of endowment will operate in a manner similar to the permanent endowment with the income used in accordance with the written terms and conditions established by the donor and the university.
  - c. Quasi-Endowments or Quasi-Funds. The Board of Regents may, with formal action, set aside certain institutional funds to be maintained as endowments. The

formal action by the Board of Regents will specify the use of the assets and income derived, and set other terms and conditions relating to the fund. The Board of Regents may, with formal action, change the terms and conditions of the endowment including cessation of the endowment and the return of the assets to the original source of funding, or change the use or purpose as may be appropriate and authorized by law.

d. Funds Held in Trust by Others. Some donors may choose to make income from endowment-type funds available to the university, but will leave the possession of the assets in trust with a third party. In this case, the endowment is not recorded as an asset of the university. In accordance with the Generally Accepted Accounting Principles (GAAP), the existence of the trust must be disclosed in the notes to the university's financial statements.

A minimum gift of \$10,000 shall be required to establish any endowment. An endowment can be initiated with an amount less than the stated minimum with the understanding that all future gifts and all income must become part of the endowment to assist in bringing the endowment assets to the \$10,000 level, and if after five years from the date of the original gift, the value of the assets has not reached \$10,000, the endowment may cease and the existing assets of the fund shall be transferred to a separately established Restricted Fund and expended consistent with the terms and conditions of the original gift.

Specific minimum endowment levels for academic positions are established as follows:

\$1,000,000 - Endowed Chair or equivalent title, depending upon the area;

\$250,000 - Endowed Distinguished Professorship or equivalent title, depending upon the area; and

\$100,000 - Endowed Professorship or equivalent title, depending upon the area.

4. Bequests. Money or other property conveyed by a legal declaration of an individual's intent as to the manner in which his/her property shall be disposed of after his/her death.
5. Philanthropic sources shall be defined as individuals, partnerships, foundations, and corporations.

**Source of Authority:** Board of Regents, President

**Cross Reference:** None

**Contact for Revision:** Vice President for University Advancement

**Forms:** None

**Local Purchase Authorization****C-20.A**

Original Implementation: September 1, 1993

Last Revision: February 3, 2005

Services, supplies and equipment available for immediate pick-up from ~~Nacogdoches and Lufkin vendors in amounts not exceeding \$500~~ may be purchased through the use of a Local Purchase Authorization (LPA). LPA forms are uniquely numbered and are issued by number series to departments. Authorized individuals will be required to come to the Purchasing Office to pick up the forms and sign for the number series issued to them.

Account Managers hold ultimate responsibility for LPA expenditures. By completing a Local Purchase Authorization Approved Signature Form, they may designate one or more individuals to issue LPAs on behalf of their account(s). The Account Manager or his/her designee is responsible for:

1. completing the form correctly;
2. obtaining the invoice or cash register receipt from the individual making the purchase;
3. routing the LPA and invoice or cash register receipt to Accounts Payable;
4. submitting food authorization with the LPA when required;
5. insuring that appropriate charges are made to LPAs;
6. insuring that purchases do not exceed departmental budgets.

LPAs may be used ONLY with vendors in Nacogdoches and Lufkin. Purchases outside of these two cities must be completed either with a Procurement Card or by submitting a requisition. LPAs should be used primarily for items to be 'picked up' by the department. However, if an item is to be delivered, the vendor must provide an invoice with the delivery. Departments requesting delivery of LPA items will bear the responsibility of dealing with the vendor in the case of damaged or incorrect goods. If an ordered item needs to be delivered, it is preferable that the Purchase Requisition or Telephone PO delegated authority be utilized.

**The LPA should not be used for:**

1. purchases exceeding \$500;
2. purchases which will be delivered
3. purchases to non-local vendors (even if you are picking up the item);

~~4. purchases for items which are not appropriate based on the funding source of the account; i.e. personal items~~

~~5. purchases utilizing a 9XXX account~~

~~6. purchases exceeding department budget~~

~~7. splitting purchases to avoid other purchasing requirements~~

~~8. purchases which will be billed by the vendor~~

~~9. purchases outside of Nacogdoches and Lufkin~~

~~NOTE: The cost of a single item may not be split on multiple LPAs in order to avoid proper processing. Also, items totaling more than \$500 may not be picked up at one time and invoiced separately on multiple LPAs. Department violating these rules will have LPA privileges removed.~~

### **Completing the LPA Form**

~~The LPA is a 3-part NCR form. Upon issuing the LPA fill out the following areas.~~

~~1. Vendor Name. If known. At times you may need to leave this open or fill it in and allow the individual making the purchase to change it if necessary.~~

~~2. Date. Date LPA is issued.~~

~~3. Department Name. Fill in the department name that corresponds to the account number.~~

~~4. Account Number. Fill in the account number from which payment is to be made.~~

~~5. Person Authorized To Make Purchase Printed Name. Print the name of the individual whom the account manager or his/her designee is authorizing to make a purchase.~~

~~6. Person Authorized To Make Purchase Signature. Have the individual who will actually make the purchase sign the LPA.~~

~~7. Account Manager Approval Printed Name. Print the name of the account manager or his/her designee authorizing funds to cover the purchase.~~

~~8. Account Manager Approval Signature. Have the account manager or his/her designee sign the form authorizing funds to cover the purchase.~~

~~9. Item No. If more than one item is purchased this area may be used simply to number the items.~~

~~10. Description. If needed for the individual making the purchase, record the specific item(s) to be purchased. Otherwise, make a general description to include the item(s) to be purchased. Example: 2 Papermate pens, 1 post it notes, 1 copy holder, OR general office supplies.~~

~~11. Quantity. If desired the quantity of each item purchased may be recorded on the LPA. This may be desirable if you do not keep a copy of the invoice.~~

~~12. Amount. If desired the extended price of each item purchased may be recorded on the LPA.~~

~~THE DEPARTMENT MUST RECORD THE TOTAL AMOUNT OF THE INVOICE ON THE FACE OF THE LPA.~~

### **Distribution of the Form**

~~1. The ORIGINAL should be attached to the invoice or delivery receipt from the vendor and forwarded to Accounts Payable.~~

~~2. The YELLOW COPY should be given to the vendor at the time of purchase.~~

~~3. The PINK COPY should be retained by the department for budget records.~~

### **Budget Information**

~~Purchases made with LPAs are not encumbered. This should be taken into account when monitoring your 'unencumbered' funds.~~

~~At End Of Year LPAs and invoices must be routed to Accounts Payable by 5:00 PM on the date specified in End Of Year instructions. LPAs received in Accounts Payable after the specified date or issued after 8/31 will be paid from the next fiscal year's budget.~~

~~When Accounts Payable enters the LPA for payment, the payment process will be stopped if the account has insufficient funds. The LPA will then be routed to the Budget Office for approval or to contact the account manager about the status of his/her account.~~

~~Source of Authority: President; Vice President for Business Affairs~~

~~Cross Reference: Purchase Requisition Policy C-30, Delegated Purchasing Authority Policy C-10~~

~~Contact for Revision: Director of Purchasing and Inventory~~

~~Forms: Local Purchase Authorization (available from the Purchasing Department)~~

**Private Solicitation**

Original Implementation: July 18, 1981

Last Revision: January 30, 2001 ~~October 19, 2006~~

The following procedures are required for the solicitation of private gifts and/or support in any form by any individual, department, unit, or other component of the University:

1. Complete the "Proposal Clearance Information Form" and attach it to the written proposal/request. All approval signatures must be obtained prior to solicitation.
2. Approved proposal requests may or may not need assistance from University Advancement. Should direct assistance from Advancement be desired, complete the "Request for Assistance in Private Funding" form, and attach all pertinent information concerning the project and prospective donors. This form and information should accompany the "Proposal Clearance Information Form" discussed in Item 1 above. Both signed forms, if needed, should be forwarded to University Advancement.
3. Following confirmation of support from the contacts identified on the clearance form, the "Private Funding Summary/Impact Data" form should be completed and forwarded, through the channels identified on the form, to University Advancement.
4. When an agreement is reached with a donor, before any gifts of money, in-kind donations or services are accepted, a Memorandum of Agreement is prepared by University Advancement in consultation with the principal parties, and approved as to form by the General Counsel.

Requests for exceptions to the above procedures should be made, in writing, to the Vice President for University Advancement.

**Source of Authority:** Board of Regents, President

**Cross Reference:** None

**Contact for Revision:** Vice President for University Advancement

**Forms:** Proposal Clearance Information Form, Request for Assistance in Seeking Private Funding, Private Funding Summary/Impact Data (available in University Advancement)

## Withdrawal Without Financial Clearance

C-39

Original Implementation: October 26, 1978

Last Revision: ~~October 23, 2003~~ *October 19, 2006*

Any student who withdraws from or otherwise leaves the University must clear his/her financial record, return university property and settle other financial matters with the University. Students failing to fulfill these obligations will be subject to sanctions until such time as the record is cleared. Sanctions will be imposed whenever a student is in possession of unreturned university property or is otherwise indebted to the university beyond a minimal amount established by university administration for unpaid fines, etc.

The following sanctions will be imposed:

1. The student will not be permitted to re-enroll.
2. The student will not be eligible to receive an official transcript of academic work completed.
3. The student will not be issued a diploma.

### PROCEDURES FOR IMPLEMENTATION

1. When a student withdraws, notification will be sent by the Registrar to:
  - (a) the dean of the appropriate academic college,
  - (b) the Business Office,
  - (c) the Financial Aid Office,
  - (d) the Housing Office and
  - (e) Steen Library.
2. Each department in which the student has a financial deficiency requiring the imposition of sanctions will either notify the Business Office, citing the nature of the deficiency or will place a registration and transcript hold on the student's record. It will be the student's responsibility to contact the appropriate office to clear his/her record. These offices will then *release the hold or* notify the Registrar's Office once the deficiency has been resolved.
3. The Registrar will impose sanctions specified in the policy until the student's record is cleared.

**Source of Authority:** ~~Provost/Vice President for Academic Affairs~~ *Finance and Administration*

**Cross Reference:** General Bulletin, Graduate Bulletin

**Contact for Revision:** ~~Provost/Vice President for Academic Affairs~~ *Finance and Administration*

**Forms:** None

**Investments - Endowment Funds****C-41.A**

Original Implementation: Unpublished

Last Revision: ~~July 13, 2006~~ *October 19, 2006***GENERAL**

This Investment Policy Statement (IPS) applies to all Stephen F. Austin State University (the "University") endowment funds. These funds are given to the University by individuals and institutions to promote, encourage and advance education and to improve the degree and non-degree educational functions by establishing scholarships, fellowships, professorships, academic chairs and other academic endeavors at the University, as specified by donors.

As provided in the Texas Education Code, each member of the Board of Regents (Board) has the legal responsibilities of a fiduciary in the management of funds under the control of the University. The Board recognizes its responsibility to insure that the assets of the endowment funds are managed for the exclusive benefit of the University in accordance with its donors' intentions, effectively and prudently, in full compliance with all applicable laws.

Separate fund balance accounts are maintained for all funds. Funds may be restricted either by the donor or the Board. Restricted funds are available primarily for specific purposes considered beneficial to the University.

The investment of the Endowment funds is governed by Section 51.0031 of the Texas Education Code. This section states that the University " ... with regard to donations, gifts and trusts may establish endowment funds that operate as trusts and are managed under prudent person standards. As used in this section, "prudent person standard" is the standard of care described in Article VII, Section 11b. of the Texas constitution, and means that standard of judgment and care that persons of ordinary prudence, discretion, and intelligence exercise in the management of their affairs in regard to the investments of their funds, considering probable income as well as probable safety of their capital.

In the management of the University endowment investments, consideration will be given to the need to balance a requirement for current income for present activities with a requirement for growth in principal to compensate for inflation. Consideration will be given to the need for safety of principal, liquidity, diversification, yield and quality.

The overall objective of the IPS is to assure that the University's endowment funds are invested in a manner to achieve as high a level of return as can reasonably be expected to be achieved given the primary objective of safety and preservation of principal. The IPS clearly and concisely states the responsibilities of all parties involved with the endowment funds. The IPS will assist the Board, the Finance Committee ("Committee") and the University Administration in effectively communicating with and monitoring the investment manager(s) and the investment firm(s) that will be engaged from time to time to facilitate the management of the endowment assets of the University. It states the Boards' attitudes, guidelines and objectives in the investment of the endowment assets.

## **RESPONSIBILITIES**

The University acknowledges that the ultimate responsibility for satisfactory investment results rests with the Board. The Board believes that this responsibility is best discharged by delegating certain authority to the University administration and by appointing one or more investment management organizations to assume certain responsibilities.

The specific responsibilities of the Board in the investment process include and are limited to developing a sound and consistent investment policy, developing sound and consistent investment policy guidelines, establishing reasonable investment objectives, allocating the endowment assets between equity and fixed-income investments, and other investment mediums which it may deem appropriate and prudent, communicating clearly the major duties and responsibilities of those accountable for investing the endowment assets and achieving investment results, evaluating performance results, and abiding within all applicable laws, including conflict of interest provisions therein.

The Vice President for Finance and Administration (Vice President) is designated as the investment officer for the University. As such, the Vice President or designee(s), is responsible for accounting for investments, monitoring and evaluating performance results, and ensuring that policy guidelines are being adhered to and investment objectives are being met. In addition, the Vice President or designee(s), is responsible for

the purchase, sale, assignment, transfer and management of investments, for communicating with investment managers, brokers and dealers, for compiling performance results, and for determining the proper distribution of investment returns to the various accounts. The Vice President is also responsible for determining the appropriate distribution of income in accordance with the distribution policy in the distribution policy section. The Vice President or his designee will submit an annual investment perspective to the Board of Regents.

## **INVESTMENT POLICY**

The Board believes that the endowment assets should be managed in a way that reflects the application of sound investment principles.

The Board adheres to the traditional capital market theory that maintains that over the long term, the risk of owning equities should be rewarded with a somewhat greater return than available from fixed-income investments. This reward comes at the expense of higher volatility of returns and more exposure to market fluctuations than with fixed-income investments. Fixed-income investments provide a more predictable return and higher current income than do equities. Thus assets should be allocated between fixed-income investments and equities in such a manner as to provide for current income while providing for maintenance of principal in real terms.

Avoiding large risks is essential. The University is willing to trade off some potential opportunities for gain from high-risk investments (with high loss potential) by assuming a moderate-risk posture in order to have a more stable positive return. This may result in sacrificing some potential opportunities for gain during rising markets in order to avoid large short term declines in market value during falling markets. Since the University is adverse to large downward fluctuations in the value of its investments resulting from volatile market value fluctuations, such year-to-year volatility should be minimized.

## **INVESTMENT POLICY GUIDELINES**

For the purpose of this policy all securities which use long-term credit ratings must be rated the equivalent of "A" or better by a nationally recognized credit rating service.

Securities using short-term credit ratings must be rated at least A-2, P-2, F-2 or the equivalent by a nationally recognized credit rating service.

The following categories of securities are permissible investments:

- a) Direct obligation of the United States Government or its direct agencies.
- b) Direct obligations of federally-sponsored agencies in accordance with the above paragraph.
- c) United States dollar denominated bonds, debentures, or commercial paper and convertible securities issued by corporations in accordance with the above paragraph.
- d) Common stock and preferred stock issued by United States domiciled corporations and common stocks of foreign companies listed on the major U.S. or foreign security exchanges.
- e) Certificates of Deposit issued by federally insured state banks, federally insured savings and loan associations and saving banks or federally insured credit unions. Amounts over the insurance limit of the institutions must be secured by pledged securities.
- f) Bankers acceptances accepted by a bank organized and existing under laws of the United States or any state in accordance with the above paragraph.
- g) Money Market Mutual Funds. Funds must be registered with the Securities and Exchange Commission, have a maximum dollar weighted average maturity of no longer than 13 months, and be no-load funds. Funds must have assets consisting of

securities described in the paragraphs above and seek to maintain a stable net asset value of \$1.00 per share (or unit).

h) Direct Security Repurchase Agreements. Direct Repos must be fully secured (collateralized) by securities authorized under the sections (a) through (f) above. Such collateral must be held by a third party. All agreements will be in compliance with Federal Reserve Bank guidelines.

i) Shares of investment companies as defined by the Investment Company Act of 1940. These companies include both closed-end investment companies and open-end investment companies (mutual funds). Shares in these companies may be purchased if they own securities described in sections (a) through (h) above.

j) Certain types of transactions and purchase of certain types of securities are specifically prohibited by this policy. Commodity trading including all futures contracts, purchasing of letter stock, short selling, option trading, and margin trading are specifically prohibited. Neither tax-exempt debt of state and local governments, private placements, nor guaranteed investment contracts may be purchased. No investments will be made in derivative products as defined by the Financial Accounting Standards Board in SFAS, No. 119. Collateral mortgage obligations that do not pass the FFIEC test may not be purchased.

k) Assets and/or funds reportable within the scope of the University's annual financial report may not be invested in or used to purchase securities, including obligations, of a private corporation or other private business entity that owns 10% or more of a corporation or business entity which records or produces any song, lyrics or other musical work that explicitly describes, glamorizes or advocates: (1) acts of criminal violence, including murder, assault, assault on police officers, sexual assault, and robbery; (2) necrophilia, bestiality, or pedophilia; (3) illegal use of controlled substance; (4) criminal street gang activity; (5) degradation or denigration of females; or (6) violence against a particular sex, race, ethnic group, sexual orientation, or religion.

l) Except for up to three cases, no more than five percent (5%) of the portfolio, including convertible securities, can be invested in any one company. This will be measured on a cost basis. No more than ten percent (10%) of the portfolio can be

invested at any time in one company based on the market value of the stock and portfolio. This section is not applicable to investments in U.S. Government securities.

m) No more than fifteen percent (15%) of the portfolio can be invested in any one industry, as defined by Standard and Poor's broad categories, based on the cost value of the portfolio. No more than thirty percent (30%) of the portfolio can be invested in any one industry based on the market value of the portfolio. The holdings do not have to be invested in industry groups that represent a cross-section of the economy.

n) Permitted alternative investments in the Portfolio may include hedge funds, managed futures funds, private equity funds, or real estate. Investments in other strategies shall be reviewed and approved by the Investment Committee prior to purchase. Permitted alternative investments in the Portfolio are limited to diversified commingled trust fund vehicles or limited partnerships offered through a third party distribution channel, such as what is offered through many broker-dealer firms. The Investment Committee has not authorized investment in any alternative investment vehicles offered directly by any hedge fund. Any investment vehicles where the Portfolio's liability can exceed the value of the Portfolio's investment are strictly prohibited. The Portfolio shall emphasize investments in fund-of-fund vehicles that are diversified by investment style and typically utilize multiple investment managers within a fund. The Portfolio, however, may invest in single manager funds, but these investments shall not comprise the majority of the investment. Permitted alternative investments in the Portfolio are limited to investment vehicles that offer the ability for the Portfolio to make contributions or receive distributions at least quarterly (but preferably monthly) without restriction or incurring additional fees. The maximum allocation to any one fund shall not exceed 5% of the total investment portfolio. If the allocation to alternative investments exceeds the limit at any point in time, the Investment Committee shall rebalance the allocation to the fund at the next opportunity when the fund permits liquidation of fund holdings.

o) All of the equities purchased for the portfolio (based at market value) should have a minimum market capitalization of \$250 million. The allowable range and target asset allocation for the endowment funds is:

Class	Allowable Range	Target
Equities securities	0% - 70%	<del>60</del> 55%
Fixed income securities	0% - 60%	<del>40</del> 35%
Cash or cash equivalents	0% - 100%	0%
Alternative Investments	0% - 10%	<del>5</del> 10%

For the fixed income portion of the portfolio the asset mix should be, maximum U.S. government bonds 100%, minimum government bonds 0%, maximum corporate bonds 50%, minimum corporate bonds 0%, maximum cash 100%, minimum cash 0%. Gifts of individual securities will be liquidated or transferred to an equity fund manager currently employed by the University under the Use of Investment Firms section. The liquidation or transfer will take place as soon as possible. If liquidated, the proceeds will be invested in accordance with the allowable range and target asset allocation set forth in this policy. Exceptions to this policy are securities described by sections (a), (b) and (c) above. Such securities may be held so long as the asset allocation ranges are maintained. The policy in this section can be overridden by a written directive from a donor.

## USE OF INVESTMENT FIRMS

The Vice President or designee, is responsible for selecting of brokers and dealers for the execution of security transactions and for the safe keeping of securities. Sales, purchases and exchanges will be transacted through well-capitalized, nationally-recognized investment firms which are major participants in the equity and fixed-income markets. Firms should be selected to provide the maximum benefit to the University. The Vice President may choose to use a request for proposals to select the firm or firms with which the University deals.

Selection of outside investment managers will follow these guidelines:

- a) The Vice President or designee, within statutory and other regulatory authority, may place selected funds of the University with investment managers outside the University for investment purposes. The investment of such funds will be subject to the provisions of this investment policy statement. The Vice President is authorized to negotiate with outside investment managers for the benefit of the University.

b) Outside investment manager(s) will receive a copy of the IPS and a Letter of Instructions outlining investment instructions and asset allocation parameters expressed in writing by the Vice President. The Letter of Instructions will state return objectives that are reasonable and achievable within the guidelines provided herein. These return objectives should be achieved over a reasonable time frame, thus it is not necessary for the outside manager(s) to exceed the return expectations each quarter. In addition, each outside investment manager must execute a written statement to the effect that the registered principal of the organization has received and thoroughly reviewed the investment policy of the University. The statement must also acknowledge that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities.

c) Consistent with this investment policy statement and their Letter of Instruction, the outside investment manager(s) will be responsible for making decisions on a discretionary basis. This includes buy, hold, sell and timing decisions. The outside manager(s) must make responsible decisions in the selections of specific securities and the general timing of purchases and sales necessary to achieve a satisfactory overall return for the assets.

d) Outside manager(s) will invest only into the security class(es) for which they were retained to manage. The manager(s) have discretion to place funds into cash, however, their performance will be measured against an index which measures their security class without deducting the cash position.

Investment managers employed by the University to invest in equities may be evaluated using the following guidelines:

a) The average portfolio Beta should be between 1.10 and 0.90. That is to say that the volatility of the fund should not differ from the volatility of the S&P 500 by more than ten percent. The Beta calculation should include any cash position in the portfolio.

b) The R-Squared may be as high as 100% over a time frame of one year or longer if all investment objectives are met. R-Squared is a statistical evaluation to measure similarity in behavior of the portfolio to the market.

c) The annualized Alpha should be greater than the managers fee essentially showing that value is being added for the risk taken. Alpha measures the excess return for the amount of risk taken.

d) Portfolio turnover will be monitored. If the performance results of the portfolio meet the objectives stated herein, the rate of turnover in the portfolio will not be an evaluative factor. However, a portfolio turnover higher than the average of similar fund managers is considered a negative.

Files will be maintained on investment firms with which the University deals. The files will contain information that supports the financial stability of the firms. These files will be updated annually. A list of approved brokers and firms will be maintained and changes will be approved by the Board of Regents.

## **DISTRIBUTION POLICY**

The spending policy should balance the long-term objective of maintaining the purchasing power to the endowment funds with the goal of providing a reasonable, predictable, stable, and sustainable level of income to support current needs. ~~The Vice President may review the nature of the various endowments to determine the need for income for current spending and the ability to tolerate variability in current income. The asset allocation between fixed income securities and equities may reflect diversification needs of the endowments.~~ *At the end of the investment year, in consultation with the investment manager, the Investment Committee will review the total return on the endowment accounts and declare an annual distribution. The target distribution will be between 4% and 5%. The Committee will recommend an amount up to 5.00 percent of the average invested balance for the purposes delineated in the endowment memorandum of understanding. If returns permit, an amount equal to the rate of inflation will be*

*added back to each endowment principal balance. If there are positive total returns beyond the inflation rate, then the Committee will add this amount to a contingency reserve that may be distributed during years of poor investment performance as determined by the Committee. When the contingency reserve has reached a balance in excess of two years of normal distributions, the Committee may make additional distributions from the contingency reserve.*

## **PERFORMANCE EVALUATION**

The Vice President will submit quarterly reports to the Board on the performance of the investment portfolio. The reports will disclose the book value and market value of the portfolio at the beginning and ending of the reporting period by the type of asset and fund type invested. The reports will disclose the realized and unrealized gains/losses on the portfolio for the reporting period. Additions and changes in the market value of the portfolio during the period will be reported. The reports will show the pooled fund value as well as individual assets by fund type. The reports will state the maturity date of each asset that has a maturity date. The total return on the portfolio, on each asset class and for each manager will be reported.

The performance of the total portfolio, each asset class and each manager will be compared to appropriate benchmarks and included in the quarterly reports to the Board. The report will contain sufficient information for the Board to determine if actions should be taken to correct any deficiencies that may exist. .

## **CONFLICTS OF INTEREST**

Members of the Board are frequently persons of wide-ranging business interests. Therefore, a prudent, independent investment decision process may result in investments in firms or organizations with which a member of the Board is affiliated. Affiliation shall be interpreted within this section to mean an employee, officer, director, or owner of five

percent or more of the voting stock of a firm or organization. The investment staff or an unaffiliated investment manager may invest in such securities. However, the following restrictions shall apply:

- a) a member of the Board shall not direct nor participate in the decision to purchase or sell securities of a firm with which such member is affiliated; and
- b) investments will not be purchased from or sold to a member of the Board.

## **DISCLOSURE REQUIREMENTS**

### Disclosure Requirements for Outside Financial Advisors

External financial advisors and service providers shall comply with Texas Government Code Chapter 2263, Ethics and Disclosure Requirements for Outside Financial Advisors and Service providers. Disclosure Requirements for Investment Officers

Pursuant to Texas Government Code Sec. 2256.005, an investment officer of an entity who has a personal business relationship with a business organization offering to engage in an investment transaction with the entity shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity, as determined under Chapter 573, to an individual seeking to sell an investment to the investment officer's entity shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the governing body of the entity. For purposes of this subsection, an investment officer has a personal business relationship with a business organization if:

- (1) the investment officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization;

- (2) funds received by the investment officer from the business organization exceed 10 percent of the investment officer's gross income for the previous year; or
- (3) the investment officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment officer.

## **AUDITS**

The Department of Audit Services of the University shall include endowment assets as a component of its annual audit risk assessment. If the department determines that the endowment assets meet its risk assessment criteria, Audit Services may perform an annual audit of the endowment assets to ensure compliance with the endowment investment policy.

**Source of Authority:** Board of Regents

**Cross Reference:** Texas Education Code, Section 51.0031

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

**Forms:** None

## Property Inventory and Management

C-42

Original Implementation: September 28, 1996

Last Revision: ~~July 14, 2005~~ October 19, 2006

~~In accordance with Texas Government Code Ann. Sec. 403.271(a) through 403.278, 2054 and 2175??????, Stephen F. Austin State University will comply with the State Property Accounting (SPA) Policies and Procedures, and SPA practitioner's standards as outlined in the State Property Accounting Policy and Procedures Manual. Property acquired under Federal or State grants and contracts will be inventoried identified and maintained according to the same guidelines as the University's centralized property management and control described herein.~~

*Stephen F. Austin State University shall be identified by SPA as an internal reporting agency.*

Centralized property management and control is performed by the Purchasing and Inventory Department. *Property responsibility is delegated by the President of the University through the Director of Purchasing and Inventory to two Property Managers. The Director of Purchasing and Inventory and the Property Managers are responsible for the overall management of University equipment, maintenance and control of centralized inventory records, and disposition of surplus, salvage and scrap. (See Property Transfer and Disposal Policy B-24). Property acquired under Federal or State grants and contracts is inventoried and maintained according to the same guidelines of the University's centralized property management and control described herein.*

*All references to financial responsibility are inherently understood to apply when employee negligence is involved.*

### **PROPERTY RESPONSIBILITY AND ACCOUNTABILITY**

Director of Purchasing & Inventory and Property Managers – *The Director of Purchasing & Inventory and two Property Managers are responsible for the overall management of University property, maintenance and control of centralized property records, and disposition of surplus and salvage property.*

Department Head – *The chair or administrative head of a department is designated "Property Manager" for the department. The Department Head may not delegate this responsibility. The Department Head may be held financially responsible for any property listed on his/her department property record.*

Designee – *The Department Head may name up to two Designees to receive and submit property communications on his/her behalf. The Designee(s) do not assume property responsibility or accountability in lieu of the Department Head. The Designee(s) may not sign property documents on behalf of the Department head.*

*Responsible Party – The Responsible Party is that employee who is entrusted with the care and safekeeping of specific pieces of property. The Responsible Party may be held financially responsible for any University property assigned to him/her ~~on University property records~~. If the Department Head or his/her designee fail to assign property to a Responsible Party ~~to property~~, the Department Head shall be listed as the Responsible Party.*

*All University Employees – All employees will receive ~~them~~ ~~must complete a~~ Property Liability Acknowledgement Policy ~~Form~~ advising ~~acknowledging~~ that he/she may be entrusted with University property. The Property Liability Acknowledgement ~~Form~~ (See Property Liability Policy B-34) ~~advises~~ ~~declares~~ the employee's ~~understanding~~ that he/she will be held financially responsible for any property determined to be damaged, destroyed, missing, or stolen due to employee negligence.*

*In accordance with Texas Government Code Ann. Sec. 403.271(a) through 403.278, Stephen F. Austin State University will comply with the State Property Accounting Policies and ~~practitioner's standards as outlined in the State Property Accounting Policy and Procedures Manual~~. Stephen F. Austin State University shall be certified as an internal agency.*

## PROPERTY DEFINITIONS

*Property is defined and will be added to property records in accordance with State Property Accounting (SPA) rules and guidelines. The Property Managers, in conjunction with the Director of Purchasing, and with appropriate administrative approval may determine additional equipment to be tracked in property records. All property definitions are stated in the Property Management Manual.*

*Property definitions include purchased or donated property. The department is responsible to notify the Property Manager of any donations to determine if the property must be added to property records. ~~Items are added to the SPA centralized inventory records at the time of acquisition and are carried in the system at original cost value until disposed of through surplus. The Property Manager is responsible for assignment and control of inventory numbers. Inventory control tags are normally applied by Central Receiving prior to delivery or by property office representatives after delivery. As outlined in the State Property Accounting (SPA) Policy and Procedure Manual, property will be added to centralized inventory records as follows:~~*

### **Capitalized Equipment**

*All equipment with a useful life of greater than one year and a value of \$5000 or more*

### **Controlled Equipment**

*All equipment with a useful life of greater than one year and a value greater than \$500 in the following commodity groups:*

- fax machines, telecopiers (deleted effective 9/1/05)*
- stereo systems*

- ~~—cameras~~
- ~~—TV, VCR DVD player, camcorder, any combination of these units~~
- ~~—microcomputers, servers and laptops~~
- ~~—printers~~
- ~~—data projectors (added effective 9/1/05)~~

~~All equipment with a useful life of greater than one year and any value in the following commodity groups:~~

- ~~—firearms of any type~~

### **~~University Controlled Equipment~~**

~~The Property Manager has determined that the following items will be added to centralized inventory records with a useful life of greater than one year and at any value:~~

- ~~—microcomputers, servers, laptops and handheld computers~~
- ~~—monitors~~
- ~~—printers~~
- ~~—scanners~~
- ~~—digital cameras~~
- ~~—palm pilots~~
- ~~—PDAs~~

~~additional item(s) that the department head feels may be subject to a high risk of theft (requires Property Manager approval)~~

### **~~PROPERTY RESPONSIBILITY~~**

~~Property responsibility is delegated by the President of the University through the Director of Purchasing and Inventory to two Property Managers. The chair or administrative head of a department is designated as the "Property Manager" for the department. The department head may not delegate this responsibility. However, individual custodians of property will be held responsible for the proper maintenance and safekeeping of property entrusted to them.~~

~~All University employees will be provided a written document for acknowledgement that he/she will from time to time be entrusted with the proper maintenance and safekeeping of State and University property. The Property Liability Acknowledgement Form (see Property Liability Policy B-34) will also declare the employee's understanding that he/she will be held pecuniarily responsible for any property determined to be missing or stolen due to employee negligence.~~

### **~~PROPERTY RESPONSIBILITY WITH CHANGE IN DEPARTMENT HEAD~~**

#### **Out Going Department Head**

~~When there is an administrative change in department heads, the out-going department head (interim or permanent) must request from the Property Manager a current list of~~

~~inventory items for which he/she is accountable. Verification of all items must be completed and the Change in Department Head form signed by the out-going department head within 30 days prior to the individual's last day. Verification of property includes documenting that all items are accounted for and in good condition. Any property that is not accounted for will be investigated to determine if it is missing or stolen due to employee negligence. If negligence is determined, a written demand for reimbursement from the person(s) responsible for the loss will be issued by the State Attorney General's Office.~~

#### In-Coming Department Head

~~The incoming department head (interim or permanent) must request from the Property Manager a current list of inventory items for which he/she will be accountable. Verification of all items must be completed and the Change In Department Head form signed by the incoming department head within 30 days of the individual's first day. Verification of property includes documenting that all items are accounted for and in good condition. Any property that is not accounted for will be investigated to determine if it is missing or stolen due to employee negligence. If negligence is determined, a written demand for reimbursement from the person(s) responsible for the loss will be issued by the State Attorney General's Office.~~

### **PROPERTY MAINTENANCE AND VALIDATION**

~~Each dDepartment hHead and Responsible Party is to exercise care and control over the assetsproperty for which he/she is responsible. Property should be monitored on a perpetual basis. Various procedures for property validation include, but are not limited to, the following:~~

~~Location changes are to be reported to the Property Manager as they take place. Transfers to surplus or other departments must have prior approval of the Property Manager. (See Property Transfer and Disposal Policy B-24) Missing or Stolen Property must be reported immediately.~~

#### Annual Property Physical Inventory Audit

~~Once per year an Annual Property Inventory Audit will be conducted. To validate the accuracy of property records, an Annual Physical Inventory Audit is conducted February through April of each year. During theis Annual Property Physical Inventory Audit each dDepartment hHead is responsible to assign two individuals (the Department Head may be one of the two) to physically count and verify by tag number and room location all items on the official property reportdepartmental inventory for the department. Each piece of property listed item on the reportofficial property reportinventory must be visually viewed, and the official property reportinventory checked, marked, or otherwise noted confirming existence of thephysically marked showing verification of the property, item and its location and the Responsible Party. Property not located must be documented with an explanation as to the last known information regarding its location. A Missing or Stolen Property Report form may be required.~~

*The Property Inventory must be completed and the official property report and certification returned to the Property Manager by the deadline stated in the Annual Property Inventory instructions. Departments failing to complete the Annual Property Inventory and return the official property report and certification to the Property Manager by 5:00pm on the deadline date will be given a 2<sup>nd</sup> deadline and will have all ordering, including PCards, shut down until the official property report and certification are received in the Property Manager's office. Reports in campus mail will not be considered received.*

*Failure to submit the official property report and certification to the Property Manager by 5:00pm of the 2<sup>nd</sup> deadline will result in department information, including, but not limited to, department name, department head and property values being reported to the Board of Regents at the next regularly scheduled meeting. Reports in campus mail will not be considered received.*

#### Computer Inventory

*In addition to the Annual Property Inventory Audit, departments must complete an annual Computer Inventory to facilitate the purchase of campus-wide software licenses and annual analysis of computers for the University Computer Replacement Plan. ~~or documented as to the reasons for not being verified.~~ Responses will be due from eustodian departments within 45 days. The annual property report is due to SPA 45 days from the department due date. Each department head shall sign an Annual Inventory Audit Receipt and return it to the Property Manager along with a documented copy of the departmental inventory. The receipt will include the following statement:*

*~~"I understand that I or the employees in my department are under financial liability for loss or damage to this (these) item(s) if the loss or damage results from my negligence, intentional act, or failure to exercise reasonable care, safeguard, maintenance, or servicing."~~*

#### Spot-Check Audit Validation

*Property ~~validation~~ spot-checks audits will be conducted by Property personnel in a routine fashion to allow independent verification. ~~Other spot-checks audits will be performed when necessary.~~ Spot-checks audits will not be performed during annual property inventory (January-April).*

#### Monthly Transaction Statements

*Transaction statements listing all additions and deletions to ~~each~~ the department's al property records ~~inventory are will be provided~~ mailed out monthly to the Department Head and his/her Designee(s). ~~These transaction statements are to be updated with building and room information and the name of the individual in possession of the property and returned to the Property Manager.~~*

#### Adjustment Of Property Records

~~When the need arises to alter the description or change the location of an item on a departmental inventory, the person responsible for the department's inventory must initiate a memo or email to the Property Manager listing the inventory number(s), description and the change(s) desired.~~

The following *property information fields* must be updated throughout the year as changes occur. *Procedures for making these changes are outlined in the Property Management Manual.*

~~1. 1. Responsible Department Name – this will only be changed for the following reasons: a) through means of a transfer form when property is transferred between departments; b) if it is determined that an error was made in the original entry; c) department has a name change~~

~~2. Building and Room Location~~

~~3. End User Name~~

~~12. 4. Department Head/Chair Name – procedures apply to both Outgoing and Incoming Department Heads (interim or permanent); information regarding the change must be completed within 30 days of assuming or relinquishing duties.~~

~~23. Responsible Party – procedures apply upon transfer or termination of any employee listed as a Responsible Party on department property records; information regarding the change must be completed within 30 days of the transfer or termination.~~

~~4. —~~

~~5. Serial Number – this will only be changed when it is determined that an error was made in the original entry or that original equipment has been returned to the company and replaced.~~

~~5. 6. Description – this will only be changed when it is determined that the equipment has not changed but that a more accurate description is needed to facilitate the physical inventory process.~~

## USE OF STATE PROPERTY

~~State/University property may be used only for sState/University purposes. Non-consumable state/University property in the custody of any Stephen F. Austin State University employee may not be loaned, sold, traded, thrown away, cannibalized, or disposed of in any manner without the prior authorization of the Property Manager. (See Property Transfer and Disposal Policy B-24)~~

### Removal Of Property From Campus

~~State/University property may be taken off removed from the campus only for official business of the University or another State Agency. When so removed, tThe individual taking equipment off campus assumes financial responsibility and must complete a~~

*Removal of Property from Campus form in accordance with procedures outlined in the Property Management Manual.*

*Property may be taken off-campus for a specific period of time, in which case property will be verified for return on the specified date. ~~Follow-up audits will be conducted.~~*

*Property may be taken off-campus for an indefinite period of time, in which case the Removal of Property from Campus form must be completed annually. Annual verification of the property will be included in the Annual Property Inventory Audit. removing it assumes pecuniary responsibility.*

~~If such property is to be removed, the department head responsible for the equipment should prepare and sign a "Removal of Equipment From Campus" form. The inventory number, date of purchase, description and inventory value may be obtained from the departmental inventory printout provided by the Property Manager.~~

~~The original of the completed form should be sent to Purchasing and Inventory prior to physical removal of the equipment from campus. A copy should be kept for departmental inventory records. A follow-up audit will be made by the Property Manager on the date equipment is to be returned to the University. If an extension of time is needed, contact the Property Manager.~~

~~The Removal of Equipment from Campus form must also be filled out for equipment being removed with an indefinite return date. The Department Head will be required annually to verify the status of all such equipment. This verification will be initiated via a memo from the Property Manager and will be separate from the Annual Physical Inventory Audit.~~

#### Loaning Property To Another Agency

~~When State/University property may be is-loaned to another state agency or institution of higher education. The President must approve the loan of the property in writing and receipt of the property must be acknowledged in writing by the head of the borrowing agency.~~

#### **TRAINING**

*Effective October 19, 2006 mandatory training will be required for all Department Heads, up to 2 Designees, and all Responsible Parties. No prior training will be considered in lieu of this requirement. After initial training, refresher updates will be required every 2 years. Training will be offered in person or electronically. The Property Managers will accommodate special needs and special training times as needed or desired.*

#### **~~SALVAGE AND PROPERTY DISPOSAL~~ SURPLUS PROPERTY**

~~University property is to be disposed of as allowed herein and described in the Property Management Manual, with the exception that disposition of property acquired through~~

~~Federal or State grants and contracts must respect the terms of the grant or contract under which it was acquired.~~

### Salvage Property

Salvage property is any personal property which through use, time or accident is so depleted, worn out, damaged, consumed, or outdated that it is obsolete and/or can no longer serve the purpose for which it was originally intended. Salvage property may be discarded or retained for cannibalization of parts, but should be identified for deletion from property records with appropriate documentation and Property Manager approval.

### Surplus Property

Surplus property is any personal property that is in excess of the needs of the department and which is not required for its foreseeable future needs. Surplus property may be new or used but must have additional useful life. Surplus property may be deleted from department property records as follows, with detailed ~~allowed herein. Detailed~~ procedures ~~will be described in the Property Management Manual. Options for surplus property include, but are not limited to, the following:~~

1. Trade-In toward the purchase of new property – trade-ins must be included in ~~vendor~~ solicitations and/or negotiations prior to issuing a purchase order or contract ~~any documents to vendors, not added after completion of the purchase process a contract.~~
2. Transferring Property to another Department – property may be transferred from one department to another by completing a Property Transfer Form (PTF). Procedures for completion and routing are in the Property Management Manual.  
~~Transferring property to Surplus~~ – property may be transferred to Surplus by completing a Property Transfer form (PTF). Procedures for completion ~~ng~~ and routing are in the Property Management Manual.
3. Property transferred to Surplus is available, without cost, for transfer to any department in need of such property. Availability is on a first-come, first-served basis.

~~Property declared surplus is available, without cost, for transfer to those departments in need of such property. Availability is on a first-come, first-served basis.~~

### **PROPERTY DISPOSAL**

University property is to be disposed of as allowed and described in the Property Management Manual, with the exception that disposition of property acquired through Federal or State grants and contracts must respect the terms of the grant or contract under which it was acquired. ~~Once an item is declared surplus or salvage, the~~ Property Manager will determine the disposal option that complies with SPA rules and guidelines and best meets the needs of the University. ~~Options for disposal are included in the Property Management Manual.~~

### **MISSING OR STOLEN PROPERTY**

#### Missing Property

*Missing Property is any personal property that has disappeared with no explanation, the loss of which*~~and the loss~~*Any equipment discovered to be 'missing' or 'stolen' must be reported IMMEDIATELY. Missing property is to be reported to the Property Manager.*

*A Missing or Stolen Property Report must be completed within 24 hours of reporting the missing property. As part of the report the Department Head must make a determination of negligence on the part of the Responsible Party. ~~In the event of employee negligence the Office of the State Attorney General will be notified.~~ Failure to report missing property to the Property Manager IMMEDIATELY may result in a determination of negligence.*

*Stolen property is to be reported to BOTH the Property Manager and the University Police Department.*

*Any appropriations withheld from the University due to exceeding the allowed value threshold of missing property will be deducted from the budget of the department responsible for the property. The value threshold is based on the FY 02-03 Appropriations Bill, section 9.03.*

*Missing Property is defined as any personal property that has disappeared with no explanation.*

*Missing property must be reported to the property manager IMMEDIATELY upon recognition of the loss. The department head must complete a Missing or Stolen Property Report in full with a detailed report of the loss; i.e. last known location, last date seen, date of discovery of loss, etc. This form must be submitted to the Property Manager within 24 hours of notification. The Property Manager is required to update the property records IMMEDIATELY for electronic notification to the State Comptroller's Office.*

*Missing property will remain on the department's inventory for two (2) years and will be clearly marked as 'Missing'. The department head must continue to search for the missing property during the 2-year time period. At the end of two (2) years the property will be removed from centralized inventory records upon approval from the State Comptroller's Office. In the event of employee negligence, the Property Manager must fax a copy of the Missing or Stolen Report to the Office of the Attorney General within 5 working days of the occurrence.*

#### *Stolen Property*

*Stolen Property is any personal property that has disappeared by known theft, whether by forced removal, burglary, theft by employee, or other criminal act. Stolen property must be reported IMMEDIATELY to the Property Manager in conjunction with IMMEDIATELY filing a stolen report with the University Police Department.*

*A Missing or Stolen Property Report must be completed within 24 hours of reporting the stolen property. As part of the report the Department Head must make a determination of negligence on the part of the Responsible Party. ~~In the event of employee negligence the Office of the State Attorney General will be notified.~~ Failure to report stolen property*

*to the Property Manager and/or UPD IMMEDIATELY may result in a determination of negligence.*

~~Any appropriations withheld from the University due missing property based on the Fy 02-03 Appropriations Bill, section 9.03, will be deducted from the budget of the department responsible for the equipment.~~

~~Stolen Property is defined as any personal property missing by known theft, whether by forced removal, burglary, theft by employees, or other criminal acts.~~

~~Stolen property must be reported to the Property Manager IMMEDIATELY and University Police within 48 hours of recognition of the loss. The department head must complete a Missing or Stolen Property Report in full with a detailed report of the theft; i.e., last known location, last date seen, evidence of theft, date of discovery of loss, etc. Both the Missing or Stolen Property Report AND a Police Report must be submitted to the Property Manager; and the Property Manager must report the theft to the State Comptroller IMMEDIATELY. In the event of employee theft, the Property Manager must fax a copy of the Missing or Stolen Report to the Office of the Attorney General within 5 working days of the occurrence.~~

~~Failure to report to the Property Manager IMMEDIATELY, thus allowing reporting to the State Comptroller or Attorney General within the required timeframe, may result in the stolen property being report as missing property with possible employee negligence.~~

## **EMPLOYEE NEGLIGENCE**

*The President, Director of Purchasing and Inventory, Property Managers, Department Head, or Responsible Party will be financially responsible for damaged, destroyed, missing or stolen property if ineffectiveness is determined.*

*Negligence is defined as there was negligence of the following nature:*

- 1. failure to exercise reasonable care and safekeeping for University property, resulting in its disappearance or theft;*
- 2. failure to exercise reasonable care to maintain and service property, resulting in deterioration of the property;*
- 3. evidence that property has been damaged or destroyed as a result of an intentional wrongful act or a negligent act.*

~~When the President Property Manager has reasonable cause to believe that any State/University property has been lost, stolen, damaged, or destroyed through the negligence or fault of an employee, it must be reported to the Attorney General, and further investigation will be conducted by the Property Manager pursued.~~

~~When equipment is reported Missing or Stolen, the department head must make an initial determination of whether negligence was involved in the loss of the property. The Property Manager will investigate including requiring completion of a follow-up~~

questionnaire, the circumstances surrounding all property reported missing and make a further determination of negligence. If the Property Manager determines that negligence is involved, the Department Head, Attorney General's Office, Director of Purchasing & Inventory, SFA Audit Services and Vice President for *Finance and Administration Business Affairs* will be notified immediately. The Attorney General's Office will investigate and make a final determination of negligence. If the final determination is negligence, the Attorney General's Office will make a written demand for reimbursement from the person(s) responsible for the loss.

A person is pecuniarily liable for the loss sustained by the state if: (1) agency property disappears, as a result of the failure of the head of an agency, property manager, or agency employee entrusted with the property to exercise reasonable care for its safekeeping; (2) agency property deteriorates as a result of the failure of the head of an agency, property manager, or agency employees entrusted with the property to exercise reasonable care to maintain and service the property; or (3) agency property is damaged or destroyed as a result of an intentional wrongful act or of a negligent act of any state official or employee.

**Source of Authority:** Texas Government Code, *Chapters Ann. Sec.* 403.271(a) through 403.278; 2054.003(3)(A), 2175, and 2203.004; *Texas Government code, Title 10, Subtitle D, Chapter 2175; Texas Government Code, Title 10, Subtitle B, Section 2054.003(3)(A);* President; Vice President for *Finance and Administration Business Affairs*

**Cross Reference:** Property Transfer and Disposal Policy B-24; Property Liability Policy B-34

**Contact for Revision:** Director of Purchasing and Inventory

**Forms:** *Annual Property Inventory Audit Certification (provided with Annual Property Inventory Packet), Change In Department Head (available on the ITS Forms Server), Missing or Stolen Property Report (ITS Forms Server), Police Report (available from University Police Department), Property Transfer Form (ITS Forms Server), Change In Responsible Party (available on the ITS Forms Server), Annual Property Inventory Audit Receipt (provided with Annual Property Inventory Packet), Removal of Property Equipment from Campus (available on the ITS Forms Server), Salvage Property Request (ITS Forms Server) Missing or Stolen Property Report (available on the ITS Forms Server), Police Report (available from University Police Department)*

**Authority for Official Statements****D-6**

Original Implementation: January 22, 1977

| Last Revision: ~~April 21, 1998~~ *October 19, 2006*

The Board of Regents hereby reserves the authority and responsibility for determining matters of policy and official statements concerning any political or other subjects of an obviously controversial nature which represents an official policy, statement, or position of the Board of Regents or of the University. Statements, policies, and positions by the Board of Regents on such matters shall be made by the Board through the Chair of the Board or the President of the University. No Regent, officer, faculty or staff member shall have the authority to speak for or issue any public statements on policy for and on behalf of the Board of Regents, or of the University, on such matters without prior approval of the Board.

**Source of Authority:** Board of Regents Rules and Regulations**Cross Reference:** None**Contact for Revision:** President**Forms:** None

**Authorization for University President to Suspend  
Faculty and Staff****D-8**

Original Implementation: April 27, 1970

| Last Revision: ~~April 21, 1998~~ *October 19, 2006*

Without prior notice or hearing, the President of the University may suspend without pay and immediately remove from the University or assign to other duties with pay, any employee that: (1) poses a continuing danger to persons or property; (2) disrupts the orderly operation of the University; (3) endangers the education of students; (4) has been convicted by a trial court of any felony or a crime of moral turpitude. The President shall immediately notify the General Counsel of such action. In such cases the President will set a hearing before the appropriate administrator or committee on the employee's case as soon thereafter as is practical unless otherwise waived by the employee.

**Source of Authority:** Board of Regents Rules and Regulations**Cross Reference:** None**Contact for Revision:** President**Forms:** None

## Health & Safety

D-17

Original Implementation: February 11, 1977

Last Revision: ~~July 15, 2003~~ *October 19, 2006*

### I. PURPOSE

This document will establish for Stephen F. Austin State University the policy for the protection of the University's human and material resources and the maintenance of a safe and healthful environment complementary to the University's needs and the accomplishment of its goals.

### II. SCOPE

The intention of this policy statement is to create among all members of the University community an awareness of and a commitment to an effective safety program. The primary concern of this program will be the safety and well-being of the students, faculty, staff and visitors. The program will be promoted through training, identification of hazards, and initiation of loss-control measures aimed at the overall reduction of accidents and risk.

### III. COMMITTEE

Responsibility and coordination of various aspects of the University's safety program is vested in the University ~~Environmental Safety and Health/Radiation~~ Committee that reports to the President of the University. The Committee will be composed of the Hazardous Materials Officer, the Chief of University Police, the Radiation Safety Officer, and other faculty and staff members appointed by the Vice President for ~~Business Affairs~~ *Finance and Administration*. The Director of University Health Services, the ~~University Safety Officer~~ *Director, Environmental Health, Safety and Risk Management*, and the ~~Assistant~~ University Safety Officer, and the Assistant Safety Officer acting as the Workers Compensation Representative are ex officio members.

### IV. COMMITTEE RESPONSIBILITIES

- A. Will meet quarterly or at necessary intervals.
- B. Act as a clearinghouse and consultative organization for the University safety and health problems.
- C. Act as an advisory body reporting to the President on the status of the University's safety control activities.

V. ~~The Occupational Safety and Health Program~~*Risk Management* for Texas State Agencies *Guidelines*, published by the State Office of Risk Management, is the program document for the University's safety program except as noted below. Responsibilities are assigned to individuals at appropriate levels of authority and expertise as follows.

A. The responsibility for physical safety, fire protection, occupational health, *emergency procedures, risk management, safety training, workers' compensation,* and engineering controls is assigned to the University ~~Safety Officer~~*Director, Environmental Health, Safety, and Risk Management (EHS&RM),* who reports to the Vice President for ~~Business Affairs~~*Finance and Administration.* The University ~~Safety Officer~~*Director, EHS&RM* will assume the duties of Accident Prevention Coordinator. The Assistant University Safety Officer acting as the Workers Compensation ~~Representative~~*Coordinator* associated with the ~~State Employees Workers Compensation Division of the State Office of Risk Management~~ shall report to the University *Director, EHS&RM*~~Safety Officer.~~

B. The responsibility for radiological safety, including the purchase, transportation, use, storage, and disposal of radioactive materials is assigned to the Radiation Safety Officer who reports to the President of the University. The Radiation Safety Officer will assume the responsibility for the Radioactive Materials Management Program to assure compliance with the conditions of the license/registrations issued by the Texas Bureau of Radiation Control, Texas Department of Health.

C. The responsibility for control of hazardous materials, including use, storage, and disposal of regulated hazardous materials, as well as the responsibility for compliance with the Texas Hazard Communication Act, is assigned to the Director, *EHS&RM* who reports to the Vice President of Finance and Administration ~~of and the Hazardous Material Coordinator~~*entire* who reports to the President of the University.

D. The responsibility for campus security, traffic control, criminal investigation, and civil order is assigned to the Chief of University Police who reports to the Vice President for University Affairs.

E. The responsibility for the maintenance of the health of students and the initial care of the faculty and staff members suffering from minor occupational injuries or illness is assigned to the Director of University Health Services, who reports to the Vice President for University Affairs.

## VI. SUPPORT

In addition to the aforementioned and specifically-assigned responsibilities, it shall be the general responsibility of all ~~faculty and staff members~~*SFA employees*

*and students to keep themselves informed of conditions affecting their health and safety, participate in training programs provided by their supervisors and EHS&RM, adhere to healthy and safe practices in their workplace, classroom, and laboratories, and advise their supervisor or instructors of serious hazards in the workplace, classroom or laboratory. attempt to recognize hazards in their areas of activity and to take positive action to reduce or eliminate those hazards.*

~~Staff members~~ Management and supervisors are responsible for protecting the health and safety of employees and students under their supervision by implementing SFA health and safety policies, practices, and programs, by ensuring workplaces and equipment are safe and well maintained, and by ensuring that workplaces or laboratories are in compliance with federal, state and local regulations. They ~~shall~~ are also be responsible for the education of their employees and students in regard to proper job procedures and recognized hazards before making task assignments.

## VII. IMPLEMENTATION

In all University activities and endeavors, safety is the first concern. The members of the University community shall comply with all *federal, state, and local* statutes, rules, regulations and codes by which the University is bound. They shall also attempt to comply with the spirit of any non-binding requirement which would further the University's intent to provide and maintain a safe and healthful environment in which to work, study, and live.

**Source of Authority:** President

**Cross Reference:** None

**Contact For Revision:** President, ~~University Safety Officer~~ Director, *Environmental Health, Safety, and Risk Management.*

**Forms:** None

## Items Requiring Board of Regents Approval

D-20.5

Original Implementation: July 5, 1988

Last Revision: ~~January 28, 2003~~ *October 19, 2006*

### A. Items That Require Approval by the Board of Regents

1. Construction/renovation projects if the estimated cost is

~~\$50,000~~ *\$100,000* or more, including

a. Selection of an architect/engineer

b. Authority to submit the proposal to the Coordinating Board if the estimated project cost (includes all cost) is at least \$1,000,000 for new construction, \$2,000,000 for renovation, or as otherwise required under law.

c. Construction contract awards

d. Change orders that would increase the cost of the project beyond the amount of the approved budget

2. Actions relating to University employees, including

a. Appointment of full-time faculty

b. Faculty promotions

c. Awarding of faculty tenure

d. Appointment of full-time administrative/professional staff (non-classified) excluding those requiring student status and those paid with grant funding

e. Change of position status of full-time faculty and administrative/professional (non-classified) staff

f. Advisement on termination of full-time faculty and administrative/professional (non-classified) staff  
(Executive Session only, does not require Board action for approval)

g. Leaves of absence for faculty and administrative/professional (non-classified) staff for one semester (four and one-half months) or more

h. Dual employment (with state agencies) of faculty and administrative/professional (non-classified) staff

3. Delegations of administrative authority, including

- a. Authority to approve travel
- b. Authority to approve purchases

4. Policy statements when the effect will be to

- a. change admission, probation, or suspension regulations
- b. establish or alter policies, regulations, or rules relating to employment or property rights
- c. govern the activities of the entire University or a major section of the University, such as rules for admission into teacher education or any other major curriculum
- d. change long standing and well accepted practices or patterns of behavior
- e. implement rules, regulations, or activities established by external authorities

5. Contracts, purchases, or agreements in the amount of ~~\$50,000~~ \$100,000 or more

6. Any lease of any item (building, equipment, etc.) if the total cost of the lease is expected to be ~~\$50,000~~ \$100,000 or more without regard to the length of the lease period

7. Purchase, sale or exchange of real property (Executive session only, does not require Board action for approval)

8. Depository contract (presently submitted annually)

9. Food service (or similar) contracts, including changes in existing contracts

10. Contracts and agreements with support or development foundations

11. Settlements, consent decrees, authority to enter into litigation (Executive session only, does not require Board action for approval.)

12. Establishment (or change) of mandatory fees
13. Curriculum matters, including
  - a. Establishment or elimination of academic programs
  - b. Establishment or elimination of courses
  - c. Major changes in programs or courses
14. Designation of a name for University buildings, facilities, streets, etc.
15. Annual holiday schedule
16. Private, governmental, or foundation grants or agreements if the purpose of the grant, etc. is not designated ("President's Discretion" constitutes a designation)
17. Annual operating budget
18. Increases in existing budgets through a "budget adjustment" if over ~~\$50,000~~\$100,000, except revolving funds.
19. Biennial legislative request
20. Long Range Master Plan

B. Items That Do Not Require Approval by the Board of Regents

1. Construction or renovation projects under ~~\$50,000~~\$100,000
2. Change orders under ~~\$50,000~~\$100,000 as long as the approved budget is not exceeded
3. Appointment, change-of-status, promotion, termination of classified employees
4. Appointment, change-of-status, termination of graduate or student assistants
5. Resignations
6. Contracts, purchases, and agreements when the amount is less than ~~\$50,000~~\$100,000
7. Budget transfers that do not increase the Board approved budget

8. Private, governmental, and foundation grants or agreements if the purpose of such is stipulated by the grantor, etc.
9. Materials purchased for resale in auxiliary operations and central stores
10. Materials purchased for inventory stock of the physical plant operation
11. Materials purchased for normal inventory stock from operation and maintenance budgets previously approved by the Board
12. Maintenance and service contracts
13. Library subscription services
14. Recurring printing orders
15. Contracts and agreements for athletic events, entertainment concerts, fine arts events, and other similar activities
16. Group travel packages for resale
17. Materials or services purchased for emergencies resulting from disasters, hazards, or other exigent circumstances
18. Other items approved by the President of the University which are not listed in Section I of this policy.

**Source of Authority:** Board of Regents

**Cross Reference:** None

**Contact for Revision:** President

**Forms:** None

**Private Support Organizations or Donors****D-25.5**

Original Implementation: July 9, 1991

Last Revision: ~~January 19, 1999~~ October 19, 2006

Pursuant to Chapter 2255 of the Texas Government Code, the University will recognize only those private support organizations that meet the requirements of this policy as being formed and designated to further the purposes and duties of the University.

Any organization or donor (whether existing as a corporation or as an unincorporated association) which is formed to further the purposes and duties of the University must enter into a written agreement with the University, approved by the Board. If the Board declines to enter into such an agreement, the private support organization or donor is deemed not to further the purposes and duties of the University, and the Board expressly forbids the use of the name, property, or employees of the University in any actions or activities on the part of the private support organization or donor. The agreement will address and govern all aspects of conduct of the University and its employees in the relationship between the private support organization or donor and the University and its employees including, but not limited to, the following:

- A. Administration and investment of funds received by the organization for the benefit of the University;
- B. Use of an employee or property of the University by the donor or organization;
- C. Service by an officer or employee of the University as an officer or director of the donor or organization; and
- D. Monetary enrichment of an officer or employee of the University by the donor or organization;

Nothing in this policy requires that the University include only the above provisions as subject matter in the agreement between the University and the private support organization or donor. The Board has the responsibility to enter into that form of agreement which the Board, in the exercise of its statutory authority, determines is in the best interest of the University.

Neither this policy nor any agreement entered into by the University may conflict or supersede a requirement of a state or federal statute regulating the conduct of a University employee or regulating the policies and procedures of the University.

**Source of Authority:** Board of Regents

**Cross Reference:** ~~None~~ Texas Government Code, Chapter 2255

**Contact for Revision:** President

**Forms:** None

**Selection of the President, General Counsel, and Director  
of Audit Services, and Assistant to the Board of Regents**

**D-30**

Original Implementation: April 26, 1975

Last Revision: ~~April 21, 1998~~ *October 19, 2006*

The Board of Regents selects the President, General Counsel, and Director of Audit Services and the Assistant to the Board of Regents ~~at its annual meeting~~ *annually when the budget is passed.*

**Source of Authority:** Board of Regents

**Cross Reference:** ~~None~~ *Board of Regents Rules and Regulations*

**Contact for Revision:** President

**Forms:** None

**Selection of Vice Presidents, Athletic  
Director, and Head Coaches**

**D-30.1**

Original Implementation: April 21, 1998

| Last Revision: ~~None~~ *October 19, 2006*

The Board of Regents shall participate in the selection of the Vice Presidents, Athletic Director, and Head Coaches prior to the obligation of those positions.

**Source of Authority:** Board of Regents

**Cross Reference:** None

**Contact for Revision:** President

**Forms:** None

## Students Displaying Serious Psychological Problems

D-35

Original Implementation: October 12, 1982

| Last Revision: ~~October 23, 2003~~ *October 19, 2006*

### Definitions

| **Serious psychological problems** result in behaviors, occurring on campus, in which a student *is a* danger to himself or others or causes significant disruptive activity.

**An Emergency Situation** occurs when a student is an imminent danger to self or others or there is reasonable certainty of this danger occurring in the immediate future. Examples of emergency situations are, but are not limited to, a suicide attempt, threat of a suicide attempt, actual physical harm to another person or threat of imminent harm to another person.

**A Non-emergency Situation** occurs when the student's behavior is such that it is reasonable to believe that a further deterioration of the behavior could lead the student to be a danger to self or others or to continue to display significant disruptive behavior. Examples of non-emergency situations are, but not limited to, repeated aberrant behavior such as inappropriate outbursts in classrooms or University offices or obvious non-lethal threats to self or others.

**Qualified Mental Health Provider** is a professional licensed by a state-recognized board to offer mental health services in Texas or in another state if the student returns to another state for evaluation and/or treatment.

**Psychological Problems Review Board** is composed of the Judicial Officer, a staff counselor from Counseling Services, and a staff physician from the Student Health Center acting as Chair. Their respective department directors appoint the counselor and the physician. The Student Health Center Director acts as the contact person to initiate hearing proceedings.

### Emergency Procedures

Anyone with knowledge of a student displaying behavior that places the student or others in imminent danger shall immediately contact the University Police Department. The University Police shall coordinate the response to the incident that may include taking the student into custody, obtaining medical/mental health assistance for the student and/or beginning legal proceedings to seek confinement of the student in a mental health facility.

UPD shall contact the Judicial Officer as soon as is reasonably possible. The Judicial Officer, under the direction of the Vice President for University Affairs, may send a letter to the student indicating the student is barred from campus and class attendance until certain conditions are met. These conditions may include, but are not limited to, meeting with the Judicial Officer to review the case, an evaluation and release from a qualified

mental health provider stating the student is ready to return to campus and class and/or that the student agrees to refrain from the behavior displayed in the incident. Also in the letter, the student shall be informed of the right to have a hearing with the Psychological Problems Review Board within five (5) working days for reconsideration of the incident and the required conditions.

The student may:

- a. accept the required conditions stated in the letter and return to campus and class without a hearing or
- b. request a hearing and remain off campus and not attend class until the matter is resolved or
- c. do neither and, after the fifth day, be suspended from the University for at least the remainder of the semester and until the required conditions are met.

The request for a hearing must be made in writing and delivered to the Judicial Officer within two (2) working days of receipt of the letter to preserve the right of a hearing within five (5) days. A request filed after two (2) days but before the end of the fifth day shall preserve the right of a hearing but not the right of a hearing within the five (5) day timeframe; however, the University shall make every attempt to hold the hearing as quickly as is reasonably possible. Upon receipt of the written request, the Judicial Officer shall then contact the Student Health Center Director as soon as is reasonably possible to begin hearing proceedings.

The Judicial Officer may, under the direction of the Vice President for University Affairs, refer the case immediately to the Psychological Problems Review Board for a hearing within five (5) working days in cases where suspension from the University and/or removal from a class, program or service may be a possibility. The Judicial Officer shall send a letter to the student with initial notice of the hearing and state that the student is barred from campus and attending class until the hearing is held and the matter is resolved.

The formal notice of the hearing date, time and place and the hearing process shall follow the procedures outlined in the Hearing Procedures section of this policy.

If no imminent danger is found, UPD shall contact the Judicial Officer who shall then continue under non-emergency procedures.

### **Non-Emergency Procedures**

The Judicial Officer can receive a report of an incident from the University Police Department or anyone with knowledge of a student displaying behaviors described in the non-emergency situation definition of this policy. The Judicial Officer shall begin an initial investigation into the incident that may include interviewing involved parties and seeking input from appropriate professional resources. The student in question shall be directed to report to the Judicial Officer as soon as is reasonably possible for an initial meeting. At this meeting, the Judicial Officer shall interview the student and make one of the following findings:

- a. The student's condition is currently such that the student is an imminent danger to self or others. The Judicial Officer shall immediately contact UPD to begin emergency procedures.
- b. The student's condition is currently such that further deterioration could reasonably result in the student's danger to self or others or in significant disruptive behavior continuing. The Judicial Officer shall immediately issue an initial notice to the student that a hearing with the Psychological Problems Review Board shall be held within the next five (5) working days and shall contact the Student Health Center Director as soon as is reasonably possible to begin hearing proceedings. The formal notice of the hearing date, time and place and the hearing process shall follow the procedures outlined in the Hearing Procedures section of this policy.
- c. The student's condition is currently such that counseling or other services would benefit the student. The Judicial Officer shall assist the student in making the necessary referrals. If the student's condition is drug or alcohol related, the Judicial Officer shall follow the procedures outlined in the Illicit Drugs and Alcohol Abuse D-19 policy.
- d. The student's behavior was not related to a serious psychological problem. The case may, at the discretion of the Judicial Officer, be handled through the regular disciplinary procedures outlined in the Student Conduct Code D-34.1 and Student Discipline D-34 policies.
- e. The student's condition and behavior is found to be in need of no action.

### **Psychological Problems Hearing Board Procedures**

#### **Pre-hearing Process**

The Chair of the Psychological Problems Hearing Board shall give written notice of the hearing to the student at least three University business days from the date of the hearing. The notice shall contain the date, time and place of the hearing and the date(s), time(s), place(s) and a brief description of the behavior in question and the rights accorded to the student in the hearing. The hearing may be held sooner than three (3) days at the request of the student. The hearing shall be closed unless the student requests otherwise. The Judicial Officer shall be responsible for coordinating the gathering of witnesses and other evidence and delivering a witness list and evidence to the Chair.

#### **Hearing Process**

At the hearing, the Chair shall rule on all procedural matters and the admissibility of evidence. The informal nature of this proceeding does not require strict adherence to formal courtroom procedures or rules of evidence. All parties shall be afforded the opportunity for reasonable oral argument, to question any participant present in the hearing, and be permitted to file written briefs.

The student shall have the right to:

- a. be present during the presentation of all evidence,
- b. to be accompanied by an advisor,
- c. to present such witnesses and documentary evidence as may be pertinent,
- d. and to cross-examine witnesses offered by other parties.

The record of the hearing shall consist of the summary notes of the Chair or a secretary appointed by the Board, a tape recording or transcription of testimony, along with any exhibits admitted as evidence.

Immediately after the hearing, the Board shall decide upon a recommendation to make to the Vice President for University Affairs. The recommendation may include withdrawal of the student from the University or any class, program or service. The recommendation, along with the record, shall be forwarded to the Vice President for University Affairs by the Chair as soon as possible, but no more than two (2) University working days from the adjournment of the hearing.

Within three (3) University working days from the receipt of the recommendation of the Board, the Vice President for University Affairs shall either concur, in whole or in part, with the recommendation of the Board and direct appropriate action to implement the recommendation, or shall overrule the recommendation. The Vice President shall inform the student of the action to be taken and is the final authority in these proceedings.

### **Suspension Procedures**

In cases where a student is suspended from the University under this policy, occurring through failure to accept to the required conditions, failure to request a hearing or through recommendation of the Board, the Vice President for University Affairs shall direct the Judicial Officer to send to the student a letter stating that the student is barred from re-enrollment to the University until the required conditions are met. The Judicial Officer shall place a bar on the student's University account preventing the student from re-enrollment until approval is obtained from the Judicial Officer. Other University offices shall be contacted as necessary for completion of the suspension.

### **Retention of the Record and Confidentiality**

Any records dealing with an incident of a student displaying serious psychological problems shall be held indefinitely by the Judicial Officer as a confidential file, apart from disciplinary records, to be released or accessed only by those having legitimate need as defined by state and federal laws.

**Source of Authority:** Board of Regents, President

**Cross Reference:** *Illicit Drugs and Alcohol Abuse D-19; Student Conduct Code D-34.1; Student Discipline D-34* ~~SFASU Web Pages~~

**Contact For Revision:** ~~President~~ *Vice President for University Affairs*

**Forms:** None

**~~Compensation in Excess of Base Salary~~**  
**Salary Supplements, Stipends and Additional Compensation**

E-9

Original Implementation: April 13, 1988

Last Revision: ~~February 3, 2005~~ October 19, 2006

**I. Purpose**

This policy establishes guidelines *consistent with federal and state regulations* for the total allowable compensation *that can be paid to faculty and staff from University-controlled funds* ~~to insure compliance with federal and state regulations..~~ *This policy does not apply to overtime and compensatory time for classified (non-exempt) employees or to compensatory time for professional (exempt) employees [see Overtime and Compensatory (Comp) Time, Policy E-36].*

**II. General**

- A. *Each faculty and staff member (employee) is accountable to the University for 100 percent of the duties and responsibilities associated with the employee's basic appointment. The primary obligation of University employees is the full and complete execution of all assigned duties and responsibilities.*
- B. *State regulations prohibit the appointment of University employees for more than 100 percent time for services considered to be regularly assigned duties associated with an individual's full-time responsibility.*
- C. *Employees may be requested to provide consulting, extension, and/or other activities within the University that are considered to be in addition to their regularly assigned duties for which compensation in excess of base salary may be paid.*
- D. *Compensation in excess of base salary is a temporary adjustment of total compensation, which must be specified and approved in writing prior to work commencing by the appropriate administrative channels, and is expressly conditioned on availability of funds.*
- E. *Without exception, all payments to University employees will be made through Payroll Services.*
- F. *The activities listed below are considered additional responsibilities for which an employee may receive extra compensation:*
  1. *special projects assigned by approved University administrators that are in addition to an employee's normal responsibilities;*

2. *intra-University consulting or other special services conducted for a University department or area other than the employee's department;*
3. *services beyond normal duties of the position held which cannot be reimbursed by compensatory (comp) time, including effort committed to research and sponsored programs;*
4. *increases in teaching load (overload) approved by the Provost/Vice President for Academic Affairs; and*
5. *duties performed by an employee not under contract at the time the duties must be performed, or those that are not considered in the base salary.*

~~1. Each faculty and staff member is accountable to Stephen F. Austin State University for 100 percent of the duties and facilities associated with the employee's basic appointment. The primary obligation of University employees is the full and complete execution of all assigned duties and responsibilities.~~

- G. *The base salary period for a full-time faculty appointment is the academic year (normally September 1 through the following May 31). Summer months and periods of time during the academic year when the University is not in session, e.g., weekends, holidays, semester breaks, are not included in the base salary period.*

*On occasion, regular University activities for which faculty are responsible are scheduled outside the base period, are assumed to be included in the base pay, and therefore are not eligible for extra compensation (examples include Showcase Saturday and Freshman Orientation).*

- H. *Additionally, the University may employ faculty members during the summer months for specific teaching, research or sponsored program assignments for which they are paid a salary.*

- ~~13-I. 2. State regulations prohibit the appointment of University employees for more than 100 percent time for services considered to be regularly assigned duties associated with an individual's full-time responsibility. Any individual who is dually employed (rather than grant funded) with the University and with another state or federal agency must obtain prior written approval from the President and the Board of Regents before entering into any activity for which additional compensation in excess of base salary is to be requested or paid (Dual Employment, Policy E-12).~~

~~3. Employees may be requested to provide consulting, extension, and/or other activities within the University that are considered to be in addition to their regularly assigned duties for which additional compensation may be paid.~~

14. ~~4. All activities for which an employee is to receive additional compensation through the University must be approved in writing by the employee's~~

department chair, dean, and the appropriate vice president prior to work commencing on the "Request for Additional Compensation Employment" form.

5. Without exception, all payments to University employees for additional compensation will be made through Payroll Services and requests will be submitted on a "Request for Additional Compensation Employment" form.

6. Non-exempt (classified) employees must be compensated for work in excess of forty (40) hours in any work week in accordance with compensatory or overtime payment regulations and procedures. No classified employee will be paid on a Request for Additional Compensation Employment form unless it is casual, seasonal work that must be performed outside their regular department.

7. The base salary period for a full-time faculty appointment is the academic year (normally September 1 through the following May 31). Summer months and periods of time during the academic year when the University is not in session, e.g., weekends, holidays, semester breaks, are not included in the base salary period. However, regular University activities for which faculty may be responsible are, on occasion, scheduled outside the base period.

### **III. Types of Extra Compensation**

*There are three types of compensation in excess of base salary: (1) salary supplements; (2) stipends; and (3) additional compensation.*

#### **A. Salary Supplements**

*"Salary supplement" means a payment that temporarily augments the base appointment salary. When the special assignment ends, the salary reverts to the base appointment salary. A salary supplement increases the base appointment salary for the purpose of calculating the maximum amount an employee may receive in additional compensation (see section C, below.)*

1. *Payment of salary supplements is approved either directly by the Board of Regents or indirectly through board policy.*
2. *Salary supplements appear on the regular monthly payroll check and are included in all benefit calculations.*
3. *Salary supplements are requested on the Personnel Action Request (PAR).*
4. *Salary supplements cannot be paid from research or sponsored program (4xxxxx) accounts.*
5. *Examples of salary supplements may include compensation for: (a) interim appointments; (b) faculty course overloads (Policy A-37, Overload Assignments); (c) payments for off-campus teaching assignments (Policy A-34, Off-Campus Credit Classes); and (d) endowed positions.*

## **B. Stipends**

*“Stipend” means a lump-sum payment in addition to the base appointment salary that provides recognition or incentives to employees as established in University policy. A stipend does not increase the base appointment salary for the purpose of calculating the maximum amount an employee may receive in additional compensation (see section C, below) and is not counted as additional compensation.*

1. *Payment of stipends is approved either directly by the Board of Regents or indirectly through board policy. Stipends must be approved by the appropriate vice president or president.*
2. *Stipends are paid mid-month.*
3. *Stipends are requested on the Stipend Authorization form.*
4. *Stipends can be paid from designated (2xxxxx), auxiliary (3xxxxx), and gift (5xxxxx) accounts.*
5. *Stipends cannot be paid from state appropriated fund accounts (1xxxxx) or research or sponsored program (4xxxxx) accounts.*
6. *Examples of stipends may include: (a) the Regents Professors Award (Policy A-38); (b) the President’s Staff Award; (c) teaching excellence awards; (d) the preparation of and/or teaching of on-line courses covered by Policy A-58, Distance/Distributed Education Faculty (not paid by sponsored program funds); and (e) incentive payments.*
7. *In addition, stipends may be paid to University employees for musical or theatrical performances at University-sponsored events.*

## **C. Additional Compensation**

*“Additional compensation” means a payment in addition to the base appointment salary for work that is clearly in addition to regularly assigned duties and that must be performed outside of normal working hours or during vacation or compensatory time, as appropriate. Additional compensation does not affect the base appointment salary.*

1. *Additional compensation is subject to a cap equal to 25 percent of the base appointment salary. The cap applies to all sources of funds (See 10, below).*

2. *Additional compensation is paid mid-month and is included in all benefit calculations except health insurance.*
3. *Requests for additional compensation (a) should be submitted in advance, before work is started, on the Authorization for Additional Compensation Services form and (b) should be approved for payment after services are rendered on the Authorization for Additional Compensation Payment form.*
4. *Classified employees (non-exempt employees) can be paid additional compensation only for casual, seasonal work that must be performed (a) outside their regular department and (b) outside of normal working hours, unless vacation leave or compensatory time is used. Work done within the department outside of normal working hours is not considered additional compensation, but rather overtime or compensatory time. Overtime and compensatory time are addressed in Policy E-36, Overtime and Compensatory (Comp) Time.*
5. *A description of the extra work and documentation of the additional compensation shall be maintained by the department chair, division director or other primary administrator who initiated the request for additional compensation.*
6. *Department chairs, division directors and deans shall analyze carefully the total professional commitments, including outside consulting, of the employee requesting additional compensation. Additional compensation should be approved only if the employee's and the department's general functions will not be adversely affected.*
7. *If allowed by the sponsor, additional compensation may be paid from research and sponsored program funds; however, all such requests for additional compensation must be routed by the employee's dean or primary administrator to the Office of Research and Sponsored Programs for verification of sponsor approval (see IV, below).*
8. *Examples of additional compensation may include: (a) overload commitments to research or sponsored programs; (b) casual, seasonal work; and (c) teaching SFA 101.*
9. *At no time can the rate of pay of any employee compensated with state, federal or privately funded research or sponsored program funds exceed the employee's normal monthly rate of pay.*

10. *Additional compensation is subject to the maximum salary limits described below.*

a. *Maximum Salary for 12-month Employees*

*Employees on 12-month fiscal year (FY) appointments may receive up to 25 percent of their current base appointment salary in additional compensation (see example below).*

*12-month Employee Example: A 12-month employee with an annual base salary of \$60,000 may earn additional compensation up to \$15,000 for a maximum salary of \$75,000 in a fiscal year.*

- *\$60,000 x 0.25 = \$15,000 maximum additional compensation*
- *\$60,000 + \$15,000 = \$75,000 maximum 12 month compensation*

b. *Maximum Salary for 9-month Faculty Members*

*Faculty members on 9-month academic year (AY) appointments may receive up to 25 percent of their current base appointment salary in additional compensation (plus summer salary, see c. below).*

*9-month Faculty Example: A faculty member with a 9-month AY base salary of \$45,000 may earn additional compensation during the nine-month appointment of up to \$11,250, for a maximum nine-month salary of \$56,250.*

- *\$45,000 x 0.25 = \$11,250 maximum in additional compensation*
- *\$45,000 + \$11,250 = \$56,250 maximum 9 month compensation*

c. *Maximum Summer Salary for Faculty Members*

*The limit on salaries for summer assignments depends on the source of funds (see examples below).*

1. *Research and Sponsored Programs - Federal and state regulations limit the amount of salary faculty members may earn during the summer from research and sponsored programs to 3/9<sup>th</sup> of the 9-month AY teaching salary; the National Science Foundation further limits this amount to 2/9<sup>th</sup> of the AY salary.*

2. Summer Teaching Assignments – The maximum summer salary for teaching assignments is summarized in SFA Policy E-71, Faculty Compensation Plan (see also Policy A-18A, Summer Teaching Appointments).

*Summer Faculty Example: A faculty member with a 9-month AY base salary of \$45,000 that earns \$15,000 in summer salary (equal to 3/9<sup>th</sup>) -may earn additional compensation during the 3-month summer of up to \$3,750, for a maximum salary of \$18,750 in a summer.*

- $\$45,000/9 \text{ mo} \times 3 = \$15,000$  maximum summer salary (3/9<sup>th</sup>)
- $\$15,000 \times 0.25 = \$3,750$  maximum in additional compensation
- $\$15,000 + \$3,750 = \$18,750$  maximum summer compensation

#### **IV. Use of Federal and State Research and Sponsored Program Funds**

- A. *In general, federal and state agencies discourage the use of research or sponsored program funds for additional compensation; some agencies specifically prohibit additional compensation. Intra-university consulting and contributions to a sponsored agreement conducted by another faculty member at the same institution are not eligible for additional compensation except as specified below.*
- B. *Federal and state regulations allow additional compensation to be paid only when:*
  1. *consultation is across departmental lines or involves a separate or remote operation; and/or*
  2. *the work performed is in addition to the regular departmental load.*
- C. *For state and federal agencies that allow additional compensation to be paid from research and sponsored program funds, the sponsor must be informed of the intent to charge salary as extra compensation in the original budget proposal. If research or sponsored program funds are used to pay any additional compensation, the grant or contract should clearly state:*
  1. *that additional compensation will be paid to University employees;*
  2. *the name or position of the individuals who will be receiving the additional compensation; and*
  3. *the work and services to be performed by these individuals.*

- D. *The amount of the additional compensation should be segregated from regular salary expenses and the budget justification should clearly indicate:*
  - 1. *the total dollar amount of additional compensation requested; and*
  - 2. *the percent of additional effort committed to the project or the hourly rate and number of hours committed to the project.*
- E. *The award document from the federal or state sponsoring agency must state that additional compensation is allowed or imply that the proposal was accepted with no alterations regarding the request for additional compensation.*
- F. *If a request for additional compensation is for an employee who will be paid from research or sponsored program funds, the dean first must route the Authorization for Additional Compensation Services form to the Office of Research and Sponsored Programs to verify sponsor approval.*

~~as approved by the Board of Regents policies.~~ **Other Activities**

- 1. ~~The activities listed below are considered as additional responsibilities for which an employee may receive extra compensation, the total of which may not exceed 25 percent of base salary during any appointment period.~~
- 2. ~~The rate of additional compensation paid for activities performed during other than appointment periods may not exceed 100 percent of the salary rate paid during the preceding appointment period at the University.~~
- 3. ~~The following activities are examples of acceptable justifications:~~
  - a. ~~special projects assigned as overload by University administrators;~~
  - b. ~~consulting or other special services conducted for a University department or area other than the employee's department;~~
  - c. ~~services beyond normal duties of the position held which cannot be reimbursed by compensatory time;~~
  - d. ~~increases in teaching load assigned by the Provost/Vice President for Academic Affairs;~~
  - e. ~~duties performed by an employee not under contract at the time the duties must be performed.~~

**Source of Authority:** 29 U.S.C., sec. 201 et seq.; ~~V.T.C.S., arts. 5165 to 5165a;~~ *Federal OMB Circular A-21; Uniform Grant Management Standards for the State of Texas; Texas Government Code Sec. 605, 658.001-.007, 659; Board of Regents; President.*

**Cross Reference:** ~~None~~ *Summer Teaching Appointments, A-18A; Off-Campus Credit Classes, A-34; Overload Assignments, A-37; Regents Professors, A-38; Grants and Contract Administration, A-56; Distance/Distributed Education Faculty, A-58; Dual Employment, E-12; Overtime and Compensatory (Comp) Time, E-36; Fair Labor Standards, E-70; Faculty Compensation Plan, E-71.*

**Contact for Revision:** ~~Vice President for Business Affairs~~ *President (Director of Human Resources, Controller, Director of Research and Sponsored Programs).*

**Forms:** *Personnel Action Request (Available on-line through MySFA under myServices. NCR paper is available in University Printing Services.), Stipend Authorization, Request Authorization for Additional Compensation Services, Employment, Authorization for Additional Compensation Approval Payment (both available on the SFA web at <http://www.sfasu.edu/personnel/AdditionalCompensation.htm>)*

## New Employee Orientation

E-33.1

Original Implementation: September, 1990

Last Revision: ~~July 8, 2004~~ *October 19, 2006*

The purpose of this policy is to ensure that new employees receive sufficient orientation to enable them to perform their assigned duties. It is the responsibility of each department to require new employees to participate in the New Employee Orientation that consists of four (4) parts. The hiring department is responsible for scheduling the new employee for orientation with Human Resources prior to the new employee's first day of employment. New employee orientation consists of certain federally regulated forms that must be completed by the new employee within the first three (3) days of employment. The new employee must bring documents to the orientation session that verifies their identity and authorization to work. They should also plan to bring relevant information with them to enroll any dependants in health insurance (such as birth dates, social security numbers, and addresses). New Employee Orientation is normally held on Monday mornings in the Human Resources department.

1. The first orientation session is conducted by Human Resources on or before the first day of employment. In this session, the new employee receives detailed information about SFASU, completes a New Employee Orientation packet which includes their benefit selections, payroll information, Federal Immigration & Naturalization forms (I-9), and receives information about training and other benefits.
- 2 The second orientation session is the departmental employee orientation, conducted within the first six weeks of employment by the employee's immediate supervisor. This session is provided to acquaint the new employee with University policies and procedures, departmental details, and information regarding the expectations for performance of the job duties. The supervisor should use the "New Employee Orientation Checklist" provided by Human Resources to insure that they have covered all the essential information needs of the new employee. The completed checklist should be returned to Human Resources and will become a permanent part of the employee's personnel file. Each department should maintain a copy for their files.
3. The third session is conducted by Human Resources *and Safety* in a separate, mandatory training normally held within 30 days of employment regarding EEO laws *and safety hazards*. The employee should receive notice to attend through their immediate supervisor as requested by Human Resources.
4. The fourth session is also mandatory training conducted by Human Resources. The training explains the University's Performance Management and Review Plan and applies to all non-faculty employees. Human Resources will schedule all new hires affected by this policy to attend the training.

While orientation is required for all new employees, the supervisor should maintain flexibility as to the extent of the orientation sessions, i.e., individuals having previous University employment may not require the in-depth training that would be needed by a first-time employee. At the supervisor's discretion, an employee transferring from one University department to another may be required to participate only in the departmental employee orientation (see No. 2 above).

**Source of Authority:** Vice President for ~~Business Affairs~~ *Finance and Administration*

**Cross Reference:** Performance Management and Review Plan – Policy E-57

**Contact for Revision:** Director of Human Resources

**Forms:** New Employee Orientation Checklist (available in Human Resources)

**Organized Work Stoppage****E-34**

Original Implementation: October 21, 1978

| Last Revision: ~~April 20, 1999~~ October 19, 2006

Participation by any employee in an organized work stoppage has been declared to be against the public policy of the State of Texas. In any case when there is substantial evidence to indicate that an organized work stoppage exists in any division or department of the University, an employee reporting ill shall send to the administrative head of his/her department or division a doctor's certificate showing the cause of nature of the illness to be entitled to sick leave pay.

**Source of Authority:** ~~V.C.T.S., art. 5154C~~ *Texas Government Code, sec. 617.001, et seq.*; Board of Regents; President

**Cross Reference:** None**Contact for Revision:** President**Forms:** None

**Risk Management****E-43.5**

Original Implementation: August 2, 1994

Last Revision: ~~January 28, 2003~~ *October 19, 2006***POLICY STATEMENT**

The administration of Stephen F. Austin State University recognizes the significance of providing a safe working and teaching environment for both employees and students. Fulfilling educational philosophies and protecting facility assets are important priorities.

Institutional planning, with an emphasis placed on practical approaches to problem solving and risk control, are standards commonly adhered to in a University environment. Policies and procedures address controlling the total cost of risk while meeting the goals of conserving the physical and financial resources of the institution. The ultimate benefit is a reduction in the total cost of risk. Additionally, the University is a safer place for employees, students and the public to work, study, and congregate.

It is the responsibility of the University administration to communicate the Risk Management Policy to University personnel. In so doing University personnel are educated on the concepts of safety and risk management. By demonstrating the ability to analyze exposure to loss and by implementing measures to control these losses, the image of the University is improved in the market place and in the community.

The function of risk management is to minimize the adverse effects of events, be they physical or financial, through the implementation of three basic tools:

Avoidance. Risk is avoided by refusing to assume it. This is not always wise or possible as it may mean an end to an operation in a specific area.

Loss Prevention and Reduction. When a risk cannot be avoided, it can often be reduced and the severity of losses lessened through the proper training of staff, maintenance of equipment, updating of policies and procedures, and the proper implementation of adequate emergency procedures.

Transfer. If a risk cannot be avoided, it can be transferred to others. In negotiating contracts, the risk manager may recommend an insurance clause be included requiring evidence of the other party's insurance coverage. This type of document is a "certificate of insurance" and where appropriate, the institution may need to be named as an additional insured under the contractor's policy.

**RISK MANAGEMENT PLAN****Loss or claim reporting procedures**

## I. Personnel

Faculty, staff, or student assistant injuries that occur during the scope of employment may be covered by Workers' Compensation. The employee must inform his/her supervisor and contact the University Claims Coordinator (*Assistant Safety Officer*). Refer to University Policy and Procedure Manual, Workers' Compensation Coverage, Index E-55.

The University does not maintain liability insurance for student or visitor injuries.

## II. Property

Whenever a property loss occurs from fire, theft, explosion, flood, earthquake, vandalism, or any other such cause, a loss report is submitted to the University Police Department, (UPD) *and the Environmental Health, Safety, and Risk Management Department (EHS&RM) by the area supervisor.*

## III. Students and Visitors

A. Occurrence: Whenever there is an accident or injury on University premises, a loss or injury to a student, visitor or company, or any other unplanned event, the UPD *and EHS&RM* is notified. UPD will ~~coordinate accident~~ *submit incident or accident or injury reports with* to the *Environmental Health, Safety, and Risk Management Department* ~~Safety Office~~.

B. Procedure: The appropriate vice president is notified of all incidents that involve a contractor, vendor, student, or visitor ~~or company~~.

1. Once all of the facts have been documented, General Counsel is notified.
2. Employees are advised to discuss the case with no one until consulting with General Counsel.
3. No statements are made admitting liability or authorizing medical treatment unless cleared through General Counsel.
4. If any machine, product, or object is involved in the accident, it is preserved, as is, in a safe place until it can be examined.

## SAFETY AND LOSS PREVENTION

### I. Safety Network

A. The University Safety Committee *and the Environmental Health, Safety and Risk Management Department* ~~are~~ is charged with the general oversight of the University Safety program. Communication channels that connect each operating unit of the

University with the Safety Committee are necessary for an effective safety program. Each unit of the university system; *(Item I – F), (Item I-F), shall designate a Safety Representative who will act as the intermediary between the unit and a designated member of the Safety Committee. The University Safety Officer is the Chair and members of the Safety Committee will be appointed by the Vice President of Finance and Administration (See Health and Safety Policy D-17).*

(NOTE: The purpose of this network is not to relieve the unit members of the general responsibility to recognize hazards in their areas of activity and take positive action to reduce or eliminate those hazards, nor is it to relieve the faculty and staff members of their responsibility to educate their students and employees about proper job procedures and recognized hazards before making task assignments.)

B. Communication Pathway: The procedure for channeling safety information to the Safety Committee is as follows:

1. Any individual who discovers a safety problem shall notify the Safety Representative and/or their Supervisor.
2. The Safety Representative shall advise the appropriate supervisor, and the safety problem will be resolved at that level if possible.
3. If further action is necessary or if help is needed to clarify the problem and recommend a solution, the Safety Representative will refer the problem to the Safety Committee member assigned to that unit. The Safety Committee member will advise the Safety Committee of the problem.
4. The Safety Committee Chair will take the issue under consideration.
5. Before action by the Safety Committee, the Department Chair and the Dean of the School or the Administrator of the unit shall be consulted, and every effort will be made to resolve the problem without committee action.
6. Should the scope of the problem be such that it is one of university-wide concern, or that resolution of the problem cannot be achieved at the department or unit level, the Safety Committee will consider the problem and recommend a course of action to the President of the University.

C. Alternate Communication Pathway: The plan as outlined does not preclude a person from contacting the University ~~Safety Officer~~ *Environmental Health, Safety and Risk Management Department*, Safety Committee Members, and/or the Safety Committee Chair directly; however, it will be policy to refer the problem to the department or unit Safety Representative for resolution at that level if possible.

D. Other functions of the Network:

1. The network will serve as a means of communicating safety matters and concerns from the Safety Committee to the unit Safety Representative and thence to the faculty, supervisors, and employees.
2. A list of all Safety Committee members and their assigned areas of network responsibility will be provided to all unit and department Safety Representatives. A unit or department that operates in an environment that presents high risk shall establish a safety committee chaired by the Safety Representative, and the unit administrator (or a designated representative) shall be an ex-officio member. Each unit shall review its working conditions and the hazards associated with them to determine the need for a unit safety committee.
3. In order to maintain continuity of the Safety Communications Network, the term of the Safety Representative will be indeterminate, but subject to review. Each department or unit administrator shall send the name of the safety representative and names of the unit or departmental Safety Committee members, if appropriate, to the Chair of the Safety Committee by September 15 each year.
4. Each unit or department shall set aside at least four square feet of bulletin board space to be designated "SAFETY NOTICES," and it shall be maintained exclusively for safety information. The bulletin board will be the responsibility of the Safety Representative. A description of the SAFETY COMMUNICATION NETWORK, the Safety Representative's name, office number, and phone number shall be posted on the bulletin board.

#### E. Safety Suggestion Program

The Safety Communication Network will serve as the pathway for the Safety Suggestion Program to allow employees to voice their safety concerns and have a direct input into the safety program. Safety suggestions are to be directed to the Chair of the Safety Committee. Suggestions may be anonymous; however, satisfactory resolution of the safety problem may depend upon discussions with the person.

#### F. Unit Designations

For purposes of the Safety Communications Network, each academic department and the Library is considered to be a unit. The offices of the academic deans are a part of a department designated by the dean. Other unit designations are Austin Building, to include all persons who work therein; Computer Center(*Boynton Bldg*); University Center; Health Clinic; Purchasing, to include Central Stores and the Warehouse; Physical Plant Administration and Shops; Motor Pool; Buildings and Grounds; ~~Housing~~*HOP*; University Police Department; Printing Services (*Rusk Bldg.*).

#### II. Safety Management

There are varying risks associated with activities and occupations at a University. The *Environmental Health, Safety and Risk Management* Department serves the University community by identifying the areas of greatest risk and by making recommendations regarding elimination, substitution or reduction of those risks. Recommendations are based on the numerous *federal, state, and local* regulations, codes, and standards that have been developed to assure public health and safety. Employees are encouraged to play an active role in the University safety program by identifying and reporting hazardous conditions. Refer to the University *Health and Safety Manual* and the *Fire and Safety Manual for Residence Halls and Apartments*.

### III. Instructional Program

Structured safety training such as *new employee*, defensive driving, specialized, *high interest areas*, or *specific subject matter*-~~equipment instruction~~, and information concerning the Hazardous Communication Act will be offered to employees as deemed appropriate.

### IV. Monitoring

The Safety Committee will meet quarterly to update or modify this document as needed. This committee will be charged with the responsibility of reviewing problem areas such as recurring injuries, accidents, or safety violations.

### V. Travel and Vehicle Use Policy

Refer to the University Vehicle (Rental) Policy, Index B-30.

### VI. Insurance

- A. The purchase and renewal of insurance are the responsibility of the Vice President for ~~Business Affairs~~ *Finance and Administration*.
- B. *The VP of Finance and Administration and the campus Risk Manager will evaluate campus risks of loss and insurance needs.*
- C. *Insurance shall be purchased if:*
  - 1. *Required by law,*
  - 2. *The cost of insurance is judged to be preferable to leaving the risk uninsured,*
  - 3. *Required by contractual agreement,*
- D. *Insurance will not be purchased if state or federal law prohibits the purchase of insurance. Insurance coverage is limited to what is allowed by state law.*
- E. *Insurance Claims:*

1. *Any incident that may be covered by insurance must be reported to the Environmental Health, Safety and Risk Management Department so that the incident may be evaluated and reported to the appropriate insurance carrier; and*
2. *The Office of General Counsel will be notified of all claims and consulted for guidance.*

~~Insurance coverage is limited to what is allowed by state law.~~

## VII. Employee Indemnification

Employees are indemnified within the course and scope of employment to the extent provided by state law. Refer to Chapter 104, Civil Practice and Remedies, Vernon's Texas Codes Annotated.

**Source of Authority:** Vice President for ~~Business Affairs~~ *Finance and Administration*

**Cross Reference:** Workers Compensation Coverage Policy, Index E-55; University Vehicle (Rental) Policy, Index B-30; Health and Safety Policy, Index D-17.

**Contact for Revision:** University ~~Safety Officer~~ *Director, Environmental Health, Safety, and Risk Management.*

**Forms:** None

**Sick Leave Pool****E-47.1**

Original Implementation: September 17, 1982

Last Revision: ~~April 13, 2006~~ October 19, 2006**Purpose:**

Pursuant to ~~Senate Bill 357, 71<sup>st</sup> Legislature, Regular Session~~ *Texas Government Code secs. 661.001-661.008*, the University shall maintain a Sick Leave Pool to benefit certain regular employees who suffer a catastrophic injury or illness. A sick leave pool shall be established and maintained to provide for the alleviation of the hardship caused to an employee and the employee's family if a catastrophic illness or injury forces the employee to exhaust all accrued leave (including compensatory time, if applicable) and lose compensation with the state.

**Definitions:**

1. A catastrophic injury or catastrophic illness is defined as a severe condition or combination of conditions affecting the mental or physical health of the employee, or the employee's immediate family, that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all accrued leave and lose compensation from the state.
2. A severe condition or combination of conditions is one that:
  - a. will result in death or is a severely debilitating condition that will result in the individual not meeting the essential functions of their job if not treated promptly or at regularly scheduled intervals (e.g. chemotherapy treatments, radiation treatments, etc.);
  - b. has been designated as terminal; or
  - c. prevents the employee from working for a continuous period of forty-five (45) calendar days or more.
3. Licensed practitioner means a practitioner, as defined in the Texas Insurance Code, who is practicing within the scope of his/her license.
4. Immediate family is defined as those individuals related by kinship, adoption, marriage or foster children who are so certified by the Texas Department of Human Services who are living in the same household. If not in the same household, an immediate family member is strictly limited to the employee's spouse, child or parent who needs care and assistance as a direct result of a documented catastrophic medical condition.

**Eligibility and Other General Provisions:**

1. All regular faculty and non-probationary staff members' eligible to accrue and use sick leave in accordance with university sick leave policy E-47 may apply to use sick leave from the sick leave pool.
2. Employees may use sick leave pool for their own catastrophic illness or injury or for one in their immediate family, as defined above.
3. Employees must be meeting job performance requirements and observing work rules to be eligible for pool leave beyond that period which is covered by Family Medical Leave.
4. An employee may submit only one request for sick leave from the Sick Leave Pool per fiscal year for each catastrophic illness or injury.
5. An employee must exhaust all accrued leave before being eligible to receive sick leave from the Sick Leave Pool.
6. An employee utilizing sick leave from the Sick Leave Pool continues to accrue vacation and sick leave entitlement as if on regular sick leave, provided he or she returns to work following the leave.
7. Employees who are not covered by FMLA (policy E-58) and who are offered a bona fide job offer under the University's Return to Work (policy E-62) must accept the offer or sick leave pool benefits will end.
8. Employees who file for Worker's Compensation Benefits are not eligible to use sick leave from the sick leave pool. In no case may sick leave pool time be used in conjunction with a worker's compensation claim.
9. A routine pregnancy is not considered a catastrophic illness or injury.
10. A regular part-time employee is granted pool leave on a pro-rated basis.
11. One sick leave pool will be administered for all regular faculty and staff employees of the University.

**Requesting Sick Leave from the Pool**

1. A regular employee may apply for sick leave from the Sick Leave Pool by completing a "Request for Sick Leave from the Sick Leave Pool" form and routing the form to the Pool Administrator in Human Resources.
2. Medical certification is required before the sick leave pool request can be reviewed by the administrator. Weekly documentation of appointments and/or treatment must be

submitted to the Pool Administrator. Failure to return the required certification and documentation may result in loss of pool benefits.

3. The Pool Administrator will approve all or part of the request, or deny the request. All practitioner's statements and medical updates are subject to be referred to and reviewed by a University medical review board.

4. The amount of the pool leave granted for each catastrophic illness or injury will be determined by the Pool Administrator. The amount granted cannot exceed one-third of the balance of hours in the pool. However, in no case may an employee use more than 90 work days from the pool. Initiation and/or renewal of approval for use of such leave shall be subject to review of a current medical report for each approval period, and subject to availability of appropriate balance in the fund.

5. Medical updates are required every 30 days, unless otherwise indicated. Failure to return required medical documentations may result in delay or loss of pool benefits.

6. Any unused balance of leave granted to an employee from the Sick Leave Pool returns to the pool if the employee returns to work prior to using all days granted. The estate of a deceased employee is not entitled to payment for unused leave requested from the Sick Leave Pool.

7. Employees on sick leave pool who return to work on a part-time basis are not eligible to continue on pool leave to make up the difference between their part-time employment and regular full-time employment.

8. An employee's sick leave pool award will immediately stop once the catastrophic medical condition for which it was granted ceases.

#### **Contributing Sick Leave to the Pool**

1. An employee with accrued sick leave may contribute to the Sick Leave Pool in increments of eight hours, with the exception of a retiring employee who may contribute accrued sick leave in increments of less than eight hours.

2. Sick leave contributed to the pool reduces the accrued sick leave balance of the employee making the contribution.

3. Contributions to the pool are strictly voluntary.

4. An employee contributing sick leave to the Sick Leave Pool may not stipulate who is to receive the contribution.

5. An employee who contributes sick leave to the Sick Leave Pool cannot reclaim the contribution unless entitled to use leave from the Sick Leave Pool. An employee who contributes sick leave to the Sick Leave Pool and then exhausts his or her sick leave

balance in the same fiscal year may receive the number of hours he or she contributed to the pool in that fiscal year without suffering a catastrophic illness or injury.

6. An employee desiring to contribute sick leave to the Sick Leave Pool should complete an "Application to Contribute Sick Leave" form, provide a copy to his or her department head, and route the form to the Pool Administrator in Human Resources.

7. Terminating employees who are not transferring to another state agency and who have a sick leave accrual are encouraged to donate the balance of their sick leave.

### **Administration of the Pool**

1. The Pool Administrator (in the Human Resources department) is responsible for the administration of the Sick Leave Pool. Decisions of the Pool Administrator may be appealed to the appropriate vice president.

2. Requests for sick leave from the Sick Leave Pool will be forwarded to the Pool Administrator. Requests will be considered by the Pool Administrator on a first-come, first-serve basis. Employees may not submit a request for Sick Leave Pool hours until they have been out of work for forty-five (45) days. If a request is awarded, sick leave pay will be made retroactive to the date and time the employee exhausted accrued leave.

3. The Pool Administrator will have five working days from the date a request is received in which to approve all or part of the request or deny the request.

4. The amount of sick leave granted for each catastrophic illness or injury will be determined by the Pool Administrator. The amount cannot exceed one-third of the balance of hours in the pool, or 90 working days, whichever is less. The Pool Administrator shall approve the use of not more than forty-five (45) days of such leave by one individual at one time. Initiation and/or renewal of approval for use of such leave will be subject to review of a current medical report for each forty-five (45) day approval, and subject to availability of appropriate balance in the fund.

5. The Pool Administrator shall design and implement a system of records management and reporting of Sick Leave Pool activity. The total leave time available in the Sick Leave Pool shall be reported quarterly to the Director of Human Resources and be available upon request to faculty and staff.

**Source of Authority:** ~~Senate Bill 357, 71st Legislature~~ *Texas Government Code secs 661.001-661.008*; Board of Regents; President; Director of Human Resources

**Cross Reference:** None

**Contact for Revision:-** Director of Human Resources

**Forms:** Application to Contribute Sick Leave, Family Medical Leave Request (both available in Human Resources)

## Performance Management Plan

E-57

Original Implementation: July 14, 1998

Last Revision: ~~April 20, 2004~~ October 19, 2006

The purpose of the Performance Management Plan is to maximize employee work efforts to achieve University, organizational, and individual objectives through the 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.

This policy applies to all non-faculty employees, excluding Academic Department Chairs, Deans, and the Library Director, Charter School Teachers, and all Coaches at Stephen F. Austin State University. However, all categories listed in exemption above shall have some form of evaluation system, but are not governed by this policy.

### Procedure

The process of job performance evaluation should include the following steps:

1. Set and communicate job expectations at the start of the review period. *Use the employee's job description to review the expectations of the job. If the job description needs revision, contact Human Resources for assistance.*
2. Provide ongoing coaching and counseling during the review period and document significant discussions regarding positive achievements and needed improvement in regard to job performance or conduct.
- ~~3. Conduct an informal, interim progress report midway through the review period.~~
4. Conduct the annual performance review at the end of the review period.

### Annual Performance Review

*Evaluate the employee's performance for the entire review period. Determine whether or not the employee has met expectations established at the beginning of the review period and which were based on the employee's job duties.*

*Evaluate how the employee's performance was consistent with the appropriate performance values.*

*Document trainings that the employee attended (both voluntary and mandatory) during the review period. This information may be obtained from the Human Resources department.*

*Describe any areas in which the employee needs to improve. Specific results should be addressed and documented.*

*Summarize and evaluate the employee's overall performance. Any employee, who has received a mark in the grey shaded area, must receive a "needs improvement" or "unsatisfactory" rating in the overall rating.*

*Comments and signatures are to be done and the original form sent to Human Resources. At the end of the review period, a formal performance review is conducted. Supervisors are encouraged to talk with the employee's clients, peers, and subordinates to obtain a complete and accurate understanding of the employee's job-related performance.*

*It is recommended that the annual performance review should address and document the following:*

- 1. Job Performance Expectations—Evaluate the employee's job performance for the entire review period with regard to each expectation established. Explain briefly how the employee completed each of his/her job expectations and contributed to the achievement of organizational goals.*
- 2. Job Performance Values—Evaluate how the employee's job performance was consistent with the performance values, which are important to the University. Job-related strengths, areas for improvement, and specific results should be addressed.*
- 3. Employee Development—Evaluate (a) whether training and developmental goals established for the review period have been met, (b) how the employee has defined his/her career goals, (c) what self-development steps the employee is taking to improve job skills and career opportunities, (d) what development is needed by the employee to improve current job skills, and (e) what development activities are planned for the next review period to improve the employee's skills and career opportunities.*
- 4. Performance Levels—Summarize and evaluate the employee's overall performance.*
- 5. Comments and Signatures—Comments and signatures are to be added by the employee, immediate supervisor, and reviewing supervisor.*

### **Documentation**

*Supervisors conducting performance reviews are held accountable for ensuring that each review is conducted on time, covers performance during the entire review period, and is:*

- 1. objective—factually correct and free from personal bias,*

2. ~~complete~~ — addresses all key items regarding the employee's job performance,
  3. ~~accurate~~ — does not gloss over exceptional contributions or aspects of performance which do not meet expectations fully.
  4. ~~discussed with the employee, and~~
  5. ~~documented for the employee by the supervisor.~~
- Supervisors should review the draft performance review with the reviewing supervisor and Human Resources representative when concerns or questions arise, before presenting the review to the employee.

The ~~Performance Management Plan~~ *review plan* for each employee should be free from discrimination including race, color, religion, sex, age, national origin, disability, or disabled veteran status according with Equal Employment Opportunity (EEO) law. ~~The reviewing~~ Each supervisor will be held responsible for ensuring the ~~performance evaluation~~ review is completed fairly, *objective, accurate, and honest and discussed with the employee. Supervisors are also responsible for ensuring consistency of application within their departments. and without prejudice according to EEO law.*

The reviewing supervisor's signature on the completed performance management plan form shall certify the job performance ratings, performance values ratings, and training and development plans have been reviewed to ensure consistency of application.

### **Compensation Actions**

Merit pay increases, general pay increases, and all other compensation actions are to be consistent with the level of employee's actual job performance. Merit increases are to be withheld in whole or part for employees who are rated "*needs improvement*" or "*unsatisfactory*" and therefore are not fully effective in their job performance. The immediate and reviewing supervisor should discuss related actions with Human Resources before taking such steps to ensure appropriate documentation.

### **Interpretation**

Questions regarding the interpretation of this policy should be referred to the Director of Human Resources. The forms and format used in this process may be modified for unique circumstances upon the review and approval by the Director of Human Resources.

**Source of Authority:** Vice President for ~~Business Affairs~~ *Finance and Administration*

**Cross Reference:** Equal Employment Opportunity Guide for Employees and Supervisors, Non-Academic Employee Handbook

**Contact for Revision:** Director of Human Resources

**Forms:** Performance Management Plan and Review (Available on the Internet.)

**Bookstore Special Orders****F-3**

Original Implementation: Unpublished

Last Revision: ~~October 23, 2003~~ October 19, 2006

The University Bookstore will place special orders for students, faculty and staff for merchandise not in stock. Individuals desiring special order items, such as books, office supplies, etc., should contact the ~~secretary in the Bookstore Manager's office~~ *Textbook Manager for special orders involving textbooks or the Merchandise Manager for special orders involving school supplies, spirit clothing, spirit merchandise or assistance for assistance*. Upon receipt of special order merchandise by the Bookstore, the individual will be notified and payment can be made by cash, *check or* credit card (for personal merchandise) or by ~~interdepartmental charge~~ *University credit card* (for University merchandise).

**Source of Authority:** Vice President for University Affairs**Cross Reference:** None

**Contact for Revision:** ~~Manager of University Center~~ *Barnes & Noble University Bookstore* ~~Director of the Student Center~~

**Forms:** None

**Bookstore Textbook Orders****F-4**

Original Implementation: Unpublished

Last Revision: ~~October 23, 2003~~ *October 19, 2006*

Every semester the Textbook ~~Supervisor-Manager~~ in the *Barnes and Noble University Bookstore* sends each academic department chair Textbook Information Forms, instructions for completion, and a list of adopted books with new editions in print. Required textbooks are selected and optional books are recommended by each department chair for the following semester. Approximate due dates for departmental selections to be returned to the University Bookstore are listed below.

1. Fall semester - March 21
2. Spring semester - ~~ñ~~October 25
3. Summer semesters - March 10

Following internal checks of textbook inventories, buy back quantities, and quantities sold in previous semesters, the Bookstore places purchase orders with publishers. If problems arise during the purchasing process, the Bookstore notifies the appropriate department chair and if necessary, new textbook selections are made.

**Source of Authority:** Vice President for University Affairs**Cross Reference:** None

**Contact for Revision:** ~~Manager of University Center~~ *Barnes & Noble University Bookstore*  
~~Director of the Student Center~~ *e*

**Forms:** None

**Express Mail Services****F-11**

Original Implementation: Unpublished

Last Revision: July 14, 2005

Coordination of express mail service is offered by the Purchasing and Inventory Department as a support function for the University. A purchase order is established in each year for the processing of payments to Airborne, Federal Express and UPS. If your department will have regular overnight shipments throughout the year, then a requisition may be submitted to the Assistant Director of Purchasing & Inventory at the beginning of the year to establish an encumbrance.

Purchasing reviews state contracts and cooperative contracts to determine the best value for express mail services from year to year. The most current express mail contracts are shown below:

**DHL: E&I Cooperative Contract:**

To insure receipt of SFA discounted pricing, call toll free 832-515-1070 and request a new account under Master Contract #E&I-AIRBORNE AID CODE #EIC.

To schedule a pick-up, complete the airbill with required information, including departmental account number. Call the 800 number on the airbill to schedule the pick-up. Upon receipt of an invoice from Airborne (by the department), review for accuracy and submit to Accounts Payable with the account number to charge and an approved signature.

FEDERAL EXPRESS. To schedule a pick-up, complete the airbill with required information, including departmental account number. Call the 800 number on the airbill to schedule the pick-up. Upon receipt of an invoice from Federal Express (by the department), review for accuracy and submit to Accounts Payable with the account number to charge and an approved signature.

UPS. Contact the Central Receiving Office for instructions regarding UPS shipments.

USPS EXPRESS MAIL SERVICE. Contact the University Center Post Office for handling details.

**Source of Authority:** Vice President for Business Affairs

**Cross Reference:** None

**Contact for Revision:** Director of Purchasing and Inventory

**Forms:** None

**Faculty/Staff Athletic Ticket Purchases****F-12**

Original Implementation: Unpublished

Last Revision: ~~October 23, 2003~~ October 19, 2006

University faculty, staff, retirees, their spouses and dependent children are entitled to purchase *discounted* season tickets for home *athletic events* ~~football, basketball and volleyball games at a reduced price.~~

~~Annually,~~ Season ticket applications are mailed *annually* to each faculty/staff member who purchased tickets the previous year. Packets of applications are *also* mailed to each departmental office for distribution to department members in order to contact as many new faculty/staff members as possible and to offer faculty/staff who did not purchase tickets the previous year a chance to do so.

Faculty/staff season tickets are not honored during post-season play.

**Source of Authority:** Vice President for University Affairs

**Cross Reference:** None

**Contact for Revision:** ~~Director~~-Dean of Student Affairs

**Forms:** None

## Guest Speaker

F-15

Original Implementation: July, 1980

| Last Revision: ~~October 23, 2003~~ October 19, 2006

These rules shall govern the invitation and presentation of guest speakers on University property or at University-sponsored events.

- 1) These rules do not apply to:
  - a) regularly scheduled classes offered for academic credit;
  - b) professional conferences sponsored directly by a university department; or
  - c) activities sponsored by non-university entities in rented university facilities.
- | 2) For the purpose of these rules, "guest speaker" means a person invited ~~and appearing~~ to speak on University property or at a University-sponsored event who is presently not enrolled as a student nor employed by the University.
- 3) Only registered student, faculty, or staff organizations or non-university entities renting university facilities may invite and present guest speakers on University property or at University-sponsored events.
- | 4) The organization sponsoring a guest speaker ~~has the responsibility~~ *responsible of* for making clear the fact that the organization, not the University, is extending the invitation to speak and that any views or opinions the speaker ~~may~~ *expresses* are his own and not necessarily those of the University.
- 5) Registered student, faculty, or staff organizations and non-university entities may be permitted the use of University facilities to present guest speakers on University property or at University-sponsored events pursuant to the Use of University Facilities ~~B-1~~ policy (B-1). An application for the use of the University facility to be used for the speaker's presentation must be made to the appropriate University official at least forty-eight (48) hours before the time the event is scheduled to take place.
- 6) If a guest speaker is to be paid from University funds as consideration for his/her speech:
  - | a) ~~the speech must be~~ *the speech must be* on the University campus
  - b) the University facility in which the speech is to be delivered must be open to the public and the news media, and
  - | c) ~~The~~ *the* sponsoring organization must follow the Professional and Consulting Services ~~C-45~~ policy (C-45) when contracting the speaker.
- 7) The presentation of guest speakers must not:
  - a) result in a breach of peace or violation of law;
  - b) interfere with the free and unimpeded flow of pedestrian and vehicular traffic; or

- c) materially disrupt or interfere with the normal activities of the University.
- 8) Guest speakers may not:
- a) present material that is obscene or libelous; or
  - b) advocate the deliberate violation of law. For the purposes of this section, "advocacy" means preparing the group addressed for imminent action and steeling it to such action, as opposed to the abstract espousal of the moral propriety of a course of action.

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

**Cross Reference:** *Use of University Facilities (B-1); Professional and Consultant Services (C-45)* ~~SFASU Webpages~~

**Contact for Revision:** ~~Director~~ Dean of Student Affairs

**Forms:** None

**Mail Services****F-18**

Original Implementation: September 1, 1965

Last Revision: ~~October 23, 2003~~ October 19, 2006

University policy and postal regulations govern the handling of mail.

1. The Stephen F. Austin State University (SFASU) Post Office is considered the official receiving point for all mail for University offices, departments, residence halls, and apartments.
2. University departments and administrative offices will use the SFASU Post Office for all postal transactions. Departments will not be permitted to purchase or retain ~~rolls or sheets of stamps unless without~~ written permission is obtained from the University President. A copy of the written permission will be filed in the SFASU Post Office.
3. All SFASU mail is considered delivered when the Nacogdoches Post Office delivers it to the SFASU Post Office. ~~A delivery notice will be written immediately for all accountable mail.~~
4. SFASU Post Office staff will attempt to deliver incorrectly addressed mail *according to USPS requirements*. ~~Mail-Business mail~~ addressed only to the University will be sent to the Business Office for proper routing.
5. Post Office box numbers must be used on all correspondence.
6. All outgoing mail requiring metered postage or mailed under SFASU permit must be University business and have a complete return address with "Stephen F. Austin State University" and the department of origin. A completed postage IDT card must be attached to the mail to insure proper accounting of postal charges. Mail (other than Bulk Rate) must be received in the post office by 4:00 p.m. for dispatch the same day.
7. Campus Mail is defined as mail related to University business and is delivered to campus boxes without postage. Mail addressed to ~~USPA-USPS~~ boxes 4600-4659, ~~7600-7650~~ and all personal mail requires postage.
8. All Campus Mail ~~must should~~ be enclosed in a campus mail envelope. *If other envelopes are used, they must be marked "Campus Mail" and have a complete return address including the department of origin and the box number.* ~~or marked "CAMPUS MAIL" and have a return address, including department of origin.~~ Campus Mail in plain envelopes without a return address will be ~~returned to sender or~~ delivered postage due.
9. All residents of University owned housing ~~must are required to~~ have a SFASU Post Office box and notify correspondents of the box number.
10. Retired faculty or staff members are permitted to retain a box at their own expense on a space available basis.
11. It is the responsibility of ~~the each~~ Department to distribute, forward or return mail addressed to personnel within the Department.

12. SFASU Post Office observes the same holidays as the U.S. Post Office. Morning mail will be boxed on holidays not observed by the University but sales windows will be closed.

**Source of Authority:** Vice President for University Affairs

**Cross Reference:** None

**Contact for Revision:** Manager of University Post Office

**Forms:** Postage IDT Card (available in the SFASU Post Office)

**Notary Public****F-21**

Original Implementation: Unpublished

Last Revision: ~~January 30, 2001~~ October 19, 2006

It is the responsibility of each vice president to insure that a sufficient number of public notaries are present, as needed to conduct University business, in each major University division. University funds may be used to purchase the necessary ~~bond and~~ supplies.

Application process:

1. Obtain written approval from the appropriate vice president to apply for a notary ~~bond~~ *commission without bond. This should be done no earlier than 90 days before the expiration of your notary commission, if it is a renewal.*
2. ~~Contact the office of the Vice President for Business Affairs for the name of the University's insurance agent from whom the University employee must request a notary application.~~ *Complete and sign the special application on the SORM website for state employees who will not be providing a notary bond.*
3. ~~The application will be mailed directly to the employee. Upon receipt, complete all sections and sign the application. If all sections are not completed, the application will be rejected.~~ *Read and complete the "State Employee Notary Acknowledgment form" on the SORM website.*
4. Send completed application *and acknowledgement forms, along with proof of employment in the form of payment of the fee,* directly to the ~~office of the Secretary of State~~ *State Office of Risk Management* at the address shown on ~~the bottom of the~~ application.
5. ~~Upon receipt of the appointment form from the office of the Secretary of State, complete and sign the form in the presence of another notary and send the appointment form to the insurance agent with a completed "State of Texas Purchase Voucher" which has been signed by the appropriate vice president. This is necessary to process payment for the notary bond.~~
56. Upon receipt of the notary certificate, Notary Public Commission, issued by the Secretary of State, obtain all required supplies (notary seal or stamp, notary public record book, etc.) through Purchasing.

**Source of Authority:** Texas Government Code, sec. 406.001 et seq.; ~~President; Vice President for Business Affairs~~

**Cross Reference:** None

**Contact for Revision:** President

**Forms:** ~~State of Texas Purchase Voucher~~ Special Application, State Employee Notary Acknowledgement Form

## Student Employment Center

F-26

Original Implementation: June 18, 1987

Last Revision: ~~October 23, 2003~~ October 19, 2006

1. Students seeking on-campus employment may visit the Student Employment Center (SEC) in the Counseling and Career Services Office or view on-line jobs located on the SEC (<http://www.sfasu.edu/ccs/studentemp/findjob.htm>) web site. Students need to contact the employing department to apply for each position.

2. All students employed by the university are required to report to the SEC for ~~employment eligibility verification of employment eligibility~~ and payroll processing within seventy-two (72) hours. It is the employing department's responsibility to instruct all student workers to report to the Student Employment Center within the stated time period. Students working College Work-Study positions must obtain a "College Work Study Permit" from the Financial Aid office each semester they intend to work. Once the necessary employment forms have been completed the student will ~~be issued a "Student Employment Authorization" card.~~ *authorized to work on campus.*

3. ~~The hiring department will complete and forward to the Student Employment Center the "Student Employment Authorization" card for all new hires. Rate changes, account changes, or terminations can be completed by the department on a tan "Student Employment Authorization" card. The supervisor or department head signature on the "Student Employment Authorization" card verifies that the supervisor or department head has determined that sufficient funds are available for payment of wages. The hiring department will complete job assignments in the Oracle-based on-line student card system for all new hires. Rate changes and new account assignments can be completed within the on-line system as well. The check of approval levels 1 & 2 in the on-line student card system verifies that the supervisor or department head has determined that sufficient funds are available for payment of wages. Terminations are made using the "Disable Administrative Account Request" form at URL <http://apache.sfasu.edu>.~~

*Any department still using the physical card system should contact Student Employment for conversion and training.*

4. In the fall and spring semesters, student employees of the University will be restricted to no more than twenty (20) hours of work per week, unless approved by the Provost and Vice President for Academic Affairs or his/her designee, as indicated on the "Departmental Approval To Work More Than 20 Hours" form. This form may be obtained from the SEC office or website. To be eligible for employment on campus as student assistants, college work study employees, or for any other employment, students are required to carry a course load of at least six (6) semester hours during the time which the student is working. It is the employing department's responsibility to insure that student employees are enrolled for the required number of semester hours.

5. During the summer, students enrolled for three (3) or more hours of coursework can be employed for no more than twenty (20) hours per week ~~unless approved by the Provost and Vice President for Academic Affairs or his/her designee, in indicated on the "Departmental Approval To Work More Than 20 Hours" form. This form may be obtained from the SEC office or website.~~ If needing to work more than 20 hours, follow the instructions above in section 4 to get proper authorization.

Those students who do not attend school in the summer but have a reasonable expectation of being enrolled as SFASU students in the fall semester are eligible for employment up to forty (40) hours per week in the summer. Reasonable expectation for a new student would include being accepted by the Office of Admissions.

6. ~~Departments will select hourly paid student employees and determine pay rates must determine CWS/Student Assistant pay rates~~ according to the following five position grades. Pay scales are determined by the student's level of experience and skill.

~~Position~~ Pay scale Grade 1. Student work requiring no previous training or experience; duties can be learned readily under proper supervision; work may relate directly to the academic program of the University or to the maintenance of facilities and services. (Example: office clerks, sales clerks, service personnel).

Pay step	1	2	3
Hourly Rate	\$5.15	\$5.40	\$5.94

~~Position~~ Pay scale Grade 2. Student work requiring some college course work, related experience and/or technical training; continuing supervision not required; positions concerned directly with the academic program of the University requiring completion of some academic work for the position. (Example: typists, stenographers, student craftsmen, student graders)

Pay Step	1	2	3
Hourly Rate	\$5.65	\$5.95	\$6.55

~~Position~~ Pay scale Grade 3. Student work requiring the supervision or counseling of other students; ordinarily requiring the skills, training, and judgment essential for the adequate supervision of others working in the maintenance or academic functions of the University. (Example: full supervision of student work, supervisors of facilities, services, or personnel)

Pay Step	1	2	3
Hourly Rate	\$6.20	\$6.50	\$7.15

~~Position~~ Pay scale Grade 4. Student work requiring such professional or technical skills that only advanced students may perform such duties. Position Grade 4 work cannot be performed by students in other position grade classifications.

Pay Step	1	2	3
Hourly Rate	\$7.75	\$8.50	\$9.35

~~Position~~ Pay scale Grade 5. For student employment not meeting the above four pay grade specifications the department should contact the Student Employment Center.

~~7. Employment openings requiring services of Stephen F. Austin State University students shall be placed with the Student Employment Center and/or the employing department for at least three business days before the employing department recommends appointment of a candidate to fill the opening. It is the employing department's responsibility to insure that student job openings are listed for the required number of business days.~~

~~If an employment emergency occurs requiring the immediate services of a student worker, the three-day posting requirement can be waived. The employing department must contact the Student Employment Center the next business day after the emergency occurred and provide documentation justifying the emergency. Lack of planning is not justifiable cause for an exception to the three-day posting requirement.~~

~~Departments may choose to place job postings on their departmental bulletin board as well. \*Note that this posting would be in addition to the initial/original posting with the SEC.~~

~~College Work-Study (CWS) is a federally-funded program designed to provide financial aid to those students choosing to earn a portion of their educational expenses. The Student Financial Aid Office determines the student's eligibility for CWS employment in accordance with established federal guidelines. Departments allocated CWS funds should be aware of the following procedures.~~

1. The College Work-Study Program is a form of student employment and is therefore subject to the conditions outlined above.

2. To be eligible for the CWS program, the student must first complete the financial aid application for need-based aid by the established deadline. If the results of the need analysis indicate the student is eligible for CWS, and the student expresses an interest in the program, the Financial Aid Office will make the award accordingly.

3. The student must reapply for CWS each academic year. If the student wishes to be employed through the CWS program in the summer, he/she must request that the Financial Aid Office review his/her file for eligibility in the preceding spring semester.

4. Before beginning employment, each student must present to the employing department a "Work-Study Permit" secured from the Financial Aid Office. The permit will indicate the maximum amount of money the student may earn for a given period of employment by the University on a college work-study account. It is important to note that this amount is the maximum amount that can be paid from a CWS budget. It is the employing department's responsibility to control the hours worked by the CWS personnel to be absolutely certain that the student does not earn more than the amount of money allowed from CWS funds.

Once the student has earned the amount of his/her CWS award, the department must terminate the student from their CWS account. If the student exceeds his/her eligibility amount, the excess must be considered an "over-award" for financial aid purposes. An over-award means that the student's current financial aid package will be adjusted to compensate for the over-award and/or his/her future financial aid package will be adjusted accordingly. After the student has been terminated from CWS employment, the department may re-employ the student on their departmental account.

It is recommended that departments do not employ CWS students on their CWS and department accounts simultaneously. They should first exhaust their CWS allotment funds and then appoint the student to their departmental account.

5. A fall "Work-Study Permit" allows the student to work from August through December. A spring "Work-Study Permit" allows the student to work from ~~December~~ *January* through May. A summer "Work-Study Permit" allows the student to work from May through August. (The division between the summer sessions is determined by the University's summer calendar.) Exact dates vary from year to year.

6. All time sheets for CWS employees must be signed by the student and the employing department head. The department head is the only official authorized to verify the time worked by the student.

7. If questions arise concerning the College Work-Study Program, call the Financial Aid Office at 468-2403.

Foreign Students. If questions arise, call the Student Employment Center, 468-3305. In general, the ~~Immigration Service~~ *Department of Homeland Security* permits foreign students to be employed under the same regulations as other students.

Graduate Assistantships. ~~For employment status see the Personnel Services office~~  
*Employment authorization and processing goes through the Human Resources office.*

Nepotism. University policy regarding nepotism applies to student employment. (See Nepotism policy.)

**Source of Authority:** Immigration Reform and Control Act of 1986 8 U.S.C. sec. 1101 et seq., 42 U.S.C. sec. 2751 et seq.; President; Vice President for University Affairs

**Cross Reference:** Nepotism, E-33

**Contact for Revision:** Director of Counseling and Career Services

**Forms:** Student Employment Authorization (issued by the Student Employment Center), College Work Study Permit (issued by Financial Aid), Departmental Approval To Work More Than 20 Hours (issued by the Student Employment Center).

**Ticket Office Services****F-30**

Original Implementation: May 6, 1985

Last Revision: ~~October 23, 2003~~ October 19, 2006

The services of the SFA Ticket Office are primarily for the use of campus organizations and campus departments. Services may be offered to non-university groups if there is a benefit to ~~students and/or employees~~ the University. There may be a fee charged for services provided to non-university groups.

To request use of Ticket Office services, an official representative of the organization, department or group making the request must complete a *Consignment Ticket Agreement*. The Ticket Office Manager will notify this representative if the request is approved and when tickets can be delivered for sale. The request for service must be made at least 24 hours prior to the time sales are requested to begin. Tickets should go on sale no earlier than three (3) weeks prior to an event.

Once tickets are delivered for sale, the number of tickets consigned must be verified and agreed upon by the group representative and the Ticket Office.

For general admission events, tickets must be consecutively numbered. For reserved seat events, tickets must be accompanied by a seating plan (chart). Prices must be printed on the face of the ticket.

The Ticket Office is responsible only for the number and type of tickets it accepts. Deposits will be made into a University account. Payments for tickets sold for groups without university accounts will be made by university check *following final accounting*. Final accounting will take place within two (2) working days following the event. A final Ticket Office statement will be provided to the official representative of the group upon request.

**Source of Authority:** Vice President for University Affairs

**Cross Reference:** None

**Contact for Revision:** ~~Director~~ Dean of Student Affairs

**Forms:** Consignment Ticket Agreement

**Vending****F-31**

Original Implementation: Unpublished

Last Revision: ~~October 23, 2003~~ *October 19, 2006*

The Food and Beverage Vending Machines located on campus are the responsibility of the respective contract vendors. This responsibility shall include furnishing, servicing and maintaining machines, purchasing goods for resale, and collecting funds. These ~~Vendors~~ *vendors*, shall routinely place vending machines in locations it deems desirable and economical, including academic buildings. Specific exceptions to this policy are:

1. Coin-operated copy machines, which are the responsibility of the individual department;
2. Postage stamp machines, which are the responsibility of the SFASU Post Office; and,
3. Coin-operated game machines, which are the responsibility of the ~~University Center Games Area~~ *Director of the Student Center*.

Other exceptions or requests shall be considered on an individual basis, and should be addressed in writing to the Vice President for University Affairs.

**Source of Authority:** President, Vice President for University Affairs

**Cross Reference:** None

**Contact for Revision:** Director of ~~the Auxiliary Services~~ *Student Center*

**Forms:** None