

# **Stephen F. Austin State University**

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



**Nacogdoches, Texas  
July 18 and 19, 2011  
Volume 270**

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**Stephen F. Austin State University  
Minutes of the Meeting of the Board of Regents  
Nacogdoches, Texas  
July 18 and 19, 2011  
Austin Building 307  
Meeting 270**

**Monday, July 18, 2011**

The regular meeting of the Board of Regents was called to order in open session at 8:12 a.m. on Monday, July 18, 2011, in the Austin Building Board Room by Chair Bob Garrett.

**PRESENT:**

Board Members:      Mr. Bob Garrett, Chair  
                             Dr. Scott Coleman  
                             Mr. James Dickerson  
                             Ms. Sarah Feye  
                             Ms. Brigettee Henderson  
                             Mr. Steve McCarty  
                             Mr. Ken Schaefer  
                             Mr. Ralph Todd

President:              Dr. Baker Pattillo

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

General Counsel:      Mr. Damon Derrick

Other SFA administrators, staff, and visitors

Regents Carlos Amaral and Valerie Ertz were absent.

Chair Garrett called for an executive session to consider the following items:

Consideration of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to president, vice presidents, executive director of public affairs and marketing, general counsel, director of audit services and coordinator of board affairs. (Texas Government Code, Section 551.074)

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

Possible naming opportunities

Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to reported complaints, EEOC filings, and HIPAA. (Texas Government Code, Section 551.071)

The executive session ended at 9:50 a.m. and the board moved back into open session and recessed with no further action.

*The Building and Grounds Committee convened at 10:02 a.m. and adjourned at 10:30 a.m. The Finance and Audit Committee convened at 10:30 a.m. and adjourned at 11:42 a.m. The Academic and Student Affairs Committee convened at 3:05 p.m. and adjourned at 4:22 p.m.*

### **Tuesday, April 19, 2011**

The chair reconvened the board meeting in open session at 9:07 a.m. on Tuesday, July 19, 2011.

#### **PRESENT:**

Board Members:      Mr. Bob Garrett, Chair  
                             Dr. Scott Coleman  
                             Mr. James Dickerson  
                             Ms. Sarah Feye  
                             Ms. Brigettee Henderson  
                             Mr. Steve McCarty  
                             Mr. Ken Schaefer  
                             Mr. Ralph Todd

President:              Dr. Baker Pattillo

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

General Counsel:      Mr. Damon Derrick

Other SFA administrators, staff, and visitors

Regents Carlos Amaral and Valerie Ertz were absent.

Regent Henderson led the pledge to the flags and Regent Todd provided the invocation.

## **RECOGNITIONS**

Robert Hill was recognized as an Athletic Director of the Year by the National Association of Collegiate Directors of Athletics (NACDA). Steve Westbrook introduced members of the SFA Bass Club, who recently won national championship honors; Ralph Busby who is retiring from SFA as Director of Counseling and Career Services; and those involved with the Peer Involvement Advising Program. Ric Berry recognized James Standley who is retiring from SFA as Dean of Graduate Studies, Mary Nelle Brunson who is being named Associate Provost and Dean of the Graduate School, and Elizabeth Vaughn who is being named Chair of the Department of Elementary Education.

## **APPROVAL OF MINUTES**

### **BOARD ORDER 11-25**

Upon motion by Regent Dickerson, seconded by Regent McCarty, with all members voting aye, it was ordered that the minutes of the April 18 and 19, May 13, and July 5, 2011 meetings of the Board of Regents be approved as presented.

## **BUILDING AND GROUNDS**

### **BOARD ORDER 11-26**

Upon motion by Regent McCarty, seconded by Regent Coleman, with all members voting aye, it was ordered that the following Building and Grounds item be approved:

#### **NAMING OF ED AND GWEN COLE STUDENT SUCCESS CENTER**

WHEREAS, the board considered the following: In accordance with Board Rules and Regulations and university policy D-22, Naming Guidelines, buildings and other facilities may be named for persons, both living and deceased, and the board may create any alternate naming opportunity within its discretion. The board will consider the appropriate naming of the student success center currently housed within the new residence hall at 508 East College, Nacogdoches.

THEREFORE, the Board of Regents adopted the following resolution:

WHEREAS, Ed and Gwen Cole are among the most loyal benefactors and supporters of art, music, theatre, biotechnology, nursing, audiology, alumni and athletic programs at Stephen F. Austin State University; and

WHEREAS, they have served as members of the Stephen F. Austin State University Foundation Board of Trustees, Friends of Music, College of Fine Arts Dean's Circle Advisory Board, and Presidents of the Lumberjack and Ladyjack Booster Clubs; and

WHEREAS, they have faithfully served and continue to serve Stephen F. Austin State University with distinction and honor as dedicated friends; and

WHEREAS, in their loyal dedication to Stephen F. Austin State University and their generous spirit of service and standards of excellence, they have set a distinguished example for others;

NOW, THEREFORE, LET IT BE RESOLVED, the Board of Regents expresses its admiration, gratitude and high regard for Ed and Gwen Cole by naming the student success center currently housed within the new residence hall to be opened in the fall 2011 semester and located at 508 East College, Nacogdoches, the **Ed and Gwen Cole Student Success Center**.

## **REPORTS**

David Howard, chair of the Faculty Senate, gave a report on the Faculty Senate 2011-2012 agenda.

## **ADMINISTRATION**

### **BOARD ORDER 11-27**

Upon motion by Regent Schaefer, seconded by Regents Coleman, with all members voting aye, the following items were approved:

#### **ELECTION OF PRESIDENT**

A performance evaluation was conducted, and the board recommends that Baker Pattillo be reelected president of Stephen F. Austin State University at an annual salary of \$291,720, effective September 1, 2011.

#### **ELECTION OF GENERAL COUNSEL**

A performance evaluation was conducted, and the board recommends that Damon Derrick be reelected interim general counsel at an annual salary of \$118,000, effective September 1, 2011.

#### **ELECTION OF DIRECTOR OF AUDIT SERVICES**

A performance evaluation was conducted, and the board recommends that Gina Oglesbee be reelected director of Audit Services at an annual salary of \$106,080, effective September 1, 2011.

#### **ELECTION OF COORDINATOR OF BOARD AFFAIRS**

A performance evaluation was conducted, and the board recommends that Judy Buckingham be reelected coordinator of board affairs at an annual salary of \$44,064, effective September 1, 2011.

## PERSONNEL

### BOARD ORDER 11-28

Upon motion by Regent Dickerson, seconded by Regent McCarty, with all members voting aye, the following personnel items were approved:

#### FACULTY APPOINTMENTS FOR 2010 – 2011

##### EDUCATION

Jamie Cupit, Instructor of Human Sciences, M.S. (Stephen F. Austin State University), at an academic year salary of \$50,000 for 100 percent time, effective September 1, 2011.

Mark Faries, Assistant Professor of Kinesiology and Health Science, M.S. (Baylor University), at an academic year salary of \$50,000 for 100 percent time, effective September 1, 2011.

Cassity Gutierrez, Assistant Professor of Kinesiology and Health Science, M.S. (Texas A&M University), at an academic year salary of \$50,000 for 100 percent time, effective September 1, 2011.

##### FINE ARTS

Tamey Anglley, Lecturer of Music and Assistant Director for Bands, D.M.A. (Texas Tech University), at an academic year salary of \$45,000 for 100 percent time, effective September 1, 2011.

Jason Scott, Assistant Professor of Theatre, Ph.D. (University of California), at an academic year salary of \$44,500 for 100 percent time, effective September 1, 2011.

Toni Smith, Visiting Assistant Professor of Theatre, M.F.A. (University of California), at an academic year salary of \$42,000 for 100 percent time, effective September 1, 2011.

##### LIBERAL AND APPLIED ARTS

Jen McClanaghan, Assistant Professor of English, Ph.D. (Florida State University), at an academic year salary of \$46,000 for 100 percent time, effective September 1, 2011.

#### STAFF APPOINTMENTS FOR 2010 – 2011

##### ATHLETICS

Damitria Buchanan, Assistant Women's Basketball Coach, at a 10.5 month salary of \$41,431 for 100 percent time, effective May 31, 2011.



Alexander Meng, Assistant Softball Coach, at a 10.5 month salary of \$24,000 for 100 percent time, effective June 27, 2011.

Jake Morrison, Assistant Football Coach, at a 10.5 month salary of \$30,000 for 100 percent time, effective April 4, 2011.

#### EDUCATION

Heather Verell, Teacher in Early Childhood Lab, at an annual salary of \$32,000 for 100 percent time, effective May 16, 2011.

#### FINE ARTS

Charlene Rathburn, Director of Art Gallery, at an annual salary of \$47,061 for 100 percent time, effective May 2, 2011.

#### STUDENT AFFAIRS

Endia Knoten, Residence Hall Director, at an annual salary of \$28,500 for 100 percent time, effective June 6, 2011.

#### CHANGES OF STATUS FOR 2010 – 2011

##### ADMISSIONS

Toni Chandler, from Regional Admissions Coordinator at an annual salary of \$43,770 for 100 percent time, to Senior Regional Admissions Counselor at an annual salary of \$44,770 for 100 percent time, effective May 1, 2011.

Maxwell Holmes, from Graduate Assistant at an academic year salary of \$7,500 for 50 percent time, to Admissions Counselor at an annual salary of \$32,150 for 100 percent time, effective May 16, 2011.

Ryan Horne, from Senior Admissions Counselor at an annual salary of \$37,400 for 100 percent time, to Assistant Director Admissions at an annual salary of \$40,000 for 100 percent time, effective May 1, 2011.

Kimberly Lower, from Associate Director Admission-Recruiting at an annual salary of \$53,000 for 100 percent time, to Associate Director Admissions-Data at an annual salary of \$55,700 for 100 percent time, effective May 1, 2011.

Jessica Maynard, from Assistant Director of Admissions at an annual salary of \$44,100 for 100 percent time, to Assistant Director of Admissions with additional duties at an annual salary of \$46,100 for 100 percent time, effective May 1, 2011.

Janet McLeroy, from Admissions Counselor at an annual salary of \$36,300 for 100 percent time, to Senior Admissions Counselor at an annual salary of \$37,300 for 100 percent time, effective May 1, 2011.

#### ATHLETICS

Jake Morrison, from Assistant Football Coach at a 10.5 month salary of \$30,000 for 100 percent time, to Assistant Football Coach with a position change at a 10.5 month salary of \$32,000 for 100 percent time, effective June 1, 2011.

Staci Ramsey, from Assistant Softball Coach at a 10.5 month salary of \$24,000 for 100 percent time to Assistant Softball Coach with a position change at a 10.5 salary of \$34,816 for 100 percent time, effective June 27, 2011.

Benjamin Rikard, from Athletic Media Relations Assistant at an annual salary of \$27,499 for 100 percent time to Assistant Director Athletic Media Relations at an annual salary of \$38,833 for 100 percent time, effective June 13, 2011.

Nicholas Shaw, from Graduate Teaching Assistant at a semester salary of \$4,612 for 50 percent time to Assistant Men's Basketball Coach at a 10.5 month salary of \$40,000 for 100 percent time, effective May 16, 2011.

#### EDUCATION

Mary Nino, from Associate Director of Project ENLANCE at an annual salary of \$70,019 for 100 percent time, to Assistant Professor of Secondary Education and Educational Leadership at an academic year salary of \$51,500 for 100 percent time, effective September 1, 2011.

Elizabeth Vaughan, from Professor of Elementary Education at an academic year salary of \$103,999 for 100 percent time, to Professor and Chair of Elementary Education at an annual salary of \$110,000 for 100 percent time, effective September 1, 2011.

#### INTERNATIONAL PROGRAMS

Heather Catton, from International Programs Specialist at an academic year salary of \$28,683 for 100 percent time, to Interim Director of International Studies at an academic year salary of \$28,683 for 100 percent time with an additional stipend of \$750 per month for five months, effective April 18, 2011.

#### POST OFFICE

Don Clasquin, from Assistant Manager of the Post Office at an annual salary of \$30,423 for 100 percent time, to Manager of the Post Office at an annual salary of \$43,000 for 100 percent time, effective June 30, 2011.

## STUDENT AFFAIRS

Hollie Gammel-Smith, from Interim Director of Student Affairs at an annual salary of \$50,104 with an additional stipend of \$500 per month for 100 percent time, to Assistant Dean of Student Affairs-Programs at an annual salary of \$70,000 for 100 percent time, effective July 1, 2011.

## UNIVERSITY POLICE DEPARTMENT

Michael Coffee, from Database Specialist II at the Columbia Center at an annual salary of \$63,841 for 100 percent time, to Manager of Public Safety Technology at an annual salary of \$58,800 for 100 percent time, effective April 8, 2011.

## RETIREMENTS

The following retirements were accepted:

Ralph Busby, Director of Counseling and Career Services, effective August 24, 2011.

William Gibson, Professor of Biology, effective May 31, 2011.

Walter Scalen, Assistant Professor of Government, effective May 31, 2011.

## HOLIDAY SCHEDULE 2011-2012

Thirteen holidays are allowed by the state for 2011-2012. The following schedule will allow SFA to be closed for Labor Day, 2 days at Thanksgiving, 5 working days during Christmas, 5 working days during Spring Break, Memorial Day, and Independence Day, which totals fifteen days. Employees will be required to take one day of vacation or compensatory time on December 30, and one day of vacation or compensatory time on March 16. Campus buildings will be shut down for nine days during the Christmas break, and nine days during Spring break.

Sept. 5	Labor Day
Nov. 24-25	Thanksgiving Break
Dec. 26-30	Christmas Break
Mar. 12-16	Spring Break
May 28	Memorial Day
July 4	Independence Day

## ACADEMIC AND STUDENT AFFAIRS

### BOARD ORDER 11-29

Upon motion by Regent Dickerson, seconded by Regent Henderson, with all members voting aye, the following items were approved.

### INTERCOLLEGIATE ATHLETIC POLICIES AND PROCEDURES MANUAL REVISIONS

WHEREAS, the board considered the following: In accordance with NCAA requirements the university adopted an Intercollegiate Athletic Policies and Procedures Manual in 1994. This policy manual is annually reviewed and approved by the board in its July meeting. Minor policy and/or procedure changes have occurred since the July 2009 revision and are included in Appendix 1.

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

### POLICY REVISIONS

WHEREAS, the board considered the following: The *Board Rules and Regulations* state that the Academic and Student Affairs Committee will consider:

- the curricula of the various colleges and departments of the university with any other matters dealing with academic programs and the progress thereof;
- the research programs within the university and their relationship to all graduate education;
- student affairs within the university; and
- personnel matters within the university.

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

THEREFORE, the Board of Regents adopted the following policy revisions as presented in Appendix 6:

Academic Chair/Director Teaching Load (E-7A)  
Academic Integrity (A-9.1)  
Acceptable Use of Information Resources (F-40)  
Class Attendance and Excused Absence (A-10)  
Commencement (A-11)  
Copyrighted Works Reproduction (A-12)  
Discrimination Complaints/Sexual Harassment (E-46)  
Emeritus (E-14A)  
Faculty Code of Conduct (E-72)

Grants and Contracts Administration (A-56)  
Hazing (D-16)  
Illicit Drugs and Alcohol Abuse (D-19)  
Intellectual Property (D-20)  
Intellectual Property Rights for Distance Education (D-20A)  
Laboratory Fees (A-24)  
Off-campus Credit Courses (A-34)  
Out of State Electronic Fee (C-52)  
Parking and Traffic Regulations (D-24)  
Public Student Health (D-26)  
Satisfactory Academic Progress for Financial Aid Recipients (A-40)  
Student Conduct Code (D-34.1)  
Student ID Cards (F-27)  
Time Reporting/Timekeeping System (E-52N)  
Vacation/ Sick Leave Report (E-54)

## **FINANCIAL AFFAIRS**

### **BOARD ORDER 11-30**

Upon motion by Regent Coleman, seconded by Regent Schaefer, with all members voting aye, the following financial affairs items were approved:

#### **MEDIA BROKERAGE SERVICES**

WHEREAS, the board considered the following: Public Affairs purchases advertising through media buyers to insure the best locations and coverage for cable television and billboard university marketing. The university issued an RFP January 2011 for media brokerage services for fiscal year 2011 and selected Brivic Media. The RFP included options to renew the agreement for four (4) additional one-year periods. At the time the RFP was processed, purchases for the remainder of the year were less than \$100,000 but expected to exceed \$100,000 in subsequent years.

THEREFORE, it was ordered that the university renew the contract for media buying services up to four years at a cost not to exceed \$500,000 and the president was authorized to sign the contract.

#### **CONTRACT FOR FIRE ALARM INSPECTION**

WHEREAS, the board considered the following: The Texas State Fire Marshall requires the university to comply with the National Fire Protection Association Code life safety regulations. The regulations require fire alarm systems to be tested on an annual basis. These tests include all detection, audio, visual and door closing devices as well as suppression systems. Several providers of these services were solicited and Simplex was determined to have the most competitive pricing and terms with no price escalation for three years. This pricing is also better than could be obtained through the Texas Multiple Award Schedule (TXMAS).

THEREFORE, it was ordered that Simplex be engaged to test the fire alarm systems and make any necessary related repairs for the next three fiscal years at a price not to exceed \$140,000 per year. The president was authorized to sign any necessary purchase orders and contracts.

#### **CONTRACT WITH HYDREX FOR ENVIRONMENTAL SERVICES**

WHEREAS, the board considered the following: The university contracted with Hydrex Environmental, Inc. for hourly professional geological consulting services in February, 2006 through August 31, 2011 at a total cost not to exceed \$150,000. To date the university has spent \$85,983.55.

THEREFORE, it was ordered that the contract be extended for an additional five (5) years at a total cost not to exceed \$200,000 and that the president be authorized to sign the contract amendment.

## PURCHASE OF NATURAL GAS

WHEREAS, the board considered the following: The university currently purchases natural gas through a contract with the Texas General Land Office. The contract ends on August 31, 2011. The university issued a request for proposals (RFP) for a new natural gas contract. A best value will be determined from the responses received, and the proposal will be submitted to the Texas General Land Office for review as required by Sec 31.401 of the Natural Resources Code.

THEREFORE, it was ordered that the vice president for finance and administration be authorized to accept the contract proposal that represents the best value to the university and submit the contract for review to the Texas General Land Office. The president was authorized to sign a contract with the Texas General Land Office, which has been determined to be the best value for the university.

## GRANT AWARDS

WHEREAS, the board considered the following:

*Fiscal year 2011* - The university has received grants totaling \$46,081,880 that include funds awarded for fiscal year 2011. This total includes multi-year award totals and \$862,190 in new awards since the last report. Of the multi-year total, grant awards allocable to fiscal year 2011 are \$18,916,586, which represents an increase of \$1,368,268 since the last report.

*Fiscal year 2012* - To date, the university has received grant awards totaling \$28,178,307 that include funds awarded for fiscal year 2012. This includes multi-year award totals and represents \$9,491,302 in new and continuing grant awards allocable to fiscal year 2012.

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

THEREFORE, it was ordered that the additional fiscal year 2011 grant awards that total \$1,368,268 and fiscal year 2012 grant awards that total \$9,491,302 be approved and ratified. The grant awards are detailed in Appendix 3.

## APPROVAL OF GRADUATION FEES

WHEREAS, the board considered the following: The administration requests an increase in student graduation fees. The current graduation fee is \$25 and the late application fee for graduation is \$50. The increase is necessary to cover diploma preparation and commencement program costs.

THEREFORE, it was ordered that the graduation fee be increased from \$25 to \$50, and the late application for graduation fee from \$50 to \$100. The proposed rates will be effective for students applying for graduation after September 1, 2011.

### THIRD PARTY MEDICAL BILLING SERVICES

WHEREAS, the board considered the following: The university currently does not bill for medical services rendered to student athletes in the athletic training facility. Insurance companies recognize certain medical services rendered in the athletic training facility by a licensed athletic trainer as a billable expense. Opportunities exist where an outside company could provide third party billing for these medical services.

THEREFORE, it was ordered that an RFP be issued for a third party billing service provider for services performed for student athletes in the athletic training facility. The Board of Regents authorized the president to accept the proposal that represents the best value to the university and to sign any and all agreements needed to contract for the services and comply with federal laws and regulations as negotiated between the successful company and the university.

### ADOPTION OF THE FISCAL YEAR 2011-12 CAPITAL INFRASTRUCTURE BUDGET

WHEREAS, the board considered the following: The university has developed a comprehensive institutional capital infrastructure plan for fiscal year 2011-12. The 2011-12 capital infrastructure plan includes academic, student life, building, and life safety initiatives.

THEREFORE, it was ordered that the fiscal year 2011-12 capital infrastructure plan budget of \$4,973,650 as presented in Appendix 4 be adopted. Sources of funding are detailed in specific action items.

### APPROVAL OF THE FISCAL YEAR 2011-12 CAPITAL OPERATING PLAN BUDGET

WHEREAS, the board considered the following: The capital plan includes capital operating needs as well as infrastructure needs. The 2011-12 capital operating plan addresses the university's current major capital operating needs. The plan includes information technology, vehicle and life safety initiatives.

THEREFORE, it was ordered that the \$1,871,461 fiscal year 2011-12 capital operating plan by project be adopted as detailed in Appendix 4. Each project in Appendix 4 was funded at a level not to exceed the item cost, the source of funds used as described and the president was authorized to sign associated purchase orders and contracts.



## ADOPTION OF THE FISCAL YEAR 2011-12 INSTITUTIONAL BUDGET

WHEREAS, the board considered the following: In accordance with Article III of the Appropriation Bill for the 2012-13 biennium, the recommended institutional budget totaling \$217,975,710 for the 2011-12 fiscal year is submitted for approval. The 2011-12 proposed budget reflects state appropriation reductions, a 4.95% increase in tuition and fees, and room and board increases. The proposed budget also includes faculty promotions. A detailed Higher Education Fund allocation is included in Appendix 5.

THEREFORE, it was ordered that the \$217,975,710 institutional budget for the 2011-12 fiscal year, be adopted as presented.

## POLICY REVISIONS

WHEREAS, the board considered the following: The *Board Rules and Regulations* state that the Finance and Audit Committee will consider:

- budgeting and appropriations request processes;
- all requests for appropriations and budgets covering expenditures of educational and general funds and auxiliary programs including, but not limited to, student housing and the athletic department;
- handling of university funds, depositories, etc., whether from appropriated or contributed funds; and
- the auditing function of the university including, but not limited to, annual audit plan, internal and external audit reports, risk assessment, and audit/compliance issues.

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

THEREFORE, it was ordered that the following policy revisions be adopted as presented in Appendix 6:

Items Requiring Board of Regents Approval (D-20.5)  
Property Liability (B-34)  
Receipts and Deposits (C-5)  
Student Account Receivables (C-59)  
Travel (C-49)  
Year-End Purchasing (C-40)

## **BUILDING AND GROUNDS**

### **BOARD ORDER 11-31**

Upon motion by Regent McCarty, seconded by Regent Coleman, with all members voting aye, the following building and grounds items were approved:

#### **APPROVAL OF THE FISCAL YEAR 2011-12 CAPITAL INFRASTRUCTURE PLAN**

WHEREAS, the board considered the following: The university has a long term campus infrastructure plan that addresses capital renewal, deferred maintenance and renovation projects. The 2011-12 capital infrastructure plan addresses the university's current infrastructure needs. The 2011-12 capital infrastructure plan includes academic, student life, building, and life safety initiatives.

THEREFORE, it was ordered that the \$4,973,650 fiscal year 2011-12 capital infrastructure plan by project be adopted as detailed in Appendix 2. It includes new construction, campus improvement, deferred maintenance, and renovation. Each project in Appendix 2 was funded at a level not to exceed the item cost, the source of funds used as described and the president was authorized to sign associated purchase orders.

#### **POLICY REVISIONS**

WHEREAS, the board considered the following: The *Board Rules and Regulations* state that the Building and Grounds Committee will consider:

- use and occupancy of university property; and
- planning of, locating of, receiving bids for, awarding contracts for, construction of, and maintenance of buildings, utilities, and other physical facilities of the campus.

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

THEREFORE, it was ordered that the following policy revisions be adopted, as presented in Appendix 6:

Firearms, Explosives and Ammunition (D-14)  
Petitions and Handbills (D-25)  
Signs and Exhibits (D-31)  
Turner Auditorium (B-28)  
Use of Amplified Sound on Campus Grounds (D-21)

**Board Order 11-32**

Upon motion by Regent McCarty, seconded by Regent Todd, with all members voting aye, the following item was approved.

**NAMING OF JANICE PATTILLO EARLY CHILDHOOD RESEARCH CENTER**

WHEREAS, the board considered the following: In accordance with Board Rules and Regulations and university policy D-22, Naming Guidelines, buildings and other facilities may be named for persons, both living and deceased, and the board may create any alternate naming opportunity within its discretion. The board will consider the appropriate naming of the facility opened on July 19, 2009, currently housing the Early Childhood Research Center.

The Building and Grounds committee recommends that the board name the facility, whose opening occurred on July 19, 2009, located at 2428 Raguet Street, Nacogdoches, TX 75961 and currently housing the Early Childhood Research Center, for Dr. Janice Pattillo, long-time educator at Stephen F. Austin State University.

THEREFORE, the following resolution was adopted:

WHEREAS, Dr. Janice Pattillo joined the SFA faculty in 1969 serving as the first teacher in the university kindergarten and instructor in the new Early Childhood teacher preparation; and

WHEREAS, she has served Stephen F. Austin State University for 42 years as a teacher of children, professor of early childhood education, Coordinator of Early Childhood Programs and Chair of the Department of Elementary Education; and

WHEREAS, through her visionary leadership the elementary teacher preparation courses today are cohesive programs of learning that are based on her philosophy of how children develop and construct knowledge in the learning process; and

WHEREAS, Dr. Pattillo had a vision for the SFA laboratory school and worked with the families at the Early Childhood Lab and Nacogdoches ISD leadership to establish the NISD/SFASU Charter School in 1998 as the first collaborative university and school district charter school in Texas, now known as the SFASU Charter School; and

WHEREAS, Dr. Pattillo saw the need to change the way programs are delivered and worked with the elementary faculty to develop and deliver some of the first online programs at SFA, earning the Texas STAR Award for Excellence in 2008; and

WHEREAS, the opening of the Early Childhood Research Center in 2009 was the result of Dr. Pattillo's leadership and her vision for SFA elementary teacher preparation programs as a place where children learn, student teachers observe

and work in model classrooms and elementary education faculty teach classes and work all in the same building; and

WHEREAS, her life of dedication to teaching and learning has touched the lives of thousands of young children and shaped the teaching practices of teachers in Texas and beyond;

NOW, THEREFORE, LET IT BE RESOLVED, the Board of Regents expresses its admiration, gratitude and high regard for Dr. Janice Pattillo by naming Early Childhood Research Center at Stephen F. Austin State University the **Janice Pattillo Early Childhood Research Center**.

## **REPORTS**

### **PRESIDENT**

Dr. Baker Pattillo presented a report concerning upcoming dates of interest to the board members. He made comments on the legislative session, gave a SACS update, and discussed the American Forester's Accreditation. Dr. Pattillo discussed the Formula Advisory Committee and activities of the SLC Conference. Dr. Pattillo announced that Regent Valerie Ertz has resigned from the Board of Regents.

### **AUDIT SERVICES REPORT**

Gina Oglesbee presented on the following topics: Expenditure Audit, Tuition and Fees Audit, Risk Assessment and Update on Audit Plan

### **STUDENT GOVERNMENT ASSOCIATION**

Syndi Mitchell, President of SGA, made remarks on the following topics: SFA Veterans Resource Center, SFA Football Fan Buses, Archie McDonald Speaker Series and the Watermelon Bash.

Steve McCarty introduced John Branch and Adam Peck, who made a report to the board on the activities of the Athletic Attendance Committee.

## **PRESENTATION**

Dr. Baker Pattillo and Mr. George Foreman signed a mutual agreement for the university to accept a gift from Mr. Foreman of his sermons, letters and other papers to be housed in the East Texas Research Center in the Steen Library. Mr. Foreman was presented with medal representing a Lifetime Cultural Achievement Award he had earlier received as part of the Archie McDonald Speaker Series.

The meeting was adjourned at 11:30 a.m.

Intercollegiate Athletic Policies and Procedures Manual  
Proposed Revision July 19, 2011

<u>POLICY NAME</u>	<u>NUMBER</u>	<u>ACTION/CHANGE</u>
Departmental Organization	301	Minor change
AAD Compliance	302C	Minor change to job description
Assistant AD Student Services	302K	Minor change to job description
Invoicing & Accounting	402B	Minor change involving responsibility
Disbursements-Payroll	405B	Procedure changes to comply with Banner
SA Financial Aid	502D	Added freshmen summer school requirements
SA Academic Policy	503A	Added KIN 200.012 info
SA Summer School	503B	Minor revision
SA Housing	504A	Added new freshman residence housing info
SA Drug & Alcohol Policy	506B	Major rewrite
Departmental Staff-Vacation	508D	Added new reporting requirements
Athletic Events-Concessions	605A	Revised apparel/non-apparel sales at athletic events.
Music & Entertainment	605C	Major rewrite on tailgate procedures

301:1

## DEPARTMENTAL ORGANIZATION

The head of Stephen F. Austin State University's Department of Intercollegiate Athletics is the Director of Athletics who reports to the President who in turn reports to the Board of Regents. Reporting directly to the Director of Athletics are:

- ~~The Associate Athletic Director for Compliance and Student Services who supervises the Assistant Athletic Director for Student Services;~~
- *Assistant Athletic Director for Student Services*
- The Assistant Athletic Director for External Affairs who supervises the Coordinator of Athletic Operations.
- The Assistant Athletic Director for Business Affairs; who supervises the Media Relations Director and Assistant Media Relations Director;
- The Supervisor of Facilities and Equipment;
- The Senior Woman Administrator; who serves in a dual role as Assistant Athletic Trainer;
- The Assistant Athletic Director for Sports Medicine who supervises the Assistant Athletic Trainers;
- The Director of the Wellness Center;
- The Head Coaches for all sports;

In addition, the Director of Athletics works closely with:

- The Faculty Athletic Representative and the
- Intercollegiate Athletics Council.

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302C:1

## JOB DESCRIPTION

### ASSOCIATE ATHLETIC DIRECTOR FOR COMPLIANCE & STUDENT SERVICES

**Reports To:** Director of Athletics

**Positions Directly Supervised:** ~~Assistant Athletic Director for Student Services~~  
~~Academic Assistants~~ *None*

#### **Basic Function**

Responsible for ensuring compliance with University, Southland Conference, and National Collegiate Athletic Association rules and regulations, to include providing managerial oversight of all matters concerning student-athlete recruiting, admissions, eligibility, academic support, financial aid and amateur status. Serves as a primary communication resource and liaison for Departmental administrative staff members.

#### **Duties and Responsibilities**

1. Ensures compliance with NCAA, Southland Conference, and University rules and regulations related to recruitment, eligibility, admissions, financial aid, housing, academic support and the physical welfare of student-athletes. Monitors institutional adherence to these rules and regulations. Serves as Compliance Officer for the Department.
2. Assists the Director of Athletics with the administration of the Department's athletics programs. Troubleshoots issues in conflict with Department or University policies or procedures, and recommends action plans for resolution.
3. Serves as the Department's primary communication resource for coaching and administrative staff members on behalf of the Director of Athletics and provides overall Department management in the absence of the Director.
4. Formulates and implements compliance strategies and systems for SFA's athletics programs and support services to ensure NCAA rules and regulations are followed.
5. Develops, implements and monitors a systematic reporting and tracking structure for athletics programs and units in compliance with NCAA regulations.
6. Maintains a detailed and current working knowledge of the eligibility and financial aid certification rules and procedures for the University, Southland Conference, and NCAA.
7. Monitors recruitment activities for the Department. Provides guidance to coaches and staff regarding managerial steps for all on-campus recruiting efforts. Approves all official visits of prospects and monitors related activities. Directly assists with the recruitment of prospective student-athletes by evaluating the coaches' recruiting recommendations and assisting them in obtaining the necessary documents for admissions, as necessary.

## 302C:2

8. Provides support data and serves as the Department liaison with the Director of Financial Aid and the University's Registrar in preparation of reports on student-athletes required by the University, the Southland Conference and/or the NCAA.
9. Coordinates all certification of eligibility and oversees financial aid procedures within the Department, in conjunction with campus certification officials. Through the Assistant Athletic Director for Student Services, interfaces with the Director of Admissions on eligibility status matters.
10. Coordinates the National Letter of Intent Program with the Southland Conference for the Department.
11. Conducts compliance rules review seminars for Departmental administrator, coaches and student-athletes. Disseminates new Conference, and NCAA legislation and interpretations to coaches and Departmental staff. Consults with coaches and other administrative staff regarding program compliance and provides appropriate training opportunities for athletic staff.
12. Coordinates the summer term and exhausted eligibility financial aid programs for the Department.
13. Maintains regular contact with officials from the NCAA and the Southland Conference to obtain current and accurate information regarding regulations and compliance.
14. Develops and implements programs to provide outside athletic support groups with information on NCAA recruiting rules and permissible benefits to student-athletes.
15. Oversees the development of meal lists, rooming lists and room/board monthly allowances to establish confirmation with allowable aid.
16. Supervises the development and transmittal of all NCAA Squad Lists to the Southland Conference, to include handling all changes and updates.
17. Serves as Departmental liaison with Campus Housing. Coordinates room lists and assignments for all student-athletes living in campus housing.
18. Compiles all data, annual reports, waivers and appeals as related to the NCAA APR program and Federal Graduation Rate requirements.
19. Serves on University committees and task forces, as required or at the request of the Director of Athletics or the President.
20. Abide by all rules of the National Collegiate Athletics Association (NCAA) and the Southland (SLC).
21. Compliance matters will also be included in annual Performance Management Review.
22. Performs additional duties and special projects as assigned by the Director of Athletics.



302K:1

## JOB DESCRIPTION ASSISTANT ATHLETIC DIRECTOR FOR STUDENT SERVICES

**Reports To:** ~~Associate Athletic Director for Compliance & Student Services~~ *Director of Athletics*

**Positions Directly Supervised:** Academic Services Assistants  
Graduate Assistants  
Tutors

### Basic Function

Serves as a liaison between the academic and athletic branches of the University. Oversees student-athlete academic activities from admissions through graduation. Implements programs and services which help guide and assist student-athletes in their academic endeavors.

### Duties and Responsibilities

1. Develops, implements and coordinates an Academic Counseling Program for student-athletes.
2. Proposes and oversees the administration of the Program's annual budget.
3. Interacts with University faculty concerning issues related to student-athletes and their academic progress.
4. ~~In conjunction with the Associate Athletic Director for Compliance and Student Services,~~ Assists Head Coaches with admissions procedures, interfacing with the Admissions Office and faculty committees, as required. Assists in monitoring the admissions process for student-athletes.
5. Monitors the compilation and maintenance of student-athlete academic profiles. Uses this information to develop academic counseling plans and services and to identify resources for these student-athletes.
6. Monitors the class attendance and performance of sports specific student-athletes. This is accomplished using the ~~SAMS Academic GradesFirst~~ software and direct personal contact with professors. Regularly disseminates academic information to appropriate coaches.
7. Regularly disseminates essential student-athlete information, in conjunction with the Associate Athletic Director for Compliance and Student Services, to the following individuals:
  - a. The Director of Athletics and Athletic Certification Officer: reports on academic progress and eligibility;
  - b. The College Deans: general exchange of pertinent information, lists of all student-athletes for collection of individual related to degree progress;
  - c. The Faculty: questionnaires on academic progress;
  - d. The Coaches: Mid-semester/final grades, class schedules and eligibility status and tutoring reports; and

**302K:2**

- e. The student-athletes: notices of academic deadlines; academic deficiencies in course selections or required classes; office appointments and release forms for academic records.
- 8. Informs sports specific student-athletes of all registration procedures and related due dates. Provides pre-registration counseling and registration services for these student-athletes.
- 9. Assists with the creation and maintenance of academic files on all student-athletes, including the compilation of academic information on student-athletes for Southland Conference, and NCAA eligibility reports and forms.
- 10. Counsels student-athletes with academic concerns. Refers them to appropriate counseling or support services when needs outside the Academic Counseling Program offerings are identified.
- 11. Assists with the recruiting program by familiarizing prospective student-athletes with the various academic programs and support services available at SFA.
- 12. Develops and continually updates student files on academic progress. Files will be discussed each semester with student-athletes as to current standing and expectations for the upcoming semester. Head coaches will be provided updated copies of all progress reports.
- 13. Coordinates registration and advising activities for student-athletes.
- 14. Develops and oversees study programs designed to meet the needs of student-athletes, which include trained tutors, academic support counseling services.
- 15. Supervises Study Hall operations for the Department.
- 16. Plans and coordinates summer and fall orientation sessions for incoming student-athletes.
- 17. Refers student-athletes to appropriate University offices (e.g., Office of Admissions, Financial Aid, Housing, and University Counseling Center, etc.) when needs outside the academic counseling area are identified.
- 18. Assists student-athletes and coaches in rectifying "system problems" that require extended contact with one or more University offices.
- 19. Interacts with college registrars and faculty advisors to facilitate appropriate course enrollment.
- 20. Coordinates all student-athlete outreach activities.
- 21. Acts as advisor co-chairperson for the Student-Athlete Advisory Board.

**302K:3**

22. Attends professional meetings, seminars and continuing education classes (as time allows) to update and increase professional knowledge. Serves on various University committees.
23. Abide by all rules of the National Collegiate Athletics Association (NCAA) and the Southland (SLC).
24. Compliance matters will also be included in your annual Performance Management Review.
25. Performs additional duties and special projects as assigned by the Director of Athletics.

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402B:1

## RECEIVABLES: INVOICING AND ACCOUNTING

Actual monies due the Department of Intercollegiate Athletics which are directly invoiced and accounted for by the Department are derived from the following sources:

- Advertising fees;
- Facility Usage fees;~~and~~
- Game guarantees;
- *Corporate Sponsorships*
- *Touchdown Club Seating*
- *Pressbox Suite Rentals*

### Invoicing Procedure

~~The Assistant Athletic Director for Business Affairs generates and issues Departmental invoices for all fees owed the Department with the exception of game guarantees.~~

*The Assistant Athletic Director for External Affairs generates and issues Departmental invoices for advertising fees, Touchdown Club seating and press box suite rentals. Facility usage fees are invoiced by the Coordinator of Athletic Operations. Game guarantees are not invoiced since they are a contractual agreement between SFA and another university. Corporate sponsorships are invoiced by Daktronics Sports Marketing as per contractual agreement with SFA.*

### Management of Outstanding Invoices

Open accounts receivables are checked monthly by the Assistant Athletic Director for ~~Business~~ External Affairs and follow-up notices are sent, when appropriate. An annual report of aged outstanding receivables and uncollectible accounts is compiled by the Assistant Athletic Director for ~~Business-External Affairs~~ and reported to the *Assistant Athletic Director for Business Affairs and the Director of Athletics.*

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405B:1

## DISBURSEMENTS: PAYROLL

The Department of Intercollegiate Athletics adheres to established University policies for the administration of payroll procedures. While the Director of Athletics has ultimate responsibility for approving payroll expenditures and related amendments to the budget, the Administrative Assistant to the Director of Athletics administers the payroll function for the Department.

Copies of all documents which initiate an employee into the payroll system (~~Personnel Action Request form-PAR~~)(*Electronic Personnel Action Form-EPAF*) are processed by the Administrative Assistant in conjunction with the Director of Athletics. Although the Department maintains a personnel file for each Departmental employee, all SFA employees' official personnel files are maintained by the University Personnel Service's Centralized Records. All requests to verify employment or other types of employee information should be referred directly to the SFA Office of Human Resources. (Specific information regarding the determination of salaries and wages can be found in Policy 401B, Budget: Salaries and Wages, in this Manual.)

### Payroll Reporting Procedures

~~Monthly Time Sheets for all Departmental personnel are completed each month, by the employee, reviewed by the Administrative Assistant to the Athletic Director and kept on file by the Department. These documents may be relinquished in the event a State Audit is held. Time Sheets are maintained by the Department for at least seven (7) years. On a daily basis, non-exempt departmental employees are required to enter time worked, vacation, sick leave, comp time and furlough, earned or taken, using the TimeClock Plus web based system ([www.tm.sfasu.edu/webclock30](http://www.tm.sfasu.edu/webclock30)). As an additional backup, a Request for Vacation, Compensatory Time, Sick Leave Taken form (see Appendix 405B-1) must be completed on a weekly basis and forwarded to the Office of the Athletic Director. The Administrative Assistant to the Director of Athletics approves entries made by departmental non-exempt employees on a weekly basis.~~

~~Student workers are required to document the number of hours worked for each pay period on a Time Sheet. This Time Sheet must be signed by the student and the Director of Athletics or his designee prior to being sent to the SFA Payroll Office. employees are required to clock in and out using the TimeClock Plus web based system. Each athletic department staff member who supervise student employees are required to approve time recorded through the TimeClock Plus web based system on a weekly basis.~~

~~Departmental exempt staff are responsible for reporting leave taken through their mySFA account using Self-Service Banner. This reporting should be done following leave taken. At the end of each month all exempt staff members are required to submit for approval the leave time reported.~~

~~Departmental exempt staff members are also required to account for sick leave, vacation leave and comp time taken on a monthly basis on a University Request for Vacation, Compensatory Time, Sick Leave Taken form (see Appendix 405B-1). This form is to be completed by the employee and signed by his/her supervisor and forwarded to the Director of Athletics. The completed and approved form is filed in the Office of the Director of Athletics who approves each on a monthly basis.~~

~~Monthly, the University Business Office sends a listing of all Departmental employees with yearly hours accrued for sick leave, comp time and vacation leave, requesting monthly updates. The Administrative Assistant to the Director of Athletics completes this list verifying dates and~~

~~accumulated days taken using the Request forms and returns the completed list to the SFA Payroll Office.~~ Departmental staff members are able to access their vacation, sick leave and comp time totals through their mySFA account

**Any change in number of dependents or change of address should be reported immediately to the SFA Payroll Office.**

### **Distribution of Payroll Checks**

University employees are paid monthly or semi-monthly for work done in the previous month. Salaried employees are paid on the 1<sup>st</sup> of the month. Hourly employees are paid on the 1<sup>st</sup> and 15<sup>th</sup> of the month. If the 1<sup>st</sup> or 15<sup>th</sup> falls on a weekend or holiday, employees are paid on the first working day following the weekend or holiday.

It is SFA's intent to pay all employees by direct deposit. Employees must complete a direct deposit form, which is available in the payroll department of the Controller's Office. Direct deposits can be made electronically to any financial institution that accepts electronic transfers. It is the employee's responsibility to insure that their pay has been deposited into their account.

If an employee has not authorized direct deposit, a payroll check will be produced. Payroll checks are released at the Business Office at 11:00 a.m. on paydays. Picture identification is required of each person picking up a payroll check.

### Release of payroll check to another person

An employee wishing to have his/her payroll check released to another individual must provide that individual with signed authorization. The authorization must be presented to the Business Office, along with picture identification of both the employee and the person obtaining the check. The employee's identification must also include a sample of the employee's signature, which can be compared with the signed authorization (e.g., a state driver's license).

### Mailing of payroll check

An employee wishing to have his/her payroll check mailed must provide a signed authorization and self-addressed stamped envelope to the Business Office. The check will be mailed on the payday.

### **Holiday Wage Compensation**

Regular, full-time classified and non-classified employees receive pay for all University-approved administrative holidays, provided the employee is in pay status. Payroll reporting procedures and details concerning holiday compensation are discussed in Policy 508G, Departmental Staff: Holidays, in this Manual.

### **Overtime Compensation**

Employees are eligible for compensatory time off (comp time). ~~Classified~~ Non-exempt employees are eligible for comp time in accordance with the University Overtime Policy and Fair Labor Standards Act. ~~Non-classified-exempt~~ Exempt employees may receive comp time, but may not ~~to exceed~~ be used in excess of 80 hours per fiscal year.

For more detailed information regarding overtime classifications and compensation rates, consult SFA's *Policies and Procedures Manual*. Additional information on overtime eligibility and compensation may also be found in Policy 401B, Budget: Salaries and Wages, in this Manual.

### Bonus Compensation

Head coaches and assistant coaches are eligible to receive bonus compensation as an incentive for their teams winning SLC Championships and making NCAA Championship appearances. Bonus amounts are calculated as a percentage of each coach's annual salary. Bonus compensation will be paid following the conclusion of each team's competition season.

Coaches assigned to football, men's and women's basketball, volleyball, soccer, softball, baseball, golf and tennis are eligible to receive 3.5% of their annual salary for winning a Southland Conference Championship. They will also be eligible to receive an additional 1.5% of their annual salary if their team qualifies for an NCAA Championship. No coach will receive more than 5% of their annual salary as bonus compensation unless by Board of Regent approval.

Coaches assigned to men's and women's cross country, indoor track & field and outdoor track & field are eligible to receive bonus compensation as per the following:

	<u>HEAD COACH</u>	<u>ASSISTANT COACH</u>
Cross Country	\$500/SLC Team Title	\$250/SLC Team Title
Indoor Track & Field	\$1000/SLC Team Title	\$500/SLC Team Title
Outdoor Track & Field	\$1500/SLC Team Title	\$750/SLC Team Title

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## **STUDENT ATHLETES: FINANCIAL AID**

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

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

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

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

### **Allocation of Grant-in-Aid Awards**

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

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

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



## 502D:2

## Head Count and Equivalency Sports

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

- Head-Count Sports

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

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

<b>Sport</b>	<b>Men</b>	<b>Women</b>
Basketball	13	15
Tennis		8
Volleyball		12

- Equivalency Sports

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

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

<b>Sport</b>	<b>Men</b>	<b>Women</b>
Cross Country/Track	12.6	18
Golf	4.5	
Women's Golf		6
Bowling		5
Football	63 *	
Soccer		14
Softball		14
Baseball	11.7	

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

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

502D:3

### Processing of Grant-in-Aid Awards

Grants-in-aid are allocated upon the recommendation of the Head Coach and the approval of the Director of Athletics and the University's Director of Financial Aid. The Southland Conference Grant-in-Aid Offer forms are prepared by the Associate Athletic Director for Compliance and Student Services. The approved forms are forwarded to the Associate Athletic Director for Compliance and Student Services which checks equivalencies to ensure compliance with NCAA grant-in-aid limitations for each sport.

The University's Financial Aid Office awards grants-in-aid based on the recommendations of the Director of Athletics. Recipients of financial aid are notified of the awarded scholarship via the completed Southland Conference Grant-in-Aid Offer form which details the amount of aid and the terms and conditions of the grant. Copies of Team Rosters and Grant-in-Aid lists are kept on file in both the Associate Athletic Director for Compliance and Student Services Office and with each sport's secretary.

### Prospective Student-Athletes

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

To be valid, the National Letter of Intent Agreement must be signed within 14 days after it is issued and returned to the Associate Athletic Director for Compliance and Student Services.

A copy of the Financial Aid Agreement is forwarded to the Office of Financial Aid. If the student fails to be admitted following the University's regular admission process, the grant-in-aid becomes null and void. (See Policy 502B, Student-Athletes: Admissions, in this Manual for admissions standards and procedures.)

### Enrolled Students

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

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

### Continuing Student-Athletes

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

**502D:4**

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

**Graduation or Cancellation of Aid**

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

The request for an appeal must be filed in writing and directed to the Director of Athletics within ten (10) days of the cancellation notification. Upon receipt, the Director of Athletics schedules a review for the appeal. If the appeal is not granted, then it can be appealed to the Financial Aid Appeals Committee. The Scholarship appeal process must be completed prior to the commencement of the academic year for which the scholarship is renewed, reduced or canceled. In general, the renewal of aid may be denied if the student-athlete:

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

## 502D:5

**Summer School**

Athletically related financial aid does not normally include summer session classes. However, financial aid may be extended to cover summer school if attendance is warranted. ~~for reasons related to student-athlete's academic suspension, regular course of study or to maintain eligibility.~~ The Head Coach of each sport makes a determination regarding those student-athletes to be offered financial assistance for summer school *provided funding is available*.

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

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

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

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

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

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

**Fifth Year/Injured**

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

Requirements to receive this award include:

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

## 502D:6

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

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

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

- **NCAA Sixth Year Scholarship Program**

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

### **Non-Institutional Financial Aid**

Should a student-athlete qualify for non-institutional financial aid and exceed the maximum scholarship aid allowed, University funds are reduced dollar-for-dollar. NCAA Manual Bylaw 15, regarding Financial Aid should be consulted to determine the types of outside aid student-athletes may receive without reducing University aid (i.e., non-countable, outside aid) when totals do not exceed NCAA ceilings. Further, a student-athlete may receive a Pell Grant in combination with other institutional financial aid, provided the overall total does not exceed the cost of attendance ceiling.

All outside aid received by a student-athlete must be reported to the Southland Conference and the NCAA at the beginning of each academic year. Individuals reporting outside aid may have their athletic grant-in-aid reduced to avoid an award in excess of a full-ride amount. permissible outside scholarship awards must meet NCAA criteria and may cause athletic grant-in-aid to be adjusted to NCAA ceiling amounts.

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

### University Charges Not Paid by the Department

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

They include, but are not necessarily limited to:

- Cost of treatment for non-athletically related injuries;
- Non-legitimate hotel charges (e.g., long distance telephone, laundry, movies, etc.) incurred during away travel;
- Library fines; Fines for damage to University property, including the Residence Halls
- Key deposits or replacement of a lost Residence Hall key;
- School supplies, reference books, pens, notebooks, paper, drafting kits, etc.;
- Vehicle registration fee;
- Parking fines;
- Personal insurance for non-athletically related injuries and illnesses; and
- Residence hall penalty fees incurred by the individual student who move contrary to residence hall contract agreements.

### Non-Scholarship Student-Athletes

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

- Academic counseling assistance (e.g., tutoring, career and peer counseling, etc.)
- Training Room treatment for athletically related injuries;
- Strength and conditioning facility use;
- Referrals for vacation and permanent employment;
- Team travel and equipment use;
- Training table participation provided NCAA rules are adhered to; and
- Athletic letter awards.

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## **STUDENT-ATHLETES: ACADEMIC POLICY**

Stephen F. Austin State University and the Department of Intercollegiate Athletics are committed to excellence in education. Academic standards and requirements for student-athletes at SFA are no less stringent than for the general student population. Both the University and the Department of Intercollegiate Athletics are aware that participation in varsity athletics makes exceptional demands upon a student-athlete's time and energy. Student-athletes, however, must assume ultimate responsibility for their academic endeavors while attending the University.

The Assistant Athletic Director for Student Services is responsible for the daily administration of the academic support program and works closely with the Office of Admissions and the Registrar's Office to institute program services which help ensure continuing eligibility for SFA's student-athletes.

### **Philosophy and Objectives**

The University believes in the development of a well-rounded individual, sound in mind and body. To achieve this, the University and the Department strive to offer a balanced academic and athletics program that encourages student-athletes to develop characteristics that will make them better citizens and assist them in their life endeavors. Further, the University and the Department are committed to helping each student-athlete achieve a quality education and graduate. This philosophy encompasses helping the motivated student-athlete to learn faster and more completely, and the under-motivated student-athlete to become more motivated and better able to succeed in the academic arena.

In fulfilling its philosophy, the Department, as a whole, strives to:

- Recruit only student-athletes with the potential to succeed academically, as well as athletically;
- Maintain the athletic eligibility of every student-athlete;
- Graduate all student-athletes;
- Protect the academic integrity of the University; and
- Comply with all rules, regulations and procedures of the University, the Southland Conference and the NCAA.

### **Coach's Responsibility**

Although it is the University's and Department's goal to create an academically supportive environment, it is the student-athlete's responsibility to work within the parameters of this environment. Coaches are asked to support the efforts of the Assistant Athletic Director for Student Services and Academic Services Assistants to impose logical consequences for those student-athletes who are not fulfilling their academic obligations. If problems with specific student-athletes cannot be resolved jointly by the coach and the Assistant Athletic Director for Student Services, the student-athlete may be in jeopardy of losing his/her academic support services privileges.

The Department requests that coaches not only support the program with encouragement and appropriate sanctions, but also be supportive of the program's requirements and allow flexibility with student-athletes who may be on occasion late to practice due to academic counseling or related responsibilities.

## 503A:2

In an attempt to advise coaches of scheduled workshops and tutorials, regular reports are sent by the Assistant Athletic Director for Student Services and/or Academic Services Assistants. These reports address the student-athletes participation, performance and attitude as related to services offered by the Academic Support Program.

### **Student-Athlete's Responsibilities**

As stated previously, the student-athlete is ultimately responsible for his/her academic progress at the University. General academic requirements and responsibilities are contained within this policy.

#### **Academic Programs and Services for Student-Athletes**

The Department's goal is to provide student-athletes with an academic support program which utilizes Departmental and University resources to address a variety of academic, personal and career issues. To accomplish this goal, the Academic Support Program, in concert with University student services strives to make available to student-athletes the services described below.

- SFA 101 - Each new student-athlete is requested to enroll in SFA 101. This class will include campus life and survival skills presentations; the explanation of academic support programs and academic counseling services, etc. The class is specialized for student-athletes and taught by members of the athletic department staff.
- Personal Counseling - Confidential assistance is provided to student-athletes by Licensed professional Counselors to help them with transitional issues, stress management, academic focus and personal crisis intervention.
- Career Counseling - Vocational counseling, including interest testing, career library and SIGI (computerized guidance system) is made available to student-athletes
- Testing Services - National tests such as GRE, MAT, LSAT, GMAT, and the TASP are administered to student-athletes, as appropriate. Preparation counseling is also available.
- Placement and Career Services - A liaison service between employers and prospective employees is offered. All students are encouraged to begin a placement file early in their senior year.
- Career Planning - Job development skills are offered in the form of resume development, cover letter writing, job search strategies, interviewing skills and professional school placement assistance.
- Student-Athlete Advisory Committee - The purpose of this established Board is to encourage student leaders and staff to discuss concerns, set goals and identify projects.
- Service Program - This program encourages and facilitates the involvement of student-athletes with students in the community as peer counselors and role models.



## 503A:3

- Educational Assessments - A proactive approach is utilized to help develop a personalized academic support plan for student-athletes by offering: reading, writing and listening assessments, services for students with disabilities and in-depth academic assessments and evaluations.
- Tutorial Support - Various programs are offered to help student-athletes experience academic success. They include: subject tutoring, mentor tutoring, group tutorials, time management counseling and supplemental instruction.
- Academic Supervision - Short and long term supervision includes study halls, grade report updates from instructors informing academic staff and coaches of course performance, class attendance monitoring and evaluation of overall academic progress. The GradesFirst software program was introduced in the Summer 2009 and utilizes the latest computer technology to track attendance, grade status, comments from professors and arranging appointments with tutors.
- Computer Resources - Computers and computer assistance are made available to student-athletes.
- Degree Audit Program - This program contains a tracking system which is used to insure accurate course selection and to monitor progress towards graduation through evaluation, maintenance of records and their updating, semester by semester, via an evaluation of academic transcript and degree requirements.

***Intercollegiate Athletics-Kinesiology 200.012***

*Students who are members in good standing of any intercollegiate team are eligible to enroll in this two-hour activity/participation course up to a maximum of six times. Hours earned in this course can only apply as electives if permitted by each individual academic degree plan.*

*This is a pass-fail course with students receiving either an A or F. In order to earn an "A" in the course, enrolled students must begin and end the semester as a team member in good standing. Failure to do so will result in a grade of "F".*

*If prior to the last day to drop during the semester, a student voluntarily quits or is cut/dismissed by the coach from the team, the student should drop this course to avoid receiving a grade of "F". Students who voluntarily quit or are cut/dismissed from the team after the last day to drop will receive a grade of "F".*

*All students enrolled in this course can receive a syllabus detailing the requirements expected from the Kinesiology & Health Science Office-HPE204. The Associate Athletic Director for Compliance and Student Services is responsible for the athletic administration of this course.*

**Satisfactory Progress**

To comply with the NCAA's satisfactory progress rule, each student-athlete must designate a program of studies leading toward a specific baccalaureate degree by the beginning of the third year of enrollment (i.e., the fifth semester). The Assistant Athletic Director for Student Services confirms, with the assistance of the Office of Admissions, that each student-athlete meets this requirement, and then works with the student-athlete to ensure that satisfactory progress toward to specified degree is being made.

**503A:4**

Each student-athlete's on-going academic status is monitored via the Southland Conference Eligibility Verification form (Appendix 502C-4). All Information is verified by the Office of Admissions, using University computer data. A copy of the completed form is kept on file with the Associate Athletic Director for Compliance and Student Services

In order to remain academically eligible to participate in intercollegiate athletics, a student-athlete's course load must not drop below 12 hours. If dropping a class results in a student-athlete being registered for less than 12 hours, the Assistant Athletic Director for Student Services immediately informs the individual's Head Coach of the potential eligibility problem.

**Drops and Adds**

All student-athletes are required to receive signatory approval for drop/add from the Assistant Athletic Director for Student Services before preceding with changes in approved schedules. No schedule changes may be made after the deadline specified in the academic calendar without the approval from the course instructor and the departmental dean.

**Class Attendance**

Student-Athletes are expected to attend class on a regular and punctual basis. In any university course, professors have discretion over whether or not to accept excuses. Further, course instructors establish specific attendance policies to which student-athletes must adhere. The University recognizes the legitimacy of intercollegiate competition while striving to minimize the number of classes missed due to competition. Absences due to personal reasons unrelated to athletics competition and not in accord with the University's attendance policy may significantly affect grades.

Arrangements for taking any examination or completing work assignments affected by team travel are the student-athlete's responsibility. Instructors are aware of the problems involved in scheduling athletic competitions, and are usually willing to provide some flexibility if the student-athlete requests consideration in advance. Student-athletes should identify themselves to their professors as early as possible in each course and provide professors with their team and travel schedule to eliminate potential conflicts.

Additionally, your class attendance will be regularly monitored by Athletics staff (Assistant Athletic Director for Student Services and coaching staff). Professors routinely provide information to the Assistant Athletic Director for Student Services regarding missed classes and concerns they may have about academic performance.

Each head coach will be responsible for enforcing class attendance and deciding penalties for unexcused and excessive absences. Penalties could include additional study hall time, loss of game participation and loss or reduction of athletic scholarship.

**Exams**

When a student-athlete learns that an exam is scheduled during the time he/she will be participating in the intercollegiate athletics program, the student-athlete is responsible for notifying the instructor and making arrangements to make up the exam. The instructor should be contacted at the earliest possible date.

**Incomplete Grades**

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Student-athletes are required to complete all course assignments by the last day of classes for the semester. However, student-athletes may petition the dean of their college prior to the last day of classes to request an extension, if circumstances warrant the extension. The course instructor must endorse the petition for the extension. Extensions are granted only if the student has completed the major requirements of the course. If an extension is granted, a grade of I (incomplete) is given. The incomplete is removed at the end of the extension period. If the student has not completed the course requirements, a grade of zero is assigned to all missing grades and the final grade is assigned by the instructor.

**Study Hall**

The Assistant Athletic Director for Student Services identifies minimum recommended study hall hours for all freshmen and transfer student-athletes. Additionally, study hall attendance may be mandated by the Assistant Athletic Director for Student Services and Academic Services Assistants in consultation with the student-athlete's Head Coach. Student-athletes attending study hall sessions are required to verify their attendance by electronic login using their University ID. The Assistant Athletic Director for Student Services or designate, monitors the sessions to verify the presence of these student-athletes. A student-athlete's failure to attend required study halls is reported to his/her Head Coach for counseling.

All study hall sessions are open to all student-athletes.

**Tutoring Services**

The Assistant Athletic Director for Student Services coordinates a variety of tutoring services for student-athletes. These programs include individualized subject tutoring, small group tutorial sessions, supplemental instruction and time management counseling.

At-risk students are identified and assigned tutors at the beginning of each semester. Any student-athlete requesting tutoring must receive permission form the Assistant Athletic Director for Student Services.

**Academic Monitoring and Evaluation**

The Assistant Athletic Director for Student Services compiles and maintains a file on each student-athlete. The file contains all materials documenting the academic profile of the student-athlete (e.g., academic transcripts, SAT and/or ACT scores, grade point averages, plan and/or program of study), as well as various forms verifying the eligibility status of the student-athlete.

The Assistant Athletic Director for Student Services and Academic Services Assistants monitor all grades and class attendance for student-athletes designated as high risk. The student-athlete and the Head Coach are contacted to review problems and offer possible solutions as necessary.

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## STUDENT-ATHLETES: SUMMER SCHOOL

The Department of Intercollegiate Athletics is aware that time demands placed on student-athletes during the academic year may limit the number of credit hours a student-athlete may be able to handle. *beyond what is required by NCAA legislation.* Summer school is often an option for timely completion of specific academic courses. *For entering freshmen it is an opportunity to get a head start on their academics.* However, summer school is not automatically financed. *The Director of Athletics determines the amount of funding available from budgetary sources, endowments, SAF/SOF funds and private giving. The amount for each sport is determined and reported to each Head Coach prior to the end of the spring semester.*

Student-athletes wishing to attend summer school must discuss their decision with their Head Coach and the Assistant Athletic Director for Student Services. ~~Student-athletes receiving financial aid and~~ requesting financial assistance for summer school fees must have approval of their Head Coach *who in turn will send an official list and the amounts to be awarded to the Associate Athletic Director for Compliance and Student Services who will enter the financial aid into the Banner system.* (see Policy 502D, Student-Athletes: Financial Aid, in this Manual for additional information). When approved, NCAA regulations stipulate that funding may only be awarded in proportion to the grant-in-aid received during the preceding academic year.

Summer school attendance is mandatory for student-athletes on ~~an~~ academic suspension and in some cases where the student-athlete's eligibility is at risk. Other requests are considered if the student-athlete's Head Coach approves financial aid for summer school. All requests must be evaluated by the Assistant Athletic Director for Student Services, the Director of Admissions and the Director of Financial Aid, basing the provision of financial aid on the following criteria:

- Individual sports' budgetary constraints;
- Class standing (i.e., freshman, sophomore);
- Availability of necessary classes (i.e., only offered during summer);
- Continuing eligibility requirements (i.e., the for 24 hours of classes per year);
- Grades achieved in previous course work;
- Course completion necessary for graduation following summer session; and/or
- Course required for post graduate study.

All applicants for summer school are considered on an individual basis.

Student-athletes who receive athletic funding for summer school, and drop a class(es) or receive a grade of 'F', will be required to repay all tuition & fee costs associated with class(es). Those charges will be placed directly on the students Billing Statement and will be payable at the Business Office.

Student-athletes wishing to attend summer sessions, at their own expense at another institution must obtain the prior approval of the Assistant Athletic Director for Student Services. Credit is transferred only if a grade of C or better is obtained. Moreover, the grade does not transfer to SFA, only the credit.

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## STUDENT-ATHLETES: HOUSING

Stephen F. Austin State University and the Department of Intercollegiate Athletics are committed to providing all student-athletes with the opportunity to enhance their social and personal values by taking part in a democratic, community-living environment. Therefore, student-athletes who live on campus are subject to the same residence hall rules and regulations as the rest of the student body. Although the majority of student-athlete housing is located in Lumberjack Lodge, Lumberjack Village or Hall 20 or the new freshman hall, the University does not provide dormitories for the exclusive use of student-athletes, nor create segregated areas within residence halls solely for student-athletes. All student-athlete housing assignments are made through the University Housing Office and are within guidelines established by the University, the Southland Conference, and the NCAA. Student-athletes may not receive any special services or material amenities (e.g., stereos, room furnishings, etc.) that are not provided to all members of the SFA student body on an equitable basis. General rules and regulations pertaining to residence hall living can be obtained from the University Housing Office.

The Head Coach of each sport is responsible for providing the Associate Athletic Director for Compliance and Student Services accurate and timely information regarding his/her students' housing arrangement requirements for the upcoming academic year. The Associate Athletic Director for Compliance and Student Services works closely with the SFA Housing Office in coordinating housing for student-athletes. All problems concerning the housing of student-athletes should be referred to the Associate Athletic Director for Compliance and Student Services.

### On-Campus Housing

The athletic scholarship cost of on-campus housing is funded based on the cost of Hall 20 as part of the standard athletic financial aid package for student-athletes and does not exceed the limits established by the NCAA. Student –athletes that choose to live in more expensive on-campus house must pay the difference in cost.

- Incoming Freshmen and Transfers

The Department of Intercollegiate Athletics requires all unmarried student-athletes under the age of 21 and with fewer than 60 hour attempted to reside in on-campus housing. However, exceptions may be made under certain specified conditions and at the Head Coach's discretion. For additional information on residence requirements see SFA General Bulletin.

Room assignments for incoming freshman and transfer students are requested by the Head Coach and coordinated by the Associate Athletic Director for Compliance and Student Services with the University Housing Office Coordinator's assistance.

In April of each year, coaches are asked to submit a list of all incoming freshman and transfers who will require housing. ~~If an incoming student-athlete specifies a housing preference other than Hall 20, the coach should indicate this request on his/her list. However, promises are not to be made to student-athletes.~~ All freshmen are required to live in one of four residence halls. The residence halls for freshman include Hall 14, Hall 16, Steen Hall, and a new freshman hall. There are a limited number of beds available for scholarship student-athletes in the new freshman hall and coaches should not assume they have a space without first receiving a confirmation from the Associate Athletic Director for Compliance and Student Services who will coordinate freshman housing. Those freshmen not in the new freshman hall will be placed in Steen Hall. Each incoming student- athlete must submit a completed Residence Hall Application to the University Housing Office in order to have their request processed. All student-athletes must include a \$50 application fee along

with their application. Once an actual assignment is made, an additional \$50 contract fee is required.

- **Continuing Students**

Continuing students are permitted to retain their rooms from year to year, provided they file their renewal request on time.

#### **Room Change Process**

Room changes are often available at the beginning of each semester and can usually be accomplished with the assistance of the University Housing Coordinator. However, all room changes require the permission of the Head Coach, and some room changes may result in a higher room rate.

### **Off-Campus Housing**

SFA students wishing to live off campus must be over 21 years of age and/or complete a minimum of 60 semester hours of college level work. Head Coaches retain the right to approve or deny the request of their student-athletes to live off campus.

Student-athletes, with the approval of their Head Coach to live off campus, are responsible for selecting suitable housing. There are a variety of apartment complexes, houses, condominiums and duplexes for rent throughout the city. Student-athletes are responsible for all deposits (e.g., damage deposit, electricity, water and phone). Deposits cannot be waived or paid for by the Department of Intercollegiate Athletics.

In May, coaches must provide a list of all student-athletes planning to live and dine off-campus. These lists are submitted to the Associate Athletic Director for Compliance and Student Services for the preparation of scholarship agreements.

Off-campus room and board allotments are based on housing formula's approved by the NCAA and the cost of the 20 meal dining plan and are distributed in a lump sum payment at the beginning of each semester. Payments are mailed or direct deposited, based on the method they have established with the University.

### **Preseason Housing**

Coaches must obtain the approval of the Director of Athletics to schedule practice or competitive events when school is not in session. Approval is only granted if such a schedule is within the guidelines of the NCAA and there are sufficient funds in the sport's budget to cover related expenses. (See Policy 602B, Scheduling: Practices, in this Manual for additional information.)

Preseason housing is coordinated by the Associate Athletic Director for Compliance and Student Services with the SFA University Housing Office Coordinator for student-athletes residing in residence halls. Special needs that require preseason housing prior to the beginning of a semester or after a semester ends are provided ~~at no cost to the Department or the student.~~ This service is provided to student-athletes, as well as other student groups (e.g., student housing staff, Twirl-O-Jacks, Marching Band, etc.). Student-athletes living off campus are responsible for coordinating their own preseason housing needs, as required.

**Break Housing**

Coaches must receive pre-approval for all housing needs for semester break *and holiday* periods. Housing approvals are not granted retroactively. Approval is only granted if scheduling of practices and/or competition is within NCAA, and Southland Conference rules and regulations, and there are sufficient funds in the sport's budget to cover related expenses. Coaches are responsible for submitting the names of all student-athletes requiring housing to the Associate Athletic Director for Compliance and Student Services. ~~The Lodge, Village and Hall 20 are available for occupancy during breaks when coordinated through the Associate Athletic Director for Compliance and Student Services. Stipends for such board are requested and disbursed from the Office of the Assistant Athletic Director for Business.~~

**Summer School Housing**

On-campus housing for student-athletes approved to attend summer school is not scheduled by the Associate Athletic Director for Compliance and Student Services. Students should make their reservations by using on-line application requests found on the Housing website (See Policy 503B, Student-Athletes: Summer School, in this Manual for additional information.)

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**~~STUDENT ATHLETES: DRUG TESTING~~ STUDENT ATHLETES: DRUGS & ALCOHOL POLICY**

~~The Department has instituted a program of drug screening by urinalysis for student athletes engaged in intercollegiate athletics. The urine sample will be screened by an outside drug testing lab which will collect samples, test samples and deliver results in a coded manner to the Head Athletic Trainer, working under the direction of the Team Physician.~~

~~Each test will produce either a positive or negative result. A negative result means that either there is no drug present in the sample, or the level is so low that it is undetectable by the test. A positive result means that the drug is present in the urine sample at a detectable level.~~

~~Any student athlete refusing to be tested for drugs is considered as having a positive test result.~~

~~Except when prescribed by a qualified physician to treat an individual's medical condition, use of the following drugs, this is not an all-inclusive list, by a student athlete is expressly prohibited and shall be a violation of Department Policy team rules.~~

<del>_____ Barbiturates</del>	<del>_____ Meperidine</del>
<del>_____ Chlorpromazine</del>	<del>_____ Methadone</del>
<del>_____ Cocaine</del>	<del>_____ Morphine</del>
<del>_____ D-Amphetamine (Speed)</del>	<del>_____ PCP (Angel Dust)</del>
<del>_____ Glutethimide</del>	<del>_____ Quinine</del>
<del>_____ Heroin</del>	<del>_____ Steroids</del>
<del>_____ Lysergic Acid</del>	<del>_____ Tetrahydrocannabinol</del>
<del>_____ Diethylamide (LSD)</del>	

~~Student athletes will be randomly selected for testing by an outside lab. The lab will be provided a current list of squad participants for each sport. Student athletes will be tested on a monthly basis and each sport will be represented by 20% of the total squad participants.~~

~~Monthly test dates will be selected by the Athletic Training Staff and outside lab. In regards to a positive drug test, there will be an ample amount of time provided for the prior test levels to be absent from the body. Student athletes selected for each drug test will be notified in person or by telephone. A failure to report for drug test after confirmed notification will be considered a positive test and will follow the appropriate sanctions.~~

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

***Purpose***

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



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

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

### **Implementation of Program**

*At the beginning of the academic year, a presentation will be made to all intercollegiate athletic teams to outline and review the department's **year round** and **summer** drug testing drug policy. A copy of this policy will be provided to each student-athlete. Each student-athlete will thereafter be asked to (1) sign a form acknowledging receipt of a copy of this policy; (2) execute voluntary consent to the urinalysis testing required by the program; and (3) sign a statement authorizing the release of test results to a limited group of individuals. Student-athletes and their parents/legal guardians are encouraged to ask questions or make suggestions at any time regarding this program. The SFA Athletics Department is committed to the success of this program and expects student-athletes to be equally committed.*

### **Frequency of Testing**

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

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

### **Testing Method**

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

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

### **NCAA Banned Drug Classes**

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

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

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

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

### **Medical Exception Policy**

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

*The student-athlete is required to inform the Assistant Athletic Director for Sports Medicine of all medications he or she is taking. The sports medicine staff will maintain in the student-athlete's medical records a letter from the prescribing physician that documents the student-athlete's medical history demonstrating the need for regular use of such a drug. The letter should contain information as to the diagnosis (including appropriate verification), medical history and dosage information. In the event a student-athlete tests positive, the Assistant Athletic Director for Sports Medicine in consultation with the Team Physician will review the student-athlete's medical record to determine whether a medical exception should be granted.*

### **Reasonable Suspicion Screening**

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

### ***Safe Harbor/Self-Referral Policy***

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

*Parameters of the Safe Harbor program include the following:*

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

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

## **Sanctions for Substance Abuse**

### **First Offense**

- ~~The Athletic Director, Head Coach, and athlete will be notified by the Head Athletic Trainer.~~
- ~~The athlete's parents or guardian will be notified by telephone and certified mail.~~
- ~~The athlete will be re-tested at each subsequent department random test for the following twelve month period.~~
- ~~The athlete must attend counseling and evaluation sessions which must be monitored and documented by the head coach.~~

### **Second Offense**

- ~~The Athletic Director, Head Coach, and athlete will be notified by the Head Athletic Trainer.~~
- ~~The athlete's parents or guardian will be notified by telephone and certified mail.~~
- ~~The athlete will be re-tested at each subsequent department random test for the following twelve month period.~~
- ~~The athlete must attend counseling and evaluation sessions which must be monitored and documented by the head coach.~~
- ~~Seven (7) days suspension from team activity to include meetings, practice, and competition.~~

~~Contest Suspension — athlete will be suspended from the next regular or post season contest as listed below.~~

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

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

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

### **Third Offense:**

- ~~The Athletic Director, Head Coach and athlete will be notified by the Head Athletic Trainer.~~
- ~~The athlete's parents or guardian will be notified by telephone and certified mail.~~
- ~~The athlete is suspended for one (1) calendar year from the team with immediate cancellation of any Athletics Grant-in-Aid.~~

## **Testing Cycle**

~~The regular 12-month 'Testing Cycle' for student-athlete drug screens will begin with the first class day of the first summer session and end with the completion of finals for the following spring semester. Included in this group will be any scholarship athlete, who completes their final season of competition in the fall semester and returns in the spring on scholarship. If a student-athlete should test positive during a Testing Cycle, that athlete will be under the Offense Penalties for a twelve month period from the date of the positive test.~~

### *Sanctions for Substance Abuse*

#### *First Offense*

- *The Athletic Director will be notified by the Assistant Athletic Director for Sports Medicine.*
- *The Athletic Director will meet with the student-athlete and Head Coach.*
- *The student-athlete's parents or guardian will be notified by the Head Coach.*
- *The student-athlete's parents or guardian will also be notified in writing by the Athletic Director.*
- *The student-athlete will be re-tested at each subsequent department random test for the following 12 months.*
- *The student-athlete will be referred to University counseling services for evaluation and counseling. Attendance is mandatory and will be monitored by the Assistant Athletic Director for Sports Medicine or his/her designee. A release form signed by the student-athlete will be required so that counseling services can report attendance.*
- *Failure to attend counseling will result in an indefinite suspension from all team activities and competition until the counseling program is completed.*
- *Counseling beyond that which is available to all University students will be at the expense of the student-athlete.*
- *The student-athlete will receive Seven (7) days of suspension from all team activities to include meetings, practice, conditioning and competition.*
- *Student-athlete will be suspended from the next regular or post-season competition(s) as determined by the sport they are participating in. The next regular competition would include the following competition year if the positive test occurred outside the student-athlete's traditional season.*

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

*Minimum suspensions for each sport will be:*

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

**Second Offense:**

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

**Individual Team Drug Screen**

~~At a time randomly selected by the Athletic Training Staff, each athletic team will have a drug screen for all team members. At that time, all team members, excluding any team member previously tested during that years 'Testing Cycle' will be tested in accordance with Department Policy. All team members will still remain on list for Random Testing until completion of Testing Cycle~~

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

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

**Summer School Drug Screen**

~~Student athletes that attend a summer session at SFA and receive any financial assistance from the Athletic Department will be tested at a time randomly selected by the Athletic Training Staff.~~

**Appeals**

~~Prior to the imposition of any sanction, and after the findings of any positive result from a test, the student shall be given the opportunity for a hearing before the Athletic Director to challenge the accuracy of the test result and otherwise present his or her defense. If the Athletic Director rules in favor of the student, then all records of the challenged test results shall be destroyed and no future action of the University shall be based upon it. Student-athletes who test positive will be entitled to a hearing with the Director of Athletics or his/her designee prior to the imposition of any sanction. Requests for such a hearing must be made within forty-eight (48) hours of notification of a positive test result. If the forty-eight hours would end on a weekend, the request must be made by noon on the next business day. Request must be in writing and received by the Director of Athletics.~~

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

## Test Results Security

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

## NCAA Drug Testing

~~Any student-athlete may be tested by the NCAA at any time during the year.~~

~~If the NCAA test confirms that the student-athlete has used a banned drug (see 31.2.3.1 in the NCAA Manual for a complete list of banned substances and practices), the NCAA declares the student-athlete ineligible for further participation in postseason and regular-season competition for one (1) calendar year following the positive test and until the student-athlete re-tests negative. Further, NCAA legislation specifies that student-athletes who test positive will lose at least one (1) season of competition or the equivalent of one (1) season during their period of ineligibility. All student-athletes may be tested by the NCAA at any time during the year and especially during championship competition.~~

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

## Alcohol Policy

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

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

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

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

## Use of Tobacco

~~NCAA legislation prohibits the use of tobacco products by student-athletes, coaches and game officials during practice and competition in all sports. A student-athlete using tobacco products during practice or competition is disqualified for the remainder of the practice or competition.~~

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

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

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### DEPARTMENTAL STAFF: VACATIONS

The Department of Intercollegiate Athletics, in conjunction with the University, grants vacation leave to all employees, other than faculty with appointments of less than 12 months, as an opportunity for each employee to have a time for relaxation and recreation away from the job. The Administrative Assistant to the Director of Athletics is responsible for documenting the use of earned vacation leave for all Departmental staff.

Vacation time should be requested in writing, scheduled in advance, and taken at a time consistent with work requirements. Staff members are to submit their requests to their immediate supervisors. Supervisors should verify the availability of vacation leave with the Administrative Assistant to the Director of Athletics prior to granting vacations. Vacation time must be requested using the Request for Vacation, Compensatory Time, Sick Leave Taken form (see Appendix 405B-1). Every effort is made to accommodate the vacation request, however supervisors may request that such leave be restricted to non-peak work periods.

#### Rules for Use

Eligibility for vacation benefits is granted after the completion of six (6) months of continuous, regular employment. Vacation time accrues from the employee's official date of hire. The number of vacation hours is based on years of continuous service.

In keeping with the purpose of vacation, there is no payment in lieu of accrued vacation except in the event an employee terminates employment in good standing. If a staff member leaves the University after completing six (6) months or more of employment, and resigns, is dismissed or departs from State employment, he/she is entitled to be paid for all vacation time duly accrued at the time of separation. Accrued vacation time, approved for payment is paid after 30 days from the time of separation. This policy will not apply if alternative leave benefits were negotiated in a contract agreement with an employee.

#### Accrual Rates

The annual vacation rate of accrual is based upon the employee's number of continuous years of service. Years of service are calculated from the employee's hire date.

In general, vacation is granted at an hourly rate based on the total number of years of employment by the state. Based on this formula, hourly staff accrue paid vacation leave as follows:

Years of Total Service	Hours Accrued per Month	Max. Hours Carried Forward
Less than 2 yrs	8	180
2 but less than 5 yrs	9	244
5 but less than 10	10	268
10 but less than 15 yrs	11	292
15 but less than 20 yrs	13	340
20 but less than 25 yrs	15	388
25 but less than 30 yrs	17	436
30 but less than 35 yrs	19	484

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The net balance of unused accumulated leave, not to exceed the maximum cited above, may be carried forward for any employee from one fiscal year to the next.

The annual leave hours in excess of the maximum allowable carryover left at the end of a fiscal year shall be credited to the employee's sick leave balance. If the employee is on any type paid leave that extends into the following month, the accrual will not be posted until the employee returns to duty. An employee forfeits this accrual if he or she fails to return to duty.

***Reporting Leave Taken***

*On a daily basis, non-exempt departmental employees are required to enter time worked, vacation, sick leave, comp time and furlough earned or taken using the TimeClock Plus web based system ([www.tm.sfasu.edu/webclock30](http://www.tm.sfasu.edu/webclock30)).*

*Departmental exempt staff are responsible for reporting leave taken through their mySFA account using Self-Service Banner. This reporting should be done following leave taken. At the end of each month all exempt staff members are required to submit for approval by the Director of Athletics the leave time reported.*

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## ATHLETIC EVENTS: CONCESSIONS

The exclusive right to operate the food concessions at football, basketball and track meets, and other special events as requested, has been awarded to ARAMARK, Inc. with imprinted apparel and non-apparel sales rights granted to the Department of Intercollegiate Athletics. The food concession contract is negotiated by the Vice-President for University Affairs with consideration given to the overall interests of the University.

Sales of imprinted apparel and non-apparel items at SFA athletic events and over the Internet are the exclusive right of the Department of Intercollegiate Athletics, and overseen by the Assistant Athletic Director for External Affairs.

### FOOD SERVICE

Exclusive rights to operate and maintain the food and beverage concessions for all events, is awarded on an open bid basis. The current fifteen (15)-year contract ~~is~~ held by ARAMARK (*hereafter Contractor*) is set to expire August 31, 2021.

The Contractor will provide concessions service during all athletic events for football and basketball. The Contractor will make available concessions services for other events as mutually agreed to by the parties. The food service area consists of four (4) concessions stands with eight (8) lines each at the NW, SW, NE and SE corners of the stadium concourse for football; two (2) stands for basketball, located in the north end of the Coliseum.

The Assistant Athletic Director for External Affairs with the assistance of the Coordinator of Athletic Operations, provides the liaison function between the Department and the ~~concessionaire~~ Contractor, monitoring food service operations at specified events.

### Terms of Agreement

The Director of Athletics, or their designee, will evaluate and must approve all prices for food sold in concessions, all food portions, and the type of service in each concessions service area.

The Contractor will comply with all reasonable requests and suggestions from the Athletic Department representative.

The University will provide the Contractor with use of the University's concessions facilities

Cash Sales. The Contractor will run all concessions sales through cash registers provided by the Contractor and will furnish the University with duplicate register readings. By the tenth of each Accounting Period, the Contractor will provide the University with a summary of all concessions sales during the preceding Accounting Period.

Commission Payments. By the tenth of each Accounting Period the Contractor will pay the University a commission in the amount of 15% of Net Receipts (gross receipts less applicable sales taxes) for the immediately preceding Accounting Period.

Minimum Guarantee. In addition to the other financial agreements between parties provided in this Agreement, the Contractor will guarantee the University a minimum \$20,000 commission

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per contract year (the “Minimum Commission Guarantee”) for concessions. Before September 30 of each year, if the total amount of Commission Payments is less than the Minimum Commission Guarantee, the Contractor will pay the University any difference in the minimum guarantee and the total commissions paid for the immediately preceding contract year (12-month Accounting Period).

The ~~concessionaire~~ Contractor is responsible for the following:

1. All cost and expense of its operations including, but not limited to labor costs, taxes, inventory and supplies costs;
2. Staffing (e.g., hiring, supervision, etc.) of concession operations;
3. Operating in an efficient, courteous and businesslike manner during contractually designate times;
4. Selecting foods and beverages that appeal to the public, *without violating any exclusive pour agreement*;
5. Maintaining food service areas in a clean and sanitary condition;
6. Storage and security of all inventory; and
7. Adhering to all terms specified in the contractual agreement.

#### APPAREL & NON-APPAREL -SALES

The Department of Intercollegiate Athletics imprinted apparel and non-apparel concession is ~~operated by the Department~~ under the direction and supervision of the Assistant Athletic Director for External Affairs. ~~Sale items are selected by the Assistant Athletic Director for External Affairs based on quality, appearance, and price.~~

#### Event Sales

~~Stadium, and Coliseum and baseball/softball field sales of imprinted apparel and non-apparel items are conducted from a portable gift shop trailer set up for football, baseball and track events. Sales in the William R. Johnson Coliseum are conducted from a special area on the concourse located near the north entrance. Merchandise inventory is stored in the Fieldhouse. All stocking, storage and security of inventory is the responsibility of the Assistant Athletic Director for External Affairs by the campus Barnes & Noble bookstore at an approved location within Homer Bryce Stadium, an William R. Johnson Coliseum, and both baseball and softball parks.~~

~~SFA student workers operate the gift shop and arrive at the booth for set up approximately one (1) hour prior to game time. The sales staff enters the stadium or gym through the designated Pass List Gate. Prior to the start of business, all goods must be verified against the inventory list and all monies must be counted and verified by the Assistant Athletic Director for External Affairs. At the close of business, the sales staff counts and verifies the inventory and money.~~

#### Receipts

~~The Assistant Athletic Director for External Affairs is responsible for handling all sales receipts. Monies are deposited directly into the University's general account located at Regions Bank and all receipts and reports forwarded to the University Business Office for processing.~~

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## **ATHLETIC EVENTS: MUSIC AND ENTERTAINMENT**

Pre-game and half-time ceremonies are planned to reflect the pride and loyalty of the student body, faculty, alumni and fans of Stephen F. Austin State University who attend football and basketball games. Special ceremonies are also planned to provide opportunities to honor campus organizations, alumni and local groups for past achievements or current activities. Additionally, visiting teams and their representatives are routinely extended invitations to participate in half-time activities. Every effort is made to ensure that planned activities serve to enhance the game's atmosphere and heighten the enthusiasm level of spectators without creating potential crowd control problems or disrupting the scheduled athletic event. Appropriate management of such activities requires open and direct communication among all parties involved in their production.

The Assistant Athletic Director for External Affairs and the Coordinator of Athletic Operations are responsible for the coordination of all pre-game and half-time activities within guidelines established by the University, the Southland Conference, and the NCAA. The Associate Athletic Director for Compliance is responsible for ensuring that all activities are in compliance with Conference and NCAA rules governing music and entertainment at athletic events.

### **Pre-game and Half-Time Arrangements**

The Assistant Athletic Director for External Affairs, the Coordinator of Athletic Operations, and the Band Director review proposed half-time programs for content, staging, timing and related requirements, to ensure that programs are appropriate and meet Departmental standards. All ceremonies must adhere to established time constraints and are subject to the final approval of the Director of Athletics. Requests for special arrangements and presentations must be submitted to the Coordinator of Athletic Operations by a specified deadline prior to each season in order to be considered for inclusion in pre-game and/or half-time activities.

Arrangements for pre-game and half-time ceremonies for football and basketball include, but are not necessarily limited to, the following:

1. Review and approval of requests by outside groups to participate in pre-game and half-time activities;
2. Preparation of timetables;
3. Reservation of locker rooms for performers;
4. Review of special needs and requests;

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6. Dissemination of instructions to participants (e.g., time constraints, program content, etc.); and
7. Coordination with the public address announcer, event workers and other support personnel.

**Football Events**

The Coordinator of Athletic Operations arranges and conducts a meeting during the week prior to each home football games with all departments and organizations on campus who have game day responsibilities and duties. Those include: Physical Plant, University Police, Aramark, Ticket Office, auxiliary spirit groups, and athletic staff. Information is exchanged at this meeting to assure a coordinate effort for game day operations.

The Coordinator of Athletic Operations serves as the game day liaison to all auxiliary spirit groups (i.e. band, cheerleaders, pom squad, etc.) and provides each group with information related to policies and procedures set forth by the Southland Conference, and the NCAA prior to the start of the season. Such information includes informing all participants of pertinent information regarding their group and/or activity (i.e. designated performance areas, time limitations, performance restrictions, etc.). In addition, the Coordinator of Athletic Operations is responsible for making any necessary special arrangements for pre-game and half-time activities in addition to the routine activities provided by these groups.

The Coordinator of Athletic Operations oversees accompanying musical selections during pre-game and activities. However, once the contest has begun, the selection of musical entertainment is the responsibility of the Band Director. Cheerleaders, Pom Squad, band members and the mascot are prohibited from coming onto the playing field at football games while play is in progress, as stipulated in the NCAA's Football Rules.

**Half-time Activities**

In accordance with Southland Conference rules, the half-time intermission for all football games is limited to 20 minutes. Half-time entertainment is carefully scheduled to ensure that everyone involved is aware of the schedule and related time constraints.

**Basketball Events**

The Coordinator of Athletic Operations oversees the scheduling and staging of special pre-game and halftime activities for home basketball games, including establishing timelines and procedures pursuant with applicable University, Southland Conference and NCAA rules and regulations. Furthermore, if the game is televised, staging and time requirements may be adjusted to allow for television production needs.

The Coordinator of Athletic operations oversees accompanying musical selections during pre-game and during the contest. Additional musical selections are coordinated with the Band

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Director. Cheerleaders, Pom Squad, band members and the mascot are expected to follow all applicable policies, as stipulated in the NCAA's Basketball Rules.

The use of artificial noisemakers, airhorns and electronic amplifiers at Conference basketball games is prohibited. Additionally, bands may not play while the game is in progress. It is the responsibility of the home team to enforce the rules at all home contests.

### Conference and Tournament Events

When hosting a Southland Conference Tournament, the NIT or NCAA Championship events, the Department of Intercollegiate Athletics complies with the rules and regulations governing the event. In general, at Conference and NCAA events, bands may play only when play is not in progress (e.g., pre-game, half-time, post-game and during time-outs). Furthermore, band instruments may not be played during a free-throw, throw-in, jump ball or other live ball situations during basketball games; or from the time the offensive team breaks from the huddle until the completion of that play, during a football game.

### ~~Lumberjack Alley Official Tailgate Activities~~

Stephen F. Austin State University allows students, alumni, and friends of the University to hold tailgate parties ~~in the University's commuter parking lot near Homer Bryce Stadium in~~ conjunction with SFA home athletic events. ~~The event and location is called "Lumberjack Alley."~~

The Coordinator of Athletic Operations, *under the guidance of the Assistant Athletic Director for External Affairs*, ~~oversees the operation of Lumberjack Alley, including pre event planning, coordination of space rental and official tailgate activities as a part of overall game day logistics. Additional support is provided by the SFA Alumni Association and the Coordinator of Athletic Operations serves as the liaison with the group.~~

The SFASU Policy and Procedures Manual authorizes consumption of alcoholic beverages at *official tailgate activities* ~~Lumberjack Alley~~ and other events on the SFA campus, where authorized by the President. *Kegs are not allowed at official tailgate activities.*

*All tailgate areas open at 8:00 a.m. on game-day regardless of game time. Tailgate space is claimed on a first-come, first-serve basis. All tailgate areas must be cleared by midnight or 3hours following conclusion of the game, whichever is earlier. RV's must depart by noon on the day following each home game.*

*Official tailgate activities are private parties and commercial activity of any kind is strictly prohibited unless existing contractual obligations allow it. This includes advertising, the taking of orders, sales, donations, fundraisers, collecting and distributing literature, marketing applications or promotional materials.*

*No organization, department, business or individual may offer any food, non-alcoholic beverages, goods or services for sale (including donations and fundraisers) at official tailgate activities except those officially contracted by the University to provide such services.*



~~No organization, business, or individual may offer any food or non-alcoholic beverages for sale (including “donations”) in conjunction with SFA home football games except those officially contracted with by the University to provide such services.~~

~~No organization, business, or individual, may offer any goods and services for sale (including “donations”) in conjunction with SFA home football games except those officially contracted with by the University to provide such services.~~

~~A fee is assessed for tailgate and RV permits.~~

All police services are coordinated by the Chief of the University Police Department, or his designee, in cooperation with the Intercollegiate Athletics Department. The Chief has the final authority over the placement and duties of his officers.

Individuals, groups and organizations hosting or participating in tailgate parties are responsible for their own conduct and are expected to respect the rights of others and the entire University community. Groups hosting tailgate parties are responsible for providing their own designated drivers.

~~Amplifier and sound system equipment must be confined to your vehicle. Please be respectful to others around you and remember this is a family atmosphere.~~

At its discretion, the University may terminate or take other appropriate action against individuals, groups, or organizations whose conduct at tailgate parties is irresponsible, unreasonable, or inconsistent with University policies and regulations, ordinances and laws.

*Open-site tailgate areas are green spaces located within the tailgate footprint that are not designated parking lots. Driving or parking private vehicles on open-site tailgate areas is strictly prohibited. Tailgate supplies must be carried to the site from designated load-in zones or parking areas.*

*Load-in zones for open-site tailgate areas are designated. Parking in load-in zones must not exceed 15 minutes.*

*Tents and canopies must be secured and amenities including furniture, grills, generators or satellite dishes must be confined to each tailgate party's area and may not obstruct sidewalks, drive lanes or pedestrian walkways.*

*BBQ grills on trailers are prohibited in open-site tailgate areas. Small grills that can be carried by two people are permissible. All BBQ grills, propane or otherwise, should be attended to at all times. Hot coals must be doused and properly disposed of in designated coal dumpsters. Open pit fire devices are strictly prohibited. Cooking grease should be disposed of in proper containers.*

*Sound amplification equipment is strictly prohibited unless prior approval is granted.*

*Persons should be mindful of underground utilities and have those areas identified prior to staking tents or canopies.*

*Generators must be equipped with a noise reducing devise. Special care and consideration should be taken when managing fuel and extension cords.*

*Trash should be disposed of in trash receptacles located on-site or packed out. The disposal of grease, hot coals or hazardous materials onto the ground or into storm drains is prohibited.*

*University policy prohibits pets other than service animals.*

*RV owners are encouraged to minimize noise and disruption to others. Appropriate manufacturer approved mufflers or a cover are required to minimize noise from generators. Cords, satellite dishes, etc. must be confined to each allotted RV space and cannot be stretched across drive lanes. Additional vehicles must be parked in a designated parking space.*

*The visiting team special event site is subject to all tailgate policies, rules and regulations.*

SFA

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7/2011

## **Capital Plan Project Items**

### **Capital Infrastructure Plan**

#### **Theatre Remodeling and Renovation**

The theatre remodeling and renovation includes remodeling of the costume storage room, upstage theater, laundry room, and design studio. The costume storage area does not meet building code standards. Renovation and installation of mechanical equipment are necessary to retain the costume collection in good condition. The upstage theatre is used as a classroom and studio space. Extensive maintenance and modern equipment is necessary to meet current teaching and learning goals. Renovation to the laundry room to become an efficient part of our production facilities is critical to creative activities and learning in the wardrobe aspect. The design studio is used for multiple laboratory purposes. It needs maintenance and modernization as well as re-design for maximum efficiency. Funding of \$475,000 would address the code requirements and the needed updates would directly address Strategic Plan Initiative 4:3, which is to develop a learner-centered environment.

The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$475,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

#### **Air Handler Replacement**

The university has a number of air handlers in education and general (E&G) buildings that are projected to need replacement within the next five years. Consequently, there is a need to begin the systematic replacement of air handlers.

The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$251,950. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

#### **Education & General (E&G) HVAC Ultraviolet Lighting**

Ultra violet (UV) lighting has been shown to effectively kill most mold, fungi, and bacteria on air handler coils surfaces. This greatly improves the indoor air quality, maintains peak heating/cooling capacity, as well as extending the useful life of the air handler. The project will begin to install UV lighting in the air handlers of E&G buildings.

The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$288,200. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Education and General (E&G) Chiller Replacement and Repair**

One of the chillers for the Human Sciences North building is past its estimated useful life and is in need of replacement. Other chillers on campus need various repairs as determined by quarterly and yearly inspections.

The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$275,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Elevator Renovations**

The university conducts elevator repair and modernization to satisfy the American with Disabilities Act and other life safety code compliance requirements. The project includes modernization of elevators in the Miller and McKibben buildings and an elevator vent in the Liberal Arts North building

The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$195,500. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Turner Auditorium Recarpeting and Furnishings**

The Turner auditorium is one of the main venues through which the University projects its image to the community and the current carpet is more than 25 years old. Funding of \$103,000 would recarpet the facility and provide appropriate furnishings.

The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$103,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Steen Hall Shower Replacement**

Showers in Steen Hall are leaking due to the age of the facility and have been being repaired as problems have arisen. Replacing the showers will prevent further deterioration to the facility from water damage. Funding of the \$209,000 would cover the replacement of all showers in one tower of Steen Hall and would directly address Strategic Plan Initiative 3:4.

The administration recommends funding the project with budgeted Auxiliary funds at a cost not to exceed \$209,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Steen Hall Carpet Replacement**

The carpet in the rooms and hallways of Steen Hall was last replaced in 2005. Replacing this carpet will not only update the appearance of this facility but reduce the risk of mold and other airborne allergens. Funding of the \$200,000 would cover the replacement of room and hallway carpeting in one tower of Steen Hall and would directly address Strategic Plan Initiative 3:4.

The administration recommends funding the project with budgeted Auxiliary funds at a cost not to exceed \$200,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Steen Hall Furniture Replacement**

The built in wardrobes and desks currently in the rooms of Steen Hall have sustained significant wear and will be replaced by new wardrobes, desks, dressers, mattresses and bed frames. The new furniture will significantly enhance the appearance and functionality of space in resident rooms. Funding of the \$561,000 would cover the cost of new furniture for one tower of Steen Hall and would directly address Strategic Plan Initiative 3:4.

The administration recommends funding the project with budgeted Auxiliary funds at a cost not to exceed \$561,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Repave Wilson Drive**

As a result of high volume traffic, Wilson Drive has areas of surface failure and needs to be repaved.

The administration recommends funding the project with Auxiliary fund balance at a cost not to exceed \$500,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Replace Cooling Towers – Halls 15 and 18**

The cooling towers in the mechanical plant that serves Halls 15 & 18 are old and require extensive maintenance. The replacement cooling towers will be easier to maintain, more reliable and more energy efficient.

The administration recommends funding the project with Auxiliary fund balance at a cost not to exceed \$300,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Installation of Chilled Water Line**

The installation of a chilled water line connecting the power plant at Lumberjack Village to Kerr Hall will allow for cooling redundancy between the mechanical plants that serve Lumberjack Village, Kerr and Griffith Halls. Should one of the mechanical plants fail for any reason, the university could provide chilled water for cooling from the other mechanical plant.

The administration recommends funding the project with Auxiliary fund balance at a cost not to exceed \$200,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Coliseum – Replace Cooling Tower**

The coliseum is served by its own mechanical plant and has no other method to heat or cool the building. The current cooling tower leaks and cannot be repaired, is expensive to maintain and is at the end of its useful life. This project will replace the cooling tower with a modern, more efficient design.

The administration recommends funding the project with Auxiliary fund balance at a cost not to exceed \$200,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Soccer Field Drainage Maintenance**

Lack of sufficient drainage renders the intercollegiate soccer field and other portions on the north end of the intramural complex unusable. Considerable time and expense goes into removing this water in order to use the fields. The resulting muddy conditions are also a health and safety issue for participants. An improved drainage system will help alleviate this situation.

The administration recommends funding the project with Auxiliary fund balance at a cost not to exceed \$175,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Repair and Replace Football Stadium Fencing**

Much of the fencing including gates was installed at Homer Bryce Stadium when the stadium was opened in 1974. Replacing and repairing fencing and gates will improve security of the stadium as well as the appearance of the facility.

The administration recommends funding the project with Auxiliary fund balance at a cost not to exceed \$100,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Electrical System Upgrades – Boynton**

The Boynton Building receives electricity through a high voltage feed into a transformer in the basement of the building. The system is old and difficult to maintain. The upgrade would install a pad-mounted transformer outside the building. The new system will be more reliable and safe.

The administration recommends funding the project with Tuition Revenue Bonds at a cost not to exceed \$300,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Replace Chiller in Forestry**

The chiller in forestry has reached the end of its useful life and is worn out. The project will replace the chiller and associated systems with more efficient equipment.

The administration recommends funding the project with Tuition Revenue Bonds at a cost not to exceed \$200,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Replace Cooling Tower – Fine Arts**

The cooling tower serving the Griffith Fine Arts Building is old and difficult to maintain. The replacement cooling project will be easier to maintain, more reliable and more energy efficient.

The administration recommends funding the project with Tuition Revenue Bonds at a cost not to exceed \$200,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Replace Boiler – Forestry Building**

The boiler in forestry has reached the end of its useful life and is worn out. The project will replace the boiler and associated systems with more efficient equipment.

The administration recommends funding the project with Tuition Revenue Bonds at a cost not to exceed \$120,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Replace Boiler – Fine Arts**

The boiler in Griffith Fine Arts has reached the end of its useful life and is worn out. The project will replace the boiler and associated systems with new more efficient equipment.

The administration recommends funding the project with Tuition Revenue Bonds at a cost not to exceed \$120,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

**Total Capital Infrastructure Plan Project Items**

**\$4,973,650**

## **Capital Operating Plan**

### **Science Microscopes**

138 of the 156 microscopes that serve over 2,200 students each academic year are at least 15 years old and are considered to be obsolete. Parts are no longer manufactured and repairs are not an option. Funding of the \$306,000 would address the majority of the microscope needs and would directly address Strategic Plan Initiative 4:3 – Develop a learner-centered environment by increasing the use of teaching technologies and strategies and active learning opportunities leading to greater student engagement, 1:5 – Enhance excellence in teaching and learning, research, scholarship, creative work, and serve by increasing the number of opportunities for student research and creative work, and 4:4 – Develop a learner-centered environment by establishing a university-wide learning and development outcome in order to measure the “value added” by the SFA student experience.

The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$306,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Television Studio Equipment**

The upgrade is necessary to transition television equipment to digital processing in order to meet federal requirements. Funding of the \$225,000 would address major technical upgrade needs and would specifically address Strategic Plan Initiative 4:3 – Develop a learner-centered environment by increasing the use of teaching technologies and strategies and active learning opportunities leading to greater student engagement, 1:5 – Enhance excellence in teaching and learning, research, scholarship, creative work, and serve by increasing the number of opportunities for student research and creative work, and 4:4 – Develop a learner-centered environment by establishing a university-wide learning and development outcome in order to measure the “value added” by the SFA student experience.

The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$225,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Campus-Wide Surveillance Camera Solution**

The campus-wide surveillance camera solution is designed to centralize and integrate campus surveillance for security purposes. Funding of the \$206,900 would provide processors, storage unit, management software, 50 IP cameras and related equipment needed to begin replacing inoperable or malfunctioning analog cameras on campus and would address Strategic Plan Initiatives 3:3, 3:4 and 6:2 .

The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$206,900. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.



### **Network Infrastructure**

In order to maintain secure, reliable network connectivity and continue expanding network capabilities, it is necessary to upgrade and replace core networking equipment. Funding of \$200,000 for this project will directly address Strategic Plan Initiative 4:3 – Develop a learner-centered environment by increasing use of teaching technologies and strategies and active learning opportunities leading to greater student engagement.

The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$200,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **ITS Capital E&G Funding**

In order to maintain secure, reliable systems and services it is necessary to upgrade and replace aging system hardware and software. Funding of \$200,000 will directly address Strategic Plan Initiative 4:3 – Develop a learner-centered environment by increasing use of teaching technologies and strategies and active learning opportunities leading to greater student engagement.

The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$200,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

### **Cloud Computing Equipment**

Cloud Desktop Computing makes it possible to replace existing desktop computers with client devices that connect to the data center and provide Windows-based sessions to the users. These clients have low power consumption requirements and an eight year life span. The cloud methodology provides for centralized storage and administration and reduces the burden of maintaining traditional desktop computers. Funding of \$200,000 will allow for further deployment of this technology and would directly address Strategic Plan Initiative 4:3 – Develop a learner-centered environment by increasing use of teaching technologies and strategies and active learning opportunities leading to greater student engagement.

The administration recommends funding the project at a cost not to exceed \$200,000 with Higher Education Funds. The administration further recommends that the regents authorize the president to sign associated purchase orders and contracts.

### **Emergency Call Boxes and Alert System**

Emergency call boxes and the Campus Alert System are necessary to help ensure the safety of students, faculty and staff. Funding of the \$183,500 would provide seven pedestal call boxes, four wall-mounted call boxes and associated materials/labor for installation and the annual software license fee for the Rave mobile alert system and would address Strategic Plan Initiative 6:2.

The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$183,500. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

**Campus Master Plan**

On April 19, 2011, the board of regents selected Perkins+Will to develop a campus master plan. The firm has worked with university administration to develop a project scope and budget.

The administration recommends funding the project with Higher Education Funds and budgeted Auxiliary funds at a cost not to exceed \$250,000. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

**Geology Scintrex Gravity Meter**

The Scintrex Gravity Meter is used to teach our Geophysics courses as well as for research. The instrument currently used is borrowed from UTEP. Funding of the \$100,061 would provide the majority of this purchase and would directly address Strategic Plan Initiative 1:5 – Enhance excellence in teaching and learning, research, scholarship, creative work, and serve by increasing the number of opportunities for student research and creative work and 1:7 – Increase the number of partnerships, agreements, and other formal relationships with schools, colleges, universities, businesses, and other organizations – in Nacogdoches, East Texas, in Texas, nationally, and internationally.

The administration recommends funding the project with Higher Education Funds at a cost not to exceed \$100,061. The administration further recommends that the regents authorize the president to sign associated purchase orders and contract.

**Total Capital Operating Plan Project Items    \$1,871,461**

Grants awarded between March 22, 2011 and June 19, 2011  
and 2012 awards as of June 19, 2011

## Award Update FY 2011 (this period)

### New current year awards

Subtotal direct federal	\$166,923
Subtotal federal pass-through	\$979,334
Subtotal state and state pass-through	\$ 59,343
Subtotal private and local government	\$162,668

**Total awards (all years) for new awards (this period)      \$ 862,190**

### Direct Federal Awards

#### *\*McIntire Stennis Cooperative Forestry Research Program FY 11*

FY 2011 Award: \$164,923  
 Total Award: \$164,923 (Grant - partial allocation)  
 Sponsor: US Department of Agriculture  
 Term (this action): October 1, 2010 – September 30, 2012  
 Description: *Funds are allocated for the conduct of forestry research and the necessary expenses of planning and direction of research by schools of forestry.* PI/PD: Dr. Steve Bullard, College of Forestry and Agriculture

#### *\*Improvement and Evaluation for Blueberry Germplasm FYs 11-16*

FY 2011 Award: \$2,000  
 Total Award: \$2,000 (Cooperative Agreement)  
 Sponsor: US Department of Agriculture  
 Term (this action): June 1, 2011 – May 31, 2016  
 Description: *Funds are provided to evaluate genetically enhanced germplasm for cultivated blueberries, with emphasis directed toward cultural and climatic adaptability for the southern United States, increased winter hardiness, extension of the harvest season, and the potential for mechanical harvesting.* PI/PD: Dr. David Creech, Department of Agriculture

***Subtotal Current Year Awards (this report) = \$166,923***  
***Subtotal New Direct Federal Awards (total award) = \$166,923***

### Federal Pass-through Awards

#### *\*Online Professional Development Plan for Food Science*

FY 2011 Award: \$150,000  
 Total Award: \$150,000 (Interagency Vendor Contract)  
 Sponsor: Texas Education Agency (US Department of Education)  
 Term (this action): September 1, 2010 – August 31, 2011

*\*New awards*

*Prepared by the Office of Research & Sponsored Programs*

Grants awarded between March 22, 2011 and June 19, 2011  
and 2012 awards as of June 19, 2011

Description: *This contract provides funds to create an online professional course in food science that will be developed in a self-service format. PI/PD: Dr. Carol Bradley, School of Human Sciences*

***\*Effective Strategies for Middle and High School Science Field Investigators***

FY 2011 Award: \$7,000  
Total Award: \$7,000 (Subcontract)  
Sponsor: The University of Texas at Tyler (US Department of Education)  
Term (this action): April 1, 2011 – August 31, 2011  
Description: *This subcontract provides funds to SFA to participate in the Ingenuity Center T-STEM project at UT-Tyler by providing professional development opportunities for middle and high school teachers to enrich STEM curricula and increase student engagement. PI/PD: Ms. Elyce Rodewald, Department of Agriculture*

***\*Curriculum Work in Support of Geriatric Education Centers FY11***

FY 2011 Award: \$3,000  
Total Award: \$3,000 (Interagency Vendor Contract)  
Sponsor: The University of Texas Medical Branch – Galveston (US Department of Health and Human Services)  
Term (this action): July 1, 2010 – June 30, 2011  
Description: *Funds are provided to spearhead curricular development and infusion activities and Social Work faculty development efforts at SFA for UTMB's Geriatric Education Center grant. PI/PD: Dr. Wilma Cordova, School of Social Work*

**Previously Described Awards**

***ARRA - Building Efficiency and Retrofit Revolving Loan Program Phase II (Loan Proceeds)***

FY 2011 Award: \$767,843 (additional FY estimate) Total Award: \$7,427,500

***Angelina-Nacogdoches Partnership Phase II***

FY 2011 Award: \$31,516 (additional award) Total Award: \$300,577

***The Cloning and Biochemical Characterization of the Proly-endoprotease from Eurogaster integriceps (Sunn Pest)***

FY 2011 Award: \$19,975 (additional award) Total Award: \$66,039

***Subtotal Current Year Awards (this report) = \$979,334***  
***Subtotal New Federal Pass-through Awards (total award) = \$160,000***

**State and State Pass-through Awards**

***\*At-risk Nursing Student Tracking and Intervention Project***

FY 2011: \$37,500  
Total Award: \$300,000 (Grant)  
Sponsor: TX Higher Education Coordinating Board  
Term (this action): June 1, 2011 – May 31, 2013

*\*New awards*

*Prepared by the Office of Research & Sponsored Programs*

Grants awarded between March 22, 2011 and June 19, 2011  
and 2012 awards as of June 19, 2011

Description: *This grant provides funding for the statewide management and analysis of data for nursing programs participating in the statewide At-risk Student Tracking and Intervention Project. The SFA Statistical Consulting Center will provide pre- and post-grant analysis of intervention efficacy related to the attrition status of participating nursing students. PI/PD: Dr. Glenda Walker, School of Nursing*

**\*Nacogdoches Naturally – Community Outdoor Outreach Program (COOP) FY11**

FY 2011 Award: \$17,518  
Total Award: \$42,042 (Interagency Agreement)  
Sponsor: Texas Parks and Wildlife  
Term (this action): April 11, 2011 – October 15, 2012  
Description: *Funds are provided to administer Nacogdoches Naturally, an environmental education program which serves 250 participants, including physically and mentally challenged youth, and utilizes Texas State Parks and/or other TPWD approved facilities. PI/PD: Ms. Elyce Rodewald, School of Forestry and Agriculture*

**\*NEC4 Statistical Analysis for LU's SUCCESS Project**

FY 2011: \$4,325  
Total Award: \$4,325 (Interagency Vendor Contract)  
Sponsor: Lamar University (TX Higher Education Coordinating Board)  
Term (this action): August 1, 2010 – August 31, 2011  
Description: *This contract provides funds to the SFA Statistical Consulting Center to provide statistical analysis for the SUCCESS nursing project at Lamar University. PI/PD: Dr. Greg Miller, Department of Mathematics and Statistics*

**Subtotal Current Year Awards (this report) = \$59,343**

**Subtotal New State/State Pass-through Awards (total award) = \$346,367**

**Private and Local Government Awards**

**\*Buck Forage Research, Development and Education Program**

FY 2011 Award: \$50,000  
Total Award: \$150,000 (Fixed Price Contract)  
Sponsor: Buck Forage Products  
Term (this action): May 15, 2009 – May 14, 2012  
Description: *This contract provides funding to expand research and testing for Buck Forage Oat varieties and Chicory across a broader geographic basis; support and cooperate LSU's cereal grain breeding program in evaluating new varieties of oats and chicory; develop electric fencing strategies for food plots for rotation grazing, forage banking and hunting strategies; and develop and initiate a public education and demonstration program. PI/PD: Dr. James Kroll, School of Forestry*

**\*Economics, Energy, and the Environment Graduate Course**

FY 2011: \$30,000  
Total Award: \$30,000 (Fixed Price Contract)  
Sponsor: Luminant Power

*\*New awards*

*Prepared by the Office of Research & Sponsored Programs*

Grants awarded between March 22, 2011 and June 19, 2011  
and 2012 awards as of June 19, 2011

Term (this action): May 1, 2011 – August 31, 2011  
 Description: *Funds are provided for 30 teachers in the Region 7 ESC Collaborative to attend the Energy, Economics and the Environment Summer Institute Graduate Course offered by SFA. PI/PD: Dr. Alan Sowards, Department of Elementary Education*

***\*Evaluation and Comparison of Growth and Reproductive Performance in Beefmaster and Angus Cattle***

FY 2011 Award: \$3,708  
 Total Award: \$8,900 (Grant)  
 Sponsor: Beefmaster Breeders United  
 Term (this action): April 4, 2011 – August 31, 2011  
 Description: *This grant provides funds to research the differences in growth, carcass performance, reproductive performance and longevity in Beefmaster and Angus cattle, as well as examine the relationship between reproductive performance and longevity and maternal and reproductive traits from DNA genotyping. PI/PD: Dr. Erin Brown, Department of Agriculture*

**Previously Described Awards**

***Integration of Dilute Acid Pretreatment and Enzymatic Hydrolysis***

FY 2011 Award: \$4,075 (additional award)      Total Award: \$219,500

***Vegetative Community Development on Reclaimed Coal Mine Land in East Texas***

FY 2011 Award: \$2,031 (additional award)      Total Award: \$114,734

***SFA Mathematics, Science and Technology (MST) Academy – ISD Cash Match***

FY 2011 Award: \$20,000 (additional match)      Total Cash Match: \$75,000

***AHEC Special Projects***

FY 2011 Award: \$21,560 (additional award)      Total Award: \$49,910

***Loblolly and Slash Pine Growth Response to Bedding, Ripping, Subsoiling, and Planning Combinations***

FY 2011 Award: \$5,294 (additional award)      Total Award: \$29,294

***Comparison Study of Supplementing Hy-D in the Starter Diet Only versus All Diets in Commercial Broiler Chickens for Two Consecutive Flocks***

FY 2011 Award: \$17,000 (additional award)      Total Award: \$27,000

***Energy, Economics and the Environment Graduate Course (Region 7 ESC)***

FY 2011 Award: \$9,000 (renewal)      Total Award: \$21,000

***Subtotal Current Year Awards (this report) = \$162,668***  
***Subtotal New Private/Local Government Awards (total award) = \$188,900***

Grants awarded between March 22, 2011 and June 19, 2011  
and 2012 awards as of June 19, 2011

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**Current Year Awards for Fiscal Year 2012 – as of June 19, 2011**

Subtotal direct federal	\$ 1,480,036
Subtotal federal pass-through	\$ 7,247,156
Subtotal state and state pass-through	\$ 496,977
Subtotal private and local government	\$ 264,133

<b>Total awards (all years) new/continuing in FY 12</b>	<b>\$ 28,175,307</b>
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**Direct Federal Awards**

**Previously Described Awards**

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

FY 2012 Award:	\$297,959	Total Award:	\$1,494,187
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***CERT-Prep ELL: Consortium for Excellence in Rural Teacher Preparation for English Language Learners***

FY 2012 Award:	\$233,225	Total Award:	\$1,488,766
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***Pilot Study: ENLACE - English Language Acquisition Center for Excellence***

FY 2012 Award:	\$233,140	Total Award:	\$1,434,108
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***Vocational Rehabilitation Counselor Training FY11-15***

FY 2012 Award:	\$150,000	Total Award:	\$750,000
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***Texas Middle and Secondary Mathematics Project - Noyce supplemental funds***

FY 2012 Award:	\$134,590	Total Award:	\$581,821
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***Orientation and Mobility for the Blind Training Program***

FY 2012 Award:	\$100,000	Total Award:	\$500,000
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***Virtual Reach: A Pilot Collaborative for Head Start Employees Seeking the Baccalaureate***

FY 2012 Award:	\$81,321	Total Award:	\$330,011
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***Identification of Selective Cytotoxic Eryngiosides from Eryngium L.***

FY 2012 Award:	\$147,273	Total Award:	\$280,800
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***Stewardship Communication Materials for Gulf of Mexico Natural Resource Topics***

FY 2012 Award:	\$51,923	Total Award:	\$135,000
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***UTMOST: Undergraduate Teaching in Mathematics with Open Software and Textbooks***

FY 2012 Award:	\$24,754	Total Award:	\$45,986
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\*New awards

Prepared by the Office of Research & Sponsored Programs

Grants awarded between March 22, 2011 and June 19, 2011  
and 2012 awards as of June 19, 2011

***A Photographic Exhibit of El Camino Real de los Tejas National Historic Trail***

FY 2012 Award:	\$5,172	Total Award:	\$30,000
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***An Investigation of Chytridiomycosis and Amphibian Declines in East Texas***

FY 2012 Award:	\$4,528	Total Award:	\$20,000
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***El Camino Real de los Tejas Oral History Research Project from the Sabine River to the Angelina River, Texas. Phase III***

FY 2012 Award:	\$8,844	Total Award:	\$19,296
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***El Camino Real 101 Education Workshops***

FY 2012 Award:	\$4,307	Total Award:	\$12,312
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***Subtotal Current Year Awards (this report) = \$1,477,036***  
***Subtotal New State/State Pass-through Awards (total award) = \$0***

**Federal Pass-through Awards**

***\*Education Jobs Fund – SFA Charter School FY 12 (Recovery Act Funds)***

FY 2011 Award:	\$43,915
Total Award:	\$43,915 (Formula Grant)
Sponsor:	Texas Education Agency (US Department of Education)
Term (this action):	August 10, 2010 – September 30, 2012
Description:	<i>Grant funds are used to provide compensation, benefits and other expenses, such as support services, necessary to retain existing school-level employees, to recall or rehire former school-level employees, and to hire new school-level employees, in order to provide early childhood, elementary, or secondary educational and related services. PI/PD: Ms. Lysa Hagan, Department of Elementary Education</i>

**Previously Described Awards**

***ARRA - Building Efficiency and Retrofit Revolving Loan Program Phase I (Loan Proceeds)***

FY 2012 Award:	\$3,917,184	Total Award:	\$9,817,961
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***ARRA - Building Efficiency and Retrofit Revolving Loan Program Phase II (Loan Proceeds)***

FY 2012 Award:	\$2,945,907	Total Award:	\$7,427,500
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***Avian Community Dynamics in Bottomland Hardwood Forests of East Texas***

FY 2012 Award:	\$117,590	Total Award:	\$452,320
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***Angelina-Nacogdoches Partnership Phase II***

FY 2012 Award:	\$84,041	Total Award:	\$300,577
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***SHRT - Women of Color Grant Evaluation (WoC)***

FY 2012 Award:	\$50,000	Total Award:	\$250,000
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*\*New awards*

*Prepared by the Office of Research & Sponsored Programs*



Grants awarded between March 22, 2011 and June 19, 2011  
and 2012 awards as of June 19, 2011

***Development of a Watershed Protection Plan for Attoyac Bayou***

FY 2012 Award:	\$64,783	Total Award:	\$194,348
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***Assessment of Population Status and Evaluation of Suitable Habitats for Louisiana Black Bear (*Ursus americanus luteolus*) in East Texas***

FY 2012 Award:	\$1,485	Total Award:	\$91,760
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***Evaluating the Effectiveness of a NASA-led Effort to Build Climate Literacy among NPS & FWS Educators: NASA Earth to Sky II - FY10-12***

FY 2012 Award:	\$20,634	Total Award:	\$60,017
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***Dwarf Turf-Type and Early Maturing Annual Ryegrass to Establish Perennial Vegetation***

FY 2012 Award:	\$4,617	Total Award:	\$9,234
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***Subtotal Current Year Awards (this report) = \$7,250,156***  
***Subtotal New Federal Pass-through Awards (total award) = \$43,915***

**State and State Pass-through Awards**

**Previously Described Awards**

***SFA Mathematics, Science, and Technology (MST) Academy***

FY 2012 Award:	\$200,000	Total Award:	\$898,441
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***At-Risk Nursing Student Tracking and Intervention Project***

FY 2012 Award:	\$150,000	Total Award:	\$300,000
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***Master College Readiness Special Advisor 2010-2011***

FY 2012 Award:	\$80,000	Total Award:	\$240,000
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***Developing a Large Woody Debris Budget for the San Antonio River***

FY 2012 Award:	\$30,000	Total Award:	\$50,000
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***Nacogdoches Naturally - Community Outdoor Outreach Program (COOP) FY 11***

FY 2012 Award:	\$24,525	Total Award:	\$42,042
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***Fish/Mussel Distribution/Habitat Relative to Toledo Bend Reservoir***

FY 2012 Award:	\$5,000	Total Award:	\$38,400
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***Evaluation and Electrostatic Particle Ionization (EPI) and BioCurtain (BC) Technologies to Reduce Dust, Odor, and Other Pollutants from Broiler Houses***

FY 2012 Award:	\$7,452	Total Award:	\$23,287
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***Subtotal Current Year Awards (this report) = \$496,977***  
***Subtotal New State/State Pass-through Awards (total award) = \$0***

\*New awards

Prepared by the Office of Research & Sponsored Programs

Grants awarded between March 22, 2011 and June 19, 2011  
and 2012 awards as of June 19, 2011

**Private and Local Government Awards**

***\*Welch Chemistry Departmental Research FY12***

FY 2012 Award: \$35,000  
 Total Award: \$35,000 (Grant)  
 Sponsor: Robert A. Welch Foundation  
 Term (this action): June 1, 2011 – May 31, 2012  
 Description: *Funds from this research award to the Chemistry Department will be used to award scholarships to undergraduate students, to give summer fellowships to graduate students, to purchase expendable supplies, and to repair instruments.*  
 PI/PD: Dr. Michael Janusa, Department of Chemistry

***\*Economics Reading Group***

FY 2012 Award: \$7,000  
 Total Award: \$7,000 (Grant)  
 Sponsor: Charles G. Koch Foundation  
 Term (this action): September 1, 2011 – August 31, 2012  
 Description: *Grant funds are provided to support an economics reading group, including scholarships for students interested in pursuing a degree in economics.*  
 PI/PD: Dr. Ryan Phelps, Department of Economics and Finance

**Previously Described Awards**

***Beaumont Foundation of America Scholarships***

FY 2012 Award:	\$82,500	Total Award:	\$273,000
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***Buck Forage Research, Development and Education Program***

FY 2012 Award:	\$37,500	Total Award:	\$150,000
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***Bilingual Social Work Scholarship Program***

FY 2012 Award:	\$44,015	Total Award:	\$103,260
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***James I. Perkins Family Research Associates in Elementary Education***

FY 2012 Award:	\$15,000	Total Award:	\$75,000
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***Mathematics, Science, and Technology (MST) Academy - ISD MATCH***

FY 2012 Award:	\$12,000	Total Award:	\$75,000
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***Lake Naconiche: Wetlands Monitoring***

FY 2012 Award:	\$5,862	Total Award:	\$30,608
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***Louisiana Black Bear Habitat Evaluation***

FY 2012 Award:	\$7,564	Total Award:	\$19,200
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*\*New awards*

*Prepared by the Office of Research & Sponsored Programs*

Grants awarded between March 22, 2011 and June 19, 2011  
and 2012 awards as of June 19, 2011

***Union Spring Cemetery Mapping***

FY 2012 Award:	\$9,375	Total Award:	\$18,750
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***Longleaf Pine Data Collection - Research Internship***

FY 2012 Award:	\$3,125	Total Award:	\$17,500
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***Evaluation and Comparison of Growth and Reproductive Performance in Beefmaster and Angus Cattle***

FY 2012 Award:	\$5,192	Total Award:	\$8,900
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***Subtotal Current Year Awards (this report) = \$264,133***

***Subtotal New Private and Local Government Awards (total award) = \$42,000***

***Note:***

- *Amounts are based on award notices as they are received from the funding agency, not expenditures or balances in funds/accounts. Some current year awards are estimates based on the total amount awarded spread over the award period.*
- *Does not include non-grant financial aid or gift accounts.*

**Stephen F. Austin State University  
Capital Plan  
Fiscal Year 2011-12**

<b>Capital Infrastructure Projects</b>	<b>HEF</b>	<b>Budgeted Auxiliary Funds</b>	<b>Auxiliary Fund Balance</b>	<b>Tuition Revenue Bonds</b>	<b>Total</b>
Theater Remodeling and Renovation	475,000				475,000
Air Handler Replacement	251,950				251,950
E&G HVAC UV Lighting	288,200				288,200
E&G Chiller Replacement and Repair	275,000				275,000
Elevator Renovations	195,500				195,500
Turner Auditorium Recarpeting	103,000				103,000
Steen Hall Shower Replacement		209,000			209,000
Steen Hall Carpet Replacement		200,000			200,000
Steen Hall Furniture Replacement		561,000			561,000
Repave Wilson Drive			500,000		500,000
Replace Cooling Towers - Halls 15 and 18			300,000		300,000
Installation of Chilled Water Line			200,000		200,000
Coliseum- Replace Cooling Tower			200,000		200,000
Soccer Field Drainage Maintenance			175,000		175,000
Repair and Replace Football Stadium Fencing			100,000		100,000
Electrical System Upgrades - Boynton				300,000	300,000
Replace Chiller in Forestry				200,000	200,000
Replace Cooling Tower - Fine Arts				200,000	200,000
Replace Boilers - Forestry Bldg				120,000	120,000
Replace Boiler - Fine Arts				120,000	120,000
<b>Total Major Capital Infrastructure Projects</b>	<b>1,588,650</b>	<b>970,000</b>	<b>1,475,000</b>	<b>940,000</b>	<b>4,973,650</b>

**Capital Operating Plan Items**

Science Microscopes	306,000				306,000
Television Studio Equipment	225,000				225,000
Campus Wide Surveillance Camera Solution	206,900				206,900
Network Infrastructure	200,000				200,000
ITS Capital E&G Funding	200,000				200,000
Cloud Computing Equipment	200,000				200,000
Emergency Call Boxes and Alert System	183,500				183,500
Campus Master Plan	125,000	125,000			250,000
Geology Scintrex Gravity Meter	100,061				100,061
<b>Total Major Capital Operating Plan Items</b>	<b>1,746,461</b>	<b>125,000</b>			<b>1,871,461</b>

**Stephen F. Austin State University**  
**Proposed Allocation of the Higher Education Fund (HEF)**  
**Fiscal Year 2011-12**

<b>Higher Education Fund Appropriation</b>	<b>8,425,937</b>
<b>HEF Bond Proceeds Available for Debt Service</b>	<b>985,679</b>
<b>Total HEF Distribution Amount</b>	<b>9,411,616</b>
Debt Service	1,298,625
Academic Capital Equipment	1,250,000
Library Materials Acquisition	1,250,000
E&G Capital Expenditures - Microcomputer Replacement Deferral	1,000,000
Contingency	724,025
Theater Remodeling - Upstage, Laundry Room, and Design Studio	475,000
Science Microscopes	306,000
Installation of HVAC UV Lighting for E&G Academic and Administrative Buildings	288,200
Chiller Replacement - Human Sciences Buildings and Chiller Repair and Maintenance	275,000
E&G Air Handler Replacement	251,950
Television Studio Equipment	225,000
Campus Wide Surveillance Camera Solution	206,900
Network Infrastructure	200,000
ITS Capital E&G Funding	200,000
Cloud Computing Equipment	200,000
Elevator Renovation - Miller Scienc, McKibben, and Liberal Arts North	195,500
Emergency Call Boxes and Alert System	183,500
Campus Master Plan - E&G	125,000
Carpet and Furnishings for Turner Auditorium	103,000
Geology Scintrex Gravity Meter	100,061
Street Paving and Repair	75,000
Mechanical Plant 2 Refrigerant Monitors and Life Safety Devices	72,500
Beef Farm Fencing, Pen Construction and Water Metering	67,375
McKibben Building Office Space Relocation	65,000
Piney Woods Conservation Center Roof, Gutter and Tile Flooring Replacement	52,000
Automatic External Defibrillators	51,980
HPE Complex - Shelton Floor Resurface	50,000
Controller's Office Carpet Replacement and Renovation	50,000
University Police Patrol Vehicles	50,000
Quinton Q-Stress Cardiac Testing System	20,000
<b>Total HEF Allocation</b>	<b>9,411,616</b>

**Policies for Board Review  
July 19, 2011**

<b>Policy Name</b>	<b>Policy Number</b>	<b>BOR Cte</b>	<b>Action/Change</b>	<b>Page Number</b>
Academic Chair/Director Teaching Load	E-7A	ASA	Major rewrite	P-4
Academic Integrity	A-9.1	ASA	Major rewrite	P-6
Acceptable Use of Information Resources	F-40	ASA	Disclaimer added to emails of personal nature	P-9
Class Attendance and Excused Absence	A-10	ASA	Major rewrite	P-13
Commencement	A-11	ASA	Minor wording changes	P-15
Copywrited Works Reproduction	A-12	ASA	Major rewrite	P-16
Discrimination Complaints/Sexual Harassment	E-46	ASA	Major rewrite	P-25
Emeritus	E-14A	ASA	Emeritus professor rank conferred by BOR; administrative emeritus rank given by president	P-37
Faculty Code of Conduct	E-72	ASA	Added licensure/certifications, convictions of criminal or civil offenses	P-39
Firearms, Explosives and Ammunition	D-14	BG	Clarified process for requesting permission	P-41
Grants and Contracts Administration	A-56	ASA	References added to Grants and Contracts Procedural Manual	P-42
Hazing	D-16	ASA	Minor wording changes; updated references	P-43
Illicit Drugs and Alcohol Abuse	D-19	ASA	Broadening of tailgating events	P-46

<b>Policy Name</b>	<b>Policy Number</b>	<b>BOR Cte</b>	<b>Action/Change</b>	<b>Page Number</b>
Intellectual Property	D-20	ASA	Minor wording changes; updated references	P-55
Intellectual Property Rights for Distance Education	D-20A	ASA	Major rewrite	P-65
Items Requiring Board of Regents Approval	D-20.5	FA	Clarification of fee approval requirements	P-73
Laboratory Fees	A-24	ASA	Minor wording changes	P-77
Off-campus Credit Courses	A-34	ASA	Minor wording changes	P-78
Out-of-state Electronic Fee	C-52	ASA	Minor wording changes	P-80
Parking and Traffic Regulations	D-24	ASA	Clarification of faculty/staff auto permit fees and faculty/student motorcycle permit fees.	P-81
Petitions and Handbills	D-25	BG	Minor wording changes	P-107
Property Liability	B-34	FA	Updated references	P-109
Public Student Health	D-26	ASA	Updated references	P-111
Receipts and Deposits	C-5	FA	Major rewrite	P-113
Satisfactory Academic Progress for Financial Aid Recipients	A-40	ASA	Major rewrite	P-125
Signs and Exhibits	D-31	BG	Minor edits	P-129
Student Account Receivables	C-59	FA	Minor wording changes; updated references	P-134

<b>Policy Name</b>	<b>Policy Number</b>	<b>BOR Cte</b>	<b>Action/Change</b>	<b>Page Number</b>
Student Conduct Code	D-34.1	ASA	Minor wording changes	P-141
Student ID Cards	F-27	ASA	Major rewrite	P-147
Time Reporting-Timekeeping System	E-52N	ASA	Major rewrite	P-149
Travel	C-49	FA	Clarification of policies for end of fiscal year	P-154
Turner Auditorium	B-28	BG	Major rewrite	P-164
Use of Amplified Sound on Campus Grounds	D-21	BG	Limits approval on weekdays or when classes in session	P-174
Vacation/Sick Leave, Report	E-54	ASA	Major rewrite	P-175
Year-End Purchasing	C-40	FA	Minor updates	P-177



## Academic *Unit* Chair/Director Teaching Load (E-7A)

**Original Implementation:** May 24, 1979

**Last Revision:** July 15, 2008/July 19, 2011

The teaching load of academic *unit* chairs/directors shall be determined annually by the college dean in consultation with the academic chair/director based on the changing needs and objectives of the *unit*/department/school. Such factors as number of faculty (full-time equivalent [F-T-E]), number of majors, and complexity of the department/school/*unit* shall be considered in determining the teaching load of the academic chair/director for the full contract year (September 1 through August 31).

One hypothetical possible example for the total number of required semester hours (that can be a combination of lecture, lab, or other type of instruction) to be taught by the chair/director, which incorporates only the number of FTE faculty members (F-T-E) in a given academic *unit*/department/school, is provided below:

Number No. of F-T-E (Including Chair/Director)	Calendar Year (12-MMonth Appointment)	Calendar Year (11-Mmonth Appointment)
1 - 10	Combination of lecture, lab, or other type of instruction of 20-21 semester credit hours taught within the full academic year (September 1 thru August 31).	Combination of lecture, lab, or other type of instruction of 17-18 semester credit hours taught within the full academic year (September 1 thru August 31).
11 - 15	Combination of lecture, lab, or other type of instruction of 18 semester credit hours taught within the full academic year (September 1 thru August 31).	Combination of lecture, lab, or other type of instruction of 14-15 semester credit hours taught within the full academic year (September 1 thru August 31).
Above 15	Combination of lecture, lab, or other type of instruction of 15 semester credit hours taught within the full academic year (September 1 thru August 31).	Combination of lecture, lab, or other type of instruction of 11-12 semester credit hours taught within the full academic year (September 1 thru August 31).

See also Departmental Administration (E-10A) for details regarding responsibilities, selection, and evaluation.

**Cross Reference:** Departmental Administration (E-10A)

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

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

**Forms:** None

***Board Committee Assignment:*** *Academic and Student Affairs*

## ***Student Academic Integrity (A-9.1)***

**Original Implementation:** Unpublished

**Last Revision:** ~~January 29, 2008~~ July 19, 2011

*Abiding by university policy on academic integrity* ~~Academic integrity~~ is a responsibility of all university faculty and students. Faculty members *must promote the components of academic integrity in their instruction, and c* ~~in multiple ways including instruction on the components of academic honesty, as well as abiding by university policy on penalties for cheating and plagiarism.~~

### Education

~~Faculty members are responsible for providing information about academic integrity and education for maintaining academic honesty during their regular coursework. Course syllabi are required to provide information about penalties for cheating and plagiarism as well as~~ penalties and the appeal process.

### Definition of Academic Dishonesty

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

- ~~(1) using~~ or attempting to use unauthorized materials to aid in achieving a better grade on a component of a class;
- ~~(2) the falsification~~ or invention of any information, including citations, on an assignment; ~~ed exercise~~; and/or,
- ~~(3) helping~~ or attempting to help another in an act of cheating or plagiarism.

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

- ~~are (1) submitting~~ an assignment as if it were one's own work when, in fact, it is at least partly the work of another;
- ~~(2) submitting~~ a work that has been purchased or otherwise obtained from ~~the an~~ Internet ~~source~~ or another source; and,
- ~~(3) incorporating~~ the words or ideas of an author into one's paper *or presentation* without giving the author due credit.

### Procedure for Addressing Student Academic Dishonesty

A faculty member who has evidence and/or suspects that academic dishonesty has occurred shall gather all pertinent information, approach the student(s) ~~or students~~ involved, and initiate the following procedure:

- The faculty member shall review all evidence of cheating or plagiarism and discuss it directly with the student(s) involved. *The faculty member shall inform the student(s) of the procedure for addressing academic dishonesty, as well as the appeals process.*
- -After hearing the student(s)' explanation or defense, the faculty member will determine whether or not academic dishonesty has occurred and will *inform the student(s)* ~~decide~~ what action will be taken. *Penalties may include reprimand, no credit for the assignment or exam, re-submission of the work, make-up exam, or failure of the course.* ~~penalty will be imposed.~~ The faculty member *may* ~~will~~ consult with ~~the~~ *his/her* academic unit chair/director and dean in making these decisions. ~~Penalties may include reprimand or no credit for the assignment or exam, or re-submission of the paper, or make-up exam, or failure of the course.~~
- After a determination of academic dishonesty, the faculty member shall notify the office of the dean of the student's major by submitting a Report of Academic Dishonesty ~~form~~, along with supporting documentation as noted on the form. This report shall be made part of the student's record and shall remain on file with the dean's office for at least four years.
- ~~The faculty member shall also inform the student of the appeals process available to all SFA students. (Academic Appeals by Students, policy A-2).~~ Upon second or subsequent offenses, the dean of the student's major will determine a course of action, *which may include dismissal from the university. The dean may refer the case to .* ~~Actions may include referring the case to the college council for review and recommendations before making this determination.-~~

### The Student File

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

Students who are found to have demonstrated academic dishonesty and have withdrawn prior to the award of a grade will continue to have the determination of the infraction within their student records.

### Student Appeals

A student who wishes to appeal decisions related to academic integrity *should* follow procedures outlined in Academic Appeals of Students (A-2).

**Cross Reference:** Student Handbook; Academic Appeals by Students (A-2); and Add/Drop (A-5)

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

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

**Forms:** Report of Academic Dishonesty Form

***Board Committee Assignment:*** *Academic and Student Affairs*

## **Acceptable Use of *Electronic* Information Resources (F-40)**

**Original Implementation:** July 25, 2002

**Last Revision:** ~~July 21, 2009~~ July 19, 2011

### **STATEMENT**

Stephen F. Austin State University (SFA) supports the responsible use of its *electronic* information resources. SFA's information resources include, but are not limited to, computers, servers, wired and wireless networks, computer-attached devices, network-attached devices, voice systems, cable systems, and computer applications. The use of information resources is for SFA academic activities, research and public service. Access to SFA's information resources is, however, a privilege. All users of information resources should act responsibly to maintain the integrity of these resources.

Furthermore, all users shall abide by all existing SFA codes of conduct as well as local, state, and federal statutes. SFA reserves the right to limit, restrict, or extend privileges and access to its resources.

### **RESPONSIBILITIES**

- It is the responsibility of all individuals using SFA's information resources to protect the privacy of their account(s). Personal account information should not be released to friends, relatives, roommates, etc. Users are responsible for the security of their passwords. Passwords should be changed on a regular basis.
- All individuals using SFA information resources are prohibited from using a computer account for which they are not authorized, or obtaining a password for a computer account not assigned to them.
- The owner or designated assignee of a computer that is attached to the SFA network is responsible for both the security of the computer system and for any intentional or unintentional activities from or to the network connections. Owners or designated assignees are responsible for all network activity originating from their equipment, regardless of who generates it.
- Any person operating a network-intensive application or a defective computer that causes network overload shall be notified, and steps shall be taken to protect other users and the overall SFA network. This may include disconnecting the defective computer system from the network until the problem is resolved. If the condition is an imminent hazard to the SFA network or disrupts the activities of others, the defective computer system or the subnet to which it is attached may be disabled without notice. The operator of the defective computer system shall be expected to follow instructions from networking staff for securing the machine.
- Any person using e-mail should not send ~~unnecessary~~ ~~excessive~~ e-mails, attachments, or messages locally or over the network.
- The content of any files or services made available to others over the network is the sole responsibility of the person with ownership of and/or administrative authority over the computer providing the service. It is this person's responsibility

- to be aware of all applicable federal and state laws, as well as SFA policies. This person shall be liable for any violations of these laws and policies.
- It is the responsibility of every person using SFA's information resources to refrain from engaging in any act that may seriously compromise, damage, or disrupt the operation of computers, terminals, peripherals, or networks. This includes, but is not limited to, tampering with components of a local area network (LAN) or the backbone, blocking communication lines, interfering with the operational readiness of a computer, creating/operating unsanctioned servers or personal Web (NAT, DHCP or BOOTP servers included) or File Transfer Protocol (FTP) sites, or delivering unsanctioned streaming audio, video, high bandwidth gaming, or high bandwidth video conferencing. Users should refrain from using an IP address not specifically assigned to them and should not attempt to create unauthorized network connections or unauthorized extensions, or re-transmitting any computer or network services.
  - *All email messages of a personal nature sent by faculty, staff, and retirees using an SFA email address must contain the following disclaimer: "The views and opinions expressed in this message are my own and do not necessarily reflect the views and opinions of Stephen F. Austin State University, its Board of Regents, or the State of Texas."*
  - All breaches of system security shall be reported immediately to networking personnel.

## INFRACTIONS

Examples of infractions include, but are not limited to:

- Circumventing or attempting to circumvent data protection schemes or exploiting security loopholes.
- Running programs that attempt to identify passwords, weaknesses in the SFA system, or other security codes.
- Attempting to monitor or tamper with another user's data communications or network traffic, or reading, copying, changing, or deleting another user's files or software without the explicit agreement of the owner.
- Knowingly running or installing on any computer system or network, or giving to another user, a program intended to damage or to place an excessive load on a computer system or network. This includes, but is not limited to, programs known as computer viruses, Trojan horses and worms.
- Using SFA computer resources for private business or commercial activities (except where such activities are otherwise permitted or authorized), fundraising or advertising on behalf of non-SFA organizations, reselling of SFA computer resources; and using SFA's name in an unauthorized manner.
- Engaging in unlawful communications, including threats of violence, obscenity, child pornography and harassing communications.
- Attempting to alter any SFA computing or networking components (including, but not limited to, switches, routers and data/phone/cable TV wiring) without authorization or beyond one's level of authorization.

- Failing to comply with requests from appropriate SFA officials to discontinue activities that threaten the operation or integrity of computers, systems, networks, or otherwise violate this policy.

## **PENALTIES**

Misuse of computing, networking, or information resources may result in the loss of computing privileges, as well as other disciplinary action.

## **PRIORITIES**

When demand for computing resources exceeds available capacity, priorities for their use shall be enforced. The priorities for use of computing resources are:

- Highest: Uses that directly support the educational, research and service missions of SFA.
- Medium: Uses that indirectly benefit the education, research and service missions of SFA, as well as reasonable and limited personal communications.
- Lowest: Recreational use, including game playing and general browsing.
- Forbidden: Uses listed in the Infractions section of this policy, as well as breaches of the Responsibilities section not specifically listed under the Infractions section.

SFA may enforce these priorities by restricting or limiting usages in circumstances where their demand and limitations of capacity impact or threaten ~~to impact~~ usages of higher priority.

## **IMPLIED CONSENT & LIABILITY RELEASE**

All individuals with access to SFA computing resources are responsible for their appropriate use. Such use constitutes an agreement to comply with applicable SFA policies and regulations, with applicable city, state, and federal laws and regulations, and with applicable policies of the affiliated networks and systems.

Each person requesting service from an SFA Telecommunications and Networking technician for equipment owned by a person or entity other than SFA must acknowledge and accept the following liability release before the technician provides the requested service:

By accepting technical support from the Telecommunications and Networking staff, I expressly waive all claims against SFA and its agents for any damages to my computer system or data that are incidental to the technical support rendered by Telecommunications and Networking. I understand that the technical support I receive from Telecommunications and Networking may void manufacturer warranties and I understand that Telecommunications and Networking offers no verbal or written warranty, either expressed or implied, regarding the success of this technical support. I



understand that I have the right not to accept support from Telecommunications and Networking staff and to seek technical assistance elsewhere.

**Cross Reference:** None

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

**Contact for Revision:** Director of Information Technology Services

**Forms:** None

***Board Committee Assignment:*** *Academic and Student Affairs*

## ***Class Attendance and Excused Absence (A-10)***

**Original Implementation:** November 9, 1981

**Last Revision:** ~~July 15, 2008~~ July 19, 2011

### **Class Attendance**

Regular and punctual attendance is expected for all classes, laboratories, and other activities for which a student is registered. ~~For those classes where attendance is a factor in the course grade, instructors shall make their class Attendance policies shall be stated known on the syllabus. in writing during the first week of the term.~~ For those classes where attendance is a factor in the course grade, ~~and shall maintain an accurate record of attendance shall be maintained.~~ Regardless of attendance, the student is responsible for course content and assignments.

### **Excused Absences**

Students may be excused from attendance for ~~certain~~ reasons ~~such as, among these are absences related to health, family emergencies, or~~ and student participation in ~~certain approved~~ university-sponsored events. However, students are responsible for notifying their instructors in advance, whenever possible, for excusable absences.

Students are responsible for providing *satisfactory documentation in a timely manner* ~~timely documentation satisfactory~~ to the instructor for each absence. *Whether absences are excused or unexcused, a student is still responsible for all course content and assignments.* Students with acceptable excuses may be permitted to make up work ~~for absences for a maximum of three weeks' worth of absences during a semester or one week of a summer term, depending on the nature of the missed work. Make up work must be completed as soon as possible after returning from an absence in accordance with the course syllabus. to a maximum of three weeks of a semester or one week of a six-week summer term when the nature of the work missed permits.~~ Whether excused or unexcused, a student is still responsible for all course content and assignments.

In the case of absences caused by participation in university-sponsored events, announcement via mySFA will constitute ~~an official excuse~~ notification. Faculty members sponsoring activities ~~which~~ that require their students to be absent from other classes must submit ~~electronically~~ to the provost and vice president for academic affairs an explanation of the absence, including the date, time and an alphabetical listing of all attending students. ~~attending to be posted on mySFA.~~ If approved by the provost and vice president for academic affairs, this information will be posted on mySFA.

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

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

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

**Forms:** None

***Board Committee Assignment:*** *Academic and Student Affairs*

## Commencement (A-11)

**Original Implementation:** February, 1984

**Last Revision:** ~~July 15, 2008~~ *July 19, 2011*

Stephen F. Austin State University will hold commencement ceremonies at the end of the fall, spring, and summer ~~terms~~*semesters*. Arrangements for the ceremonies are the responsibility of the registrar. Selection of and arrangements for a speaker are the responsibility of the president in consultation with the Commencement ~~Speaker Advisory~~ Committee.

Commencement is an important symbol of the university's core function. In order to have adequate faculty representation at commencement, full-time faculty members are obligated to attend at least one commencement each academic year. For faculty teaching in the second summer ~~term~~*semester*, attendance at the August ceremony is required. Academic unit chairs/directors are responsible for *informing* ~~assuring~~ faculty members of *the provisions of this policy and encouraging them to comply.* ~~with provisions of this policy.~~

**Cross Reference:** None

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

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

**Forms:** None

**Board Committee Assignment:** *Academic and Student Affairs*

## Copyrighted Works Reproduction (A-12)

**Original Implementation:** 1979

**Last Revision:** ~~January 29, 2008~~ July 19, 2011

The copyright law (17 U.S.C. §§ 101-1332) affects ~~everyone involved in~~ photocopy reproduction and all types of reproduction and/or use of other's' works. The following guidelines provide general copyright information useful to the academic community.

### *General Fair Use Guidelines*

*17 U.S.C. § 107 provides the following considerations to determine whether the use of a work would be considered fair use:*

- *the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;*
- *the nature of the copyrighted work;*
- *the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and,*
- *the effect of the use upon the potential market for or value of the copyrighted work.*

*Only the following copies may be made from copyrighted works provided the amount of copying does not exceed 10% of the entire volume:*

- *a single copy of one or more chapters from a book;*
- *one or more articles from a periodical title;*
- *one or more short stories, essays, short poems, charts, graphs, diagrams, drawings, cartoons, or pictures;*
- *a single copy of an excerpt from a musical work, provided the excerpt is less than 10% of the entire work and is less than a performable unit, such as a section, movement, or aria; or,*
- *a single copy of an entire work, provided a copy cannot be obtained at a fair price.*

*Copies in excess of this amount may be permissible in some circumstances under fair use. Copying shall not be repeated with respect to the same item for use by the same individual from term to term.*

*In all circumstances other than the specific fair use guidelines described above, permission must be obtained from the copyright holder.*

### ~~Public Copy Machines~~

~~All public copy machines or public copy centers on campus must have a warning notice on or near each machine, which states that the responsibility for copyright infringement rests with the user. The use of printed copyright warnings transfers a portion of the responsibility for copyright compliance to the individual user. All employees who assist~~

in making copies must comply with the fair use guidelines below. The law requires public copy machine users to follow these fair use guidelines.

J. \_\_\_\_\_

K. \_\_\_\_\_ General Fair Use Guidelines

A. \_\_\_\_\_ Only the following copies may be made from copyrighted works:

B. \_\_\_\_\_ A single copy of one or more chapters from a book, one or more articles from a periodical title, one or more short stories, essays, short poems, charts, graphs, diagrams, drawings, cartoons, or pictures, provided the amount of copying does not exceed 10% of the entire volume.

C. \_\_\_\_\_ Refer to 17 U.S.C. § 107504 (c)(2) within the copyright law.:

A. \_\_\_\_\_ the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;

B. \_\_\_\_\_ the amount and substantiality of the portion used in relation to the copyrighted work as a whole;

C. \_\_\_\_\_ the nature of the copyrighted work; and

D. \_\_\_\_\_ the effect of the use upon the potential market for or value of the copyrighted work.

D. \_\_\_\_\_ A single copy of an excerpt from a musical work, provided the excerpt is less than 10% of the entire work and is less than a performable unit, such as a section, movement or aria.

E. \_\_\_\_\_ A single copy of an entire work, provided a copy cannot be obtained at a fair price.

\_\_\_\_\_ Copies in excess of this amount may be permissible in some circumstances under fair use. The following factors must be considered:

F. \_\_\_\_\_

General Guidelines for Copyrights Related to Academic Activities

### *Public Works*

Free use of materials not protected by copyright is permitted for public works. The presence or absence of a copyright notice is ~~no longer~~ *not* of significance in determining ~~what whether a work is a protected copyright~~ *has copyright protection* or is a public work. Older works published without a notice may be in the public domain, but for works created after March 1, 1989, absence of a notice is non-determinative.

• -The following guidelines may be used to determine what constitutes a public work:-

- ~~w~~ Works that lack originality (e.g., phone book);

○ ~~w~~

- ~~W~~ Works in the public domain (no longer protected by copyright);

• ~~f~~

- ~~Free~~ Free-ware (must be expressly stated);

•

- ~~U.S.~~ U.S. Government works;

•

- ~~f~~ Facts; or,

•

- Ideas, processes, methods, and systems described in copyrighted work that *are* not otherwise protected by patents.

~~G.~~

*When copying or digitizing materials, the responsible party shall include the following:*

- any copyright notice on the original;
- appropriate citations and attributions to the source; and,
- a Section 108(f)(1) notice indicating that making a copy may be subject to copyright law.

### *Special Library Guidelines*

Libraries are authorized to exercise special rights in addition to fair use. These rights are described in Section 108 of the copyright law *which allows libraries to* ~~They allow~~ *make copies for:*

- ~~copying for~~ archiving lost, stolen, damaged, or deteriorating works;;
- ~~making~~ copies for library patrons; and,
- ~~making~~ copies for other libraries' patrons (interlibrary loan).

*Library staff may* ~~make copies for purposes of collection maintenance. They may also duplicate a published work to replace a copy that is damaged, deteriorating, lost or stolen, provided that after a reasonable effort the library has determined that a replacement cannot be obtained at a fair price. An unpublished work may also be duplicated for purposes of preservation or security or for deposit for research use in another library.~~

For works in the last ~~twenty~~ 20-years of protection and not available at a reasonable price, more generous copying than indicated below may be performed, provided the purpose of the copying is to support preservation, scholarship, or research.

•

*Generally, library staff may make single copies*

~~○ Copies made by library staff for patrons generally:~~

~~▪ All of the general fair use requirements listed above apply for patron copying.~~

~~• Only single copies, and no multiple copies, will be made.~~

~~▪ Copy requests exceeding these limitations must be refused.~~

~~○ Copies made by library staff for reserve and for a faculty member's ' classroom use.:~~

~~• All of the general fair use requirements listed above apply for single or multiple copies.~~

~~Multiple copying~~ *Faculty copy requests may not exceed one copy per student, and may not be repeated with respect to the same item by the same instructor from term to term without obtaining permission from the copyright holder and/or paying copyright royalties.*

~~▪~~

*The library may acquire up to five copies of an articles from a journal published within the last five years within a calendar year. If a request exceeds the five copies permitted,*

~~the library will pay copyright royalties to the Copyright Clearance Center for subsequent requests.~~

~~• Copy requests exceeding these limitations must be refused.~~

~~• Copies made by library staff for purposes of collection maintenance:~~

~~A published work may be duplicated to replace a copy that is damaged, deteriorating, lost or stolen, provided that after a reasonable effort the library has determined that an unused replacement cannot be obtained at a fair price. An unpublished work may be duplicated for purposes of preservation or security or for deposit for research use in another library.~~

~~• Interlibrary loan copying:~~

~~The library may annually acquire, through interlibrary loan, up to five copies of articles published in any title within the last five years. If a request exceeds the five articles permitted, the Interlibrary Loan/Document Delivery Services Department will apprise the patron of other options.~~

~~• When digitizing other's' works in electronic reserves, library staff will:~~  
Limit reserve materials to:

- ~~• -single articles or chapters; several charts, graphs or illustrations; or other small parts of a work;~~
- ~~• -a~~
- ~~• -small portion of materials required for the course; or,~~
- ~~•~~
- ~~• copies of materials a faculty member or the library already possesses legally (i.e., by purchase, license, fair use, interlibrary loan, etc.).~~

~~• Include the following:~~

- ~~• any copyright notice on the original~~
- ~~• appropriate citations and attributions to the source~~

~~a Section 108(f) (1) notice indicating that making a copy may be subject to copyright law.~~

~~• Limit access to students enrolled in the class and administrative staff as needed. Terminate access at end of class term.~~

~~• Instructors seeking to use materials repeatedly for the same class must obtain appropriate permission. for repeated use of materials by the same instructor for the same class.~~

~~Sections IV is concerned with copying that can be legally done without obtaining the copyright owner's permission. The library may not make copies in excess of the limits stated in the above sections without the permission of the copyright owner. It is the user's responsibility to obtain permission of the owner when such permission is needed. It is suggested that in requesting permission, the user state the purpose for the copying and the number of copies being requested. When the user presents evidence of the owner's permission, the library may copy within the limits of the permission statement.~~

*Electronic reserve systems should be structured to limit access to students registered in the course for which the materials have been placed on reserve, and to instructors and staff responsible for the course or the electronic system.*



A.

1. *Coursepack Guidelines*

The General Fair Use Guidelines are applicable to coursepacks. ~~Copyright notices, appropriate citations and attributions should be included.~~ The faculty/staff member who compiles ~~the~~ coursepack materials shall be responsible for complying with these guidelines. ~~Permission must be obtained for materials that will be repeatedly used by the same instructor for the same class.~~ Using a commercial copy shop does not necessarily relieve the coursepack creator of liability, unless the above guidelines are followed or the copy shop pays appropriate royalties. Campus copy centers are not permitted to copy coursepacks, unless these guidelines are followed. *See also university policy A-22.1, Instructor-generated Materials.*

L.

*Computer Software*

Only explicitly stated freeware, not shareware or other licensed software, is allowed to be freely used without a license. Appropriate licenses must be obtained for all other software use. The software user is responsible for reading and complying with all ~~"shrink wrapped" or other~~ license agreements. Other university computer use policies shall also apply.

M.

*Guidelines for Music*

The university maintains some general licenses for copyrighted music use with BMI and ASCAP for specific use areas (e.g., College of Fine Arts, Student Activities, etc.). Beyond those areas, use of music must be licensed or specific permission obtained. General guidelines for copying music are outlined below.

●

⊖ *Copying shall be limited to:* ~~Limit copying as follows:~~

- ~~sheet music, entire works of sheet music; only for performance-related s and only in emergencies;~~
- 
- ~~performable units of sheet music (sheet music, performable units (movements, sections, -arias, etc., etc.)) ; only if out of print;~~
- 
- ~~recordings of student performances; record only for teacher or institutional evaluation or student's portfolio; and,~~
- 
- ~~one copy of sound recordings; one copy for classroom or reserve room use.~~

⊖ *Include the following:*

- ~~any copyright notice on the original~~
- ~~appropriate citations and attributions to the source~~
- ~~a Section 108(f)(1) notice that making a copy may be subject to copyright law~~

*If emergency copies are made, they must be replaced* ~~Replace emergency copies with purchased originals as soon as practical.~~

\_\_\_\_\_if available

A.

*Performances and Displays in Face-to-Face Teaching and Broadcasts*

Educational institutions and governmental agencies are authorized to publicly display and perform others' works in the course of face-to-face teaching activities, and to a limited degree, in broadcasts where there is a delayed transmission of faculty instruction. These rights are described in Sections 110 -(1) and (2) of the copyright law.

N.

• *Performances and Displays in Distance Learning*

Sections 110 -(1) and (2) of the copyright law ~~outlined in section Section VIII of this policy~~ may not cover fair use of the performance of others' works in online course materials. *For purposes of distance learning, small parts of others' works may be used for a limited time, and The guidelines below incorporate these basic rules: small parts, limited times, and limited access are the keys to fair use.*

*only if a faculty member or the institution possesses a legal copy of the work.*

○ ~~Incorporate performances of others' works~~

• ~~sparingly~~

▪ ~~only if a faculty member or the institution possesses a legal copy of the work~~

○ ~~Include:~~

▪ ~~any copyrighted notice on the original~~

▪ ~~appropriate citations and attributions to the source~~

▪ ~~a Section 108(f)(1) notice that making a copy may be subject to copyright law~~

*Access shall be limited to students enrolled* ~~Limit access to students enrolled in the class and administrative staff, and shall s-needed-be tTerminated-access~~ at the end of the class term.

A.

*Digitizing and Using Images for Educational Purposes*

•

~~First and foremost, if~~ *A-an image should be purchased or licensed if it is available-is readily available online or at -for sale or license-at a fair price. , point to, purchase, or license the image.* If an image is not readily available online or for sale or license at a fair price, *it should be digitized digitize and used according to -the image in accordance with the following guidelines: limitations:*

• ~~access should be limited to students enrolled in the class and administrative staff as needed, and terminate access at the end of the class term (Limit access to all images except "thumbnails" to students enrolled in the class and administrative staff as needed. Terminate access at the end of class term~~ use of “

• ~~"Thumbnails" are visual identification tools of a size and quality that makes them commercially useless. Since thumbnails " are of no commercial value, so is typically considered, fair use -would permits their use and may be used accordingly, without this more stringent restriction);~~

• *use of these images at conferences is permissible;*

- 
- Faculty members may also use these images at peer conferences.
- sStudents may download, transmit, and print out these images *to complete for personal study and for use in the preparation of academic requirements, course assignments and other requirements for degrees, may publicly display images in works prepared for course assignments, etc., and may keep works containing images in their portfolios; and,*
- 
- Periodically review digital availability. If a previously unavailable image becomes available online or for sale or license at a fair price, point to or acquire it.
- • Do not make any unnecessary copies *are not permissible of the multimedia work.*

*Digitizing and Using Other's' Works in Multimedia Materials For Educational Purposes*  
 TheThe Conference on Fair Use (-CONFU) Fair Use Guidelines for Educational Multimedia suggests that: fair use requires adherence to specific numerical portion limits; that copies of the multimedia work that includes the works of others should be strictly controlled; and that fair use "expires" after two2 years. The following general guidelines acknowledge that Although these are important considerations, but that the CONFU numerical limits do not constitute the outer limits of fair use for educational purposes.

The guidelines below allow for the creation of unique works within the limitations provided, but not to make or distribute multiple copies and give them out. (Multimedia materials works that will be which include the use of other's works and will be licensed, distributed, or sold, must obtain appropriate permission from each applicable copyright holder.)

- 
- Students, faculty, and staff may :
  - incorporate other's' works into a multimedia work, and
  - display and perform a multimedia work in connection with or creation of required academic and professional materials.

- class assignments
- curriculum materials
- 1. remote instruction

- examinations
  - student portfolios
  - professional symposia
- Be conservative. Use only small amounts of other's works.
- Provide appropriate acknowledgments to the work of others.
- Do not make any unnecessary copies of the multimedia work.

- A.
- Permission

In all circumstances other than the specific fair use guidelines described above, permission must be obtained from the copyright holder. Advance planning is important to

~~purchase, license or otherwise obtain appropriate permission for use of copyrighted material.~~

~~P.~~

*All employees who assist in making copies must comply with the fair use guidelines below. All public copy machines or public copy centers on campus must have a warning notice on or near each machine which states that the responsibility for copyright infringement rests with the user. The use of printed copyright warnings transfers a portion of the responsibility for copyright compliance to the individual user.*

- ~~Personal Liability~~

Personal liability for copyright infringement can be created for willful acts. This policy has been formulated to provide specific guidance on the variety of circumstances where fair use is permissible. The copyright law provides a good faith fair use defense {(17 U.S.C. § 504(c)(2)-)}. It applies only if the person who copied material reasonably believed that what he or she did was fair use. ~~Adherence to this policy will help protect the SFA academic community from potential copyright liability.~~

~~Recent~~ Federal legislation entitled the No Electronic Theft (NET) Act creates criminal penalties for non-commercial copyright infringement of a sufficient dollar value. The academic community must be aware that distribution of pirated computer software or other copyrighted material on computer bulletin boards or other methods of distribution may constitute a federal crime, regardless of whether or not ~~the infringer receives any~~ financial gain.

The Digital Millennium Copyright Act (DMCA) limits university liability as an internet service provider for certain copyright infringements created on-line. The university's registered agent for on-line copyright infringement complaints shall be the general counsel. The DMCA establishes procedures whereby, upon receipt of proper complaints, the ~~University~~ university will block access to or take down allegedly infringing material and notify the web page owner of the complaint. ~~A~~ The alleged infringers may issue a counter-notice, which includes a signature, description of removed material, explanation why the material did not infringe any copyright, and their name, address and phone number, with a consent to the jurisdiction of the court to be sued. Upon receipt of this counter-notice, the university shall re-post the material. Repeat infringers will be subject to termination of internet service by the university. See university policies, Computer and Network Security (D-8.1) and Digital Millennium Copyright Policy (D-42-)

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- Further information can be obtained by accessing the webpage of the U.S. Copyright Office within the Library of Congress at: <http://www.-copyright.gov>. ~~T~~ You may also ~~contact~~ the university's general counsel *may be contacted* with specific inquiries.

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- Cross Reference: 17 U.S.C. §§ 101-1332 ~~Section 101 et seq.~~; NET-No Electronic Theft (NET) Act, Pub. L. No. 105-147, 111 Stat. 2678; Digital Millennium Copyright Act (DMCA), Pub. L. No. 105-304, 112 Stat. 2860, 2905 (October 28, 1998); CONFU Guidelines, ~~University Policies~~, Computer and Network Security (D-8.1-); and Digital Millennium Copyright ~~(Policy D-42)~~; *Recording of Broadcasts for Education Use (A-33)*

- Responsible for Implementation: Provost/Vice President for Academic Affairs
- Contact for Revision: Director of University Libraries, General Counsel

Forms: None

- ***Board Committee Assignment: Academic and Student Affairs***

## Discrimination Complaints/Sexual Harassment (E-46)

**Original Implementation:** September 1990/February 2, 1982

**Last Revision:** April 22, 2008/July 19, 2011

### General Policy Guidelines

1. **Purpose:** To provide an educational and working environment free of unlawful discrimination or harassment to all members of the university community. This policy applies to visitors, applicants for admission to or employment with the university, and students and employees of the university who allege discrimination or sexual harassment by university employees, students, visitors, or contractors. ~~of nondiscrimination, equal employment opportunity, affirmative action, protection from retaliation for members of classes protected by law, and to comply with federal and state equal opportunity employment regulations.~~
2. **Non-discrimination Policy Statement:** It is the policy of Stephen F. Austin State University, in accordance with federal and state law, to prohibit unlawful discrimination on the basis of race, color, religion, national origin, gender, age, disability, citizenship, and veteran status. ~~not to discriminate against any employee or applicant for employment because of race, color, religion, sex, age, national origin, disability, or disabled veteran status.~~ Unlawful discrimination based on sex includes discrimination defined as sexual harassment. Stephen F. Austin State University is committed to the principles of Equal Employment Opportunity (EEO) law. An employee who violates this policy is subject to disciplinary action up to and including termination. A student that violates this policy is subject to disciplinary action up to and including expulsion.

~~A supervisor or employee commits unlawful employment practice if the supervisor or employee retaliates or discriminates against a person, who (a) opposes a discriminatory practice, (b) makes or files a complaint alleging employment discrimination, (c) or testifies, assists or participates in any manner in an investigation, proceeding or hearing. Any employee who retaliates against another employee who opposes alleged employment discrimination violates the university's policies and procedures and may be subject to disciplinary action up to and including termination. This policy applies to student complaints that might involve peer to peer discrimination/harassment and also student employment discrimination/harassment.~~

The president or designee will be responsible for overseeing the Discrimination Complaint/Sexual Harassment ~~Policy~~ policy (E-46) and procedures and for ensuring compliance with EEO laws. All employment decisions will be based on objective, job-related, and measurable criteria that can be consistently applied.

~~Human resources or designee will review all employment actions and decisions, to include, but not limited to, recruitment, selection, promotion, assignment, training, evaluations, discipline, restructuring, workplace accommodations, and compensation to ensure consistency of application.~~ Human resources or designee will annually review all personnel policies and procedures to ensure compliance with EEO laws and present any recommendations for ~~updating~~ changes to the president. All employment related documents will be maintained in accordance with the university's Texas State Record Retention Schedule.

*For employee-related complaints, the human resources director or designee will be responsible for maintaining records of all formal complaints and the results of such complaints. For student-related complaints, the dean for student affairs or designee will be responsible for maintaining records of all formal complaints and the results of such complaints.*

*The Title IX coordinator is designated as the vice president for university affairs and will have three (3) deputy coordinators responsible for investigation of complaints of gender discrimination, including sexual harassment. The deputy coordinators are designated as the director of human resources, dean for student affairs, and the athletics senior women's administrator.*

### **Definitions:**

1. ~~Unlawful Discrimination: is defined as conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their employment or education because of their race, color, religion, national origin, sex, age, disability, citizenship, or veteran status. Based upon a variety of statutes, both on the federal and state levels, unlawful discrimination may affect terms and conditions of the employment or the educational setting and is based upon race, color, religion, sex, age, national origin, disability, or disabled veteran status. Applicable statutes include: Title VII of the Civil Rights Act of 1964, Civil Rights Act of 1991, Title IX of the Education Amendments of 1972, Age Discrimination in Employment Act, Americans with Disabilities Act, Section 504 of the Rehabilitation Act, Equal Pay Act, Immigration Reform and Control Act of 1986, and Texas Labor Code 21.001, et seq. The totality of the facts and circumstances will have a bearing on whether unlawful discrimination has occurred.~~
2. Sexual Harassment: *as a form of discrimination is defined as verbal or physical conduct that is directed at an individual or group because of race, color, religion, national origin, sex, age, disability, citizenship, or veteran status when such conduct is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of interfering with an individual's or group's academic or work performance; or of creating a hostile academic or work environment.- This conduct can include technology-based communications such as texting, online classroom chats, or social networking sites.*

3. *Sexual Harassment is a form of sex discrimination and is described as Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, including but not limited to technology-based communications such as texting, online classroom chats, or social networking chats, even if carried out under the guise of humor, and constitutes sexual harassment when:*

- Submission to or tolerance of such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions (including admissions and hiring) affecting that individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile or offensive employment, educational or living environment. ~~The university will not tolerate sexual harassment of any employee or student by another employee, supervisor, or other person with whom an employee or student may have contact with as part of his or her duties. The totality of facts and circumstances in any given situation will have a bearing upon whether unlawful discrimination or sexual harassment has occurred.~~

*Physical conduct that, depending on the totality of circumstances present, including frequency and severity, may constitute sexual harassment includes, but is not limited to,*

- *unwelcome intentional touching;*
- *deliberate physical interference with or restriction of movement or;*
- *sexual violence.*

*Verbal conduct, defined as oral, written, or symbolic expressions, that, depending on the totality of circumstances present, may constitute sexual harassment includes, but is not limited to,*

- *explicit or implicit propositions to engage in sexual activity;*
- *gratuitous comments, jokes, questions, anecdotes, or remarks of a sexual nature about clothing or bodies;*
- *gratuitous remarks about sexual activities or speculation about sexual experiences;*
- *persistent, unwanted sexual or romantic attention;*
- *subtle or overt pressure for sexual favors;*
- *exposure to sexually suggestive visual displays such as photographs, graffiti, posters, calendars, or other materials;*
- *deliberate, repeated humiliation or intimidation based upon sex.*

**Required Equal Employment Opportunity (EEO) Training:** ~~The university is required by the Texas Labor Code 21.010 to provide training to each new employee on policies regarding discrimination and harassment no later than 30 days after the date of hire. In addition, supplemental training is required every two years. All employees will~~



receive a copy of the university's Discrimination Complaint/Sexual Harassment Policy and procedures within 30 days of employment. A signed statement verifying attendance is required to be maintained in the employee's personnel file.

### **General Procedures**

1. **Reporting:** *A person who believes that he or she has been subjected to any type of discrimination, including sexual harassment, should report the incident to any university official, administrator, or supervisor. Students are encouraged to report such incidents to the dean of student affairs. Employees and visitors are encouraged to report to the director of human resources. Incidents should be reported as soon as possible after the time of their occurrence. No person is required to report discrimination or sexual harassment to the alleged offender. Any allegations of sex based discrimination or sexual harassment may also be directed to the attention of the Title IX coordinator; allegations of disability based discrimination may also be directed to the ADA coordinator but will be investigated in accordance with this policy.*
2. **Referral Responsibility:** *Every supervisor, administrator, department head, and university official is responsible for promptly reporting incidents of discrimination, including sexual harassment, that come to his or her attention to the appropriate university official. Students--to--student complaints should be reported to the dean of student affairs. All other complaints should be reported to the director of human resources. Any allegations of sex based discrimination or sexual harassment may also be directed to the attention of the Title IX coordinator and allegations of disability based discrimination may also be referred to the ADA coordinator but will be investigated in accordance with this policy. Every attempt should be made to keep the information confidential and restricted to only those who have an absolute need to know.*

**Management and Supervisory Responsibilities:** ~~Vice presidents, deans, directors and department chairs shall take appropriate steps to disseminate this policy statement and to inform employees and students of procedures for lodging complaints. Vice presidents, deans, directors, and department chairs are required and students are urged to notify the director of human resources, ADA coordinator or the appropriate dean, director, or department chair for the area involved when they learn of an instance of unlawful discrimination or sexual harassment.~~

**Employee Responsibilities and Student Responsibilities:** ~~While not required, all employees are urged to contact the director of human resources or the appropriate dean, director, or department chair for the area involved when they learn of an instance of employee related unlawful discrimination or sexual harassment. Students are urged to contact the director of human resources, ADA coordinator or the appropriate dean, director, or department chair for the area involved regarding employee related unlawful discrimination or sexual harassment. Student to student infractions should be reported to the Judicial Office.~~

### **Complaint Resolution Procedures**

#### **1. Definitions**

- a. **Complaint** means a signed document alleging discrimination, including sexual harassment under this policy.
- b. **Complainant** means a person who submits a written complaint alleging discrimination, including sexual harassment, under this policy. As there may be more than one complainant in an unlawful discrimination or sexual harassment case, the term "complainant" as used herein shall refer to one or more complainants. In the event of a third party charge, the university may serve as the complainant.
- c. **Respondent** means the person alleged to be responsible for the prohibited discrimination or harassment, ~~including sexual harassment alleged in a complaint.~~ The term "respondent" may be used to designate persons with direct responsibility for a particular action or those persons with administrative responsibility for the procedures and policies in those areas covered in a complaint.

## 2. Complaint Procedure

- a. **Complaint:** A complaint alleging discrimination or harassment, including sexual harassment, must be submitted in writing. The complaint must contain the following information:
  - Name of the complainant;
  - Contact information, including address, telephone number, email address;
  - Name of person(s) directly responsible for alleged violations(s);
  - Date(s) and place(s) of alleged violation(s);
  - Nature of alleged violation(s) as defined in this policy;
  - Detailed description of the specific conduct that is the basis of alleged violation(s);
  - Copies of documents pertaining to the alleged violation(s);
  - Names and contact information (if known) of any witnesses to alleged violation(s);
  - Action requested to resolve the situation;
  - Complainant's signature and date of filing;
  - Any other relevant information.
- b. **Time Limit:** A written complaint must be filed within 180 calendar days of the occurrence of the alleged violation.
- c. **Third Party Charge:** If a pattern of harassment appears to exist but no complainant files charges, the university may file a third-party charge against an individual. Such charges will be handled with as much care and control as any other complaint so as to avoid acting on rumor or unjustified accusation.

**Complaint Procedure:** ~~Employees may report a discrimination or sexual harassment complaint without fear of retaliation. All university employees are responsible for immediately reporting discrimination or sexual harassment complaints to the director of human resources, or ADA coordinator (as applicable), or may additionally be reported to a vice president, dean, director or department chair for the area involved. Student to~~

~~student complaints should be reported to the judicial officer, or the ADA coordinator (if applicable).~~

~~Complaints should be filed as soon as possible after any incident, but no later than 180 days from the incident involving unlawful discrimination or sexual harassment.~~

~~Complaints must be made in writing and signed by the individual submitting the complaint. While investigators will attempt to maintain as much confidentiality as possible, complete anonymity may give way to the university's obligation to investigate and take appropriate action. Those complaints that are received verbally, but not in writing should still be communicated to the Director of Human Resources for possible informal investigation.~~

~~If a pattern of harassment appears to exist but no complainant files charges, the university may file a third-party charge against an individual. Such charges will be handled with as much care and control as any other complaint so as to avoid acting on rumor or unjustified accusation.~~

### **Investigative Process for Employee Related Complaints:**

- ~~Employee Related Complaints:~~ Once a complaint has been brought to the attention of a supervisor, department chair, or other individual in a management level position, that person must report the complaint to the director of human resources as soon as possible. Every attempt should be made to keep the information confidential and restricted to only those who have an absolute need to know. As there may be more than one complainant in an unlawful discrimination or sexual harassment case, the term "complainant" as used herein shall refer to one or more complainants.

— The dean or director (or other appropriate administrator) for the area involved will normally begin the investigation of the charges within 10 working days from when it was received ~~investigate~~, not as a representative of the complainant, but as an impartial party. If the director is the direct supervisor of the *respondent* (accused), the vice president will assign an alternative director from within their division so the investigator is not investigating his or her own department. The investigation shall normally be conducted within 45-20 ~~working business~~ days from when the investigation is appointed to the dean or director. ~~thereafter the letter of finding will be forwarded to the director of human resources and the general counsel at the end of the investigation.~~ Case complexity will vary and the termination of the investigation will depend on case circumstances; however, the investigation will commence within the designated time and will conclude under normal circumstances within 45-20 ~~business working~~ days. It is incumbent upon the investigating official to document a reasonable justification for extending an investigation beyond 45-20 ~~business working~~ days.

*The investigator will interview the complainant and persons who are considered to have pertinent factual information related to the complaint. The investigator will also gather and examine documents relevant to the complaint. Facts will be considered on the basis of what is reasonable to persons of ordinary sensitivity and not on the particular sensitivity or reaction of an individual. Findings will be based on the totality of circumstances surrounding the conduct complained of, including, but not limited to, the context of that conduct, its severity, its frequency, and whether it was physically threatening, humiliating, or simply offensive in nature.*

*Investigation of a complaint normally will include conferring with the parties involved and may proceed as necessary with examination of relevant documentation and interviews with other employees or students. Discretion should be exercised in determining which witnesses are indeed necessary to the investigation. The dean or director conducting the investigation may also consult with appropriate management personnel, including the director of human resources, the ADA coordinator, the Title IX coordinator, and/or the general counsel for advice and guidance as applicable.*

*The university reserves the right to take such action as may be reasonably appropriate upon receipt of a complaint to protect the complainant or university community pending outcome of the investigation.*

*Notification of the Respondent: After investigating the allegations, the dean or director will meet with the accused employee respondent, provide the accused them with a copy of the allegations complaint, and give them an opportunity to respond to the allegations. The respondent may, but is not required to, submit a written response to the allegations in the time prescribed by the investigator.*

*Report of Findings and Recommendations: The investigator is responsible for preparing for the appropriate vice president a report responding to each allegation that the complainant has made. This response should be in the form of a memo describing report should describe the investigator's findings and conclusions to each allegation. The memo summary report should also include a brief overview of the investigative process including the categories category and numbers of individuals interviewed (excluding names), timelines, and a summary of each allegation, a summary of the findings by the investigator, and a summary of the investigator's conclusions and recommendations. Finally, the report should contain the investigator's recommendations for resolution of the matter. This memo report should be addressed to both the complainant and the accused the appropriate vice president with copies provided to the appropriate vice president, the general counsel, and the director of human resources, and the Title IX or ADA coordinator, if applicable.*

*The vice president shall review the findings and recommendations of the investigator and take such action deemed appropriate. Such action shall be communicated in a letter to the complainant and respondent with copies to the general counsel, director*

*of human resources, and the Title IX or ADA coordinator, if applicable, within 5 business days of receipt from the investigator.*

~~If the complainant or the accused are not satisfied with the results of the investigation as presented in the memo from the investigator, they may appeal in writing to the appropriate vice president within 30 days of the date of the memo.~~

~~If the complaint cannot be resolved to the satisfaction of all parties, the dean or director, working with the director of human resources and the general counsel, will make a recommendation, normally within 20 days of receipt of the complaint to the appropriate vice president as to whether any disciplinary action should be taken. A summary of the case will be provided to the vice president. Recommendations of the dean or director to the vice president may include dismissing of the charges; warning; suspension or termination of the accused; allowing the parties to sign a written statement of agreement resolving the differences between them; counseling; or other appropriate disciplinary action. A general status report of the investigation should be provided to the complainant and the accused upon completion of this investigative phase.~~

~~Student to Student Complaints:~~

~~The judicial officer shall investigate student to student complaints and follow the timeframes described in the preceding guidelines for employees. If student discipline is recommended, the Rules of Procedure in Student Disciplinary Matters will guide the proceedings. Said rules are located on the SFA Web Page for student policies and procedures or may be obtained from the Office of Student Affairs. Informal and formal disposition procedures are outlined within the policy; and, it contains full due process procedures.~~

**~~Review by the Appropriate Vice President for Employee Related Complaints:~~**

~~After the vice president has offered to meet with the accused and if necessary, to meet with the complainant and witnesses, he/she will accept, modify or reject the recommendation of the dean or director. If the vice president concludes that the charges are serious enough to require termination or suspension, the faculty member or staff member may be placed on a leave of absence with pay, pending a hearing by the review board and action by the president.~~

~~The vice president's review should generally be completed within 10 days from receipt of the matter, unless additional time is required in fairness to the parties. A general status report should be forwarded to the complainant and the accused at the conclusion of the vice president's review.~~

**~~Review by the Employee Discrimination Complaint Review Board~~**~~Appeal~~

*~~Process: If the decision of the vice president is not satisfactory to the complainant or respondent, that individual has 5 business days in which to request a formal hearing of the discrimination complaint review board ("review board"). The request must be put in writing to the vice president issuing the decision. If the vice president concludes that the charges are serious enough to require termination or suspension, the faculty or staff member may be placed on a leave of absence with pay, pending a hearing by the review board and action by the president.~~*

~~If the decision of the vice president is not satisfactory to either party (complainant or accused), that individual(s) has 5 days in which to request a formal hearing of the Discrimination complaint review board ("review board"). The request must be put in writing to the vice president issuing the decision.~~

*Discrimination Review Board:* The review board of three individuals will be selected from a panel of 20 pre-selected faculty members and 20 pre-selected staff members to be appointed by the president. If the ~~accused~~-respondent is a faculty member, the review board will be composed of at least two faculty members. If the ~~accused~~-respondent is a staff member, the review board will be composed of at least two staff members. The complainant will select one member and the ~~accused~~-respondent will select one member from the applicable panel. The two selected members will choose ~~a~~-the third person from the panel. None of ~~these individual~~the review board members shall be from the department of the ~~accused~~-respondent or the complainant (if applicable). These three individuals will comprise the review board and will elect a chair from among themselves. The university president may remove any selected review board member if substantial proof of bias exists.

The chair of the review committee is responsible for coordinating the hearing. The complainant, the ~~accused~~-respondent, and the university all have the right to be advised by counsel, but lawyers will not be allowed to conduct or participate in the hearing. The day prior to the scheduled review committee hearing, each side shall submit a list of its witnesses and *four* copies of its ~~documentary~~ evidence to the chair. A list of witnesses and *copy a summary* list of the evidence will be provided to each side. The rest of the review committee will not receive the material until the time of the hearing. All materials presented must be maintained in a confidential manner by all parties involved.

The dean or director who conducted the investigation will apprise the review board of the charges and will normally present all relevant evidence. Both parties will have an opportunity to respond to the charges and present evidence. Each party may make a 5 minute opening statement prior to presentation of the evidence. The burden will be on the complainant to prove by ~~the greater weight of the credible~~ *a preponderance of the* evidence that the ~~accused~~-respondent has committed an act of sexual harassment and/or unlawful discrimination. Cross examination of the witnesses is allowed by all parties. *In cases of alleged sexual harassment, the parties shall not be permitted to question each other.* Each party may make a 5 minute closing statement.- *The review board is permitted to question the parties and/or witnesses at any time during the proceeding.*

The chair of the review board will conduct a fair hearing before the complainant and the ~~accused~~-respondent and shall allow relevant witnesses and evidence from both parties. The hearing shall be closed to the public. The general counsel ~~may~~ and/or the director of human resources may be consulted in procedural matters of the review board and may be present at meetings. All information presented in the hearing is confidential and restricted to only those who have an absolute need to know.

The review board will normally have 5 days after the completion of the hearing to summarize its findings and make a written recommendation to the president.

- Review by the President for Employee Related Complaints: *The president may accept, reject, or modify the decision of the review board and will have access to all evidence, both parties, and witnesses as deemed appropriate. In all instances except where a faculty member's tenure is revoked or a faculty member is being terminated during the term of their employment, the decision of the president is final. In cases where tenure is being revoked or a faculty member is being terminated during the term of employment, the case will be forwarded to the Board of Regents for a final determination. Pending action by the Board of Regents, the faculty member may be suspended without pay and removed from the university or assigned to other duties with pay at the president's discretion. Final disposition of the case will be communicated to the respondent and the complainant.*

~~The president may accept, reject, or modify the decision of the review board and will have access to all evidence, both parties, and witnesses as deemed appropriate. In all instances except where a faculty member's tenure is revoked or a faculty member is being terminated during the term of their employment, the decision of the president is final. In cases where tenure is being revoked or a faculty member is being terminated during the term of employment, the case will be forwarded to the Board of Regents for a final determination. Pending action by the Board of Regents, the faculty or staff member may be suspended without pay and removed from the university or assigned to other duties with pay at the president's discretion. Final disposition of the case will be communicated to the accused employee and the complainant.~~

#### Employee Sanctions:

University imposed: University sanctions for violations of this policy may include any disciplinary action, up to and including termination of employment for faculty or staff. Such activities may be viewed as constituting moral turpitude or substantial neglect of academic responsibilities under the Faculty Handbook Code of Conduct policy (E-72) and Tenure policy (E-50A), and a major work rule violation under the Staff Discipline and Discharge Policy (E-11).

Civil: Unlawful discrimination and sexual harassment are illegal under state and federal law. Official governmental investigations by the Equal Employment Opportunity Commission, the Texas Commission on Human Rights, and/or the Office of Civil Rights of the Department of Education may result in civil lawsuits against any person guilty of unlawful discrimination or sexual harassment.

Criminal: Sexual harassment by a public servant is a criminal offense under 39.02 of the Texas Penal Code. Depending on the severity of the acts, sexual harassment may also specifically include indecent exposure, public lewdness, assault, or sexual assault under Chapter 21 and 22 of the Texas Penal Code.

4. False charges may result in disciplinary action against the complainant by the university or civil charges against the complainant by the ~~accused~~ respondent. An unsubstantiated charge is not considered "false" unless it is found to be made with the knowledge of it being false.

### ***Investigative Process for Student-to-Student Complaints***

*The dean for student affairs, or their appointee, shall investigate student to student complaints and follow the timeframes described in the preceding guidelines for employees. If student discipline is recommended, policy D-34, Student Discipline will guide the proceedings. Informal and formal disposition procedures are outlined within the policy; and, it contains full due process procedures.*

Student Sanctions: Disciplinary action for student-to-student related complaints may range from sensitivity counseling to suspension or ~~dismissal~~ expulsion. False charges may also result in disciplinary action. An unsubstantiated charge is not considered "false" unless it is found to be made with knowledge of it being false.

### ***Retaliation***

Retaliation: *A supervisor or employee commits an unlawful employment practice if the supervisor or employee retaliates or discriminates against a person, who (a) opposes a discriminatory or harassing practice, (b) makes or files a complaint alleging employment discrimination or harassment, (c) or testifies, assists, or participates in any manner in an investigation, proceeding or hearing. Any employee who retaliates against another employee violates the university's policies and procedures and may be subject to disciplinary action up to and including termination. Instances of alleged retaliation shall be investigated pursuant to the procedures of this policy. A student violates this policy if the student retaliates or discriminates against a person in violation of Title IX. A student that violates this policy is subject to disciplinary action up to and including expulsion.*

14. The dean/director (or other appropriate administrator) who investigated the complaint will be responsible for monitoring the circumstances surrounding the complaint to insure the situation has been remedied.



~~15. *Record keeping:* The human resources director or designee will be responsible for maintaining a log of all formal complaints and the results of such complaints.~~

### ***Training***

*The university is required by the Texas Labor Code 21.010 to provide EEO training to each new employee, including student employees on policies regarding discrimination, including sexual harassment, no later than 30 days after the date of hire. In addition, supplemental EEO training is required every two years. All employees will receive a copy of this policy within 30 days of employment. A signed statement verifying attendance is required to be maintained in the employee's personnel file.*

*Additional training shall be provided in accordance with applicable law.*

**Cross Reference:** ~~Faculty Handbook, Non-Academic Employee Handbook~~ *Faculty Code of Conduct (E-72); Tenure (E-50A); Discipline and Discharge (E-11); Student Discipline (D-34); 42 U.S.C. § 2000e, e-2, e-3; 42 U.S.C. § 1981; 20 U.S.C. §§ 1681-1688, 1684; 42 U.S.C. § 12101; 29 U.S.C. § 621 et seq. 623; 29 U.S.C. § 794 et seq.; 29 U.S.C. § 206(d); 8 U.S.C. § 1101; Texas-Tex. Labor-Lab. Code Ch. See: 21-101 et seq.; Texas-Tex. Penal Code, See: § 39.02; Pub. L. 88-352 (Title VII); Pub. L. 102-166*

**Responsible for Implementation:** President

**Contact for Revision:** *Title IX Coordinator, Director of Human Resources, and General Counsel*

**Forms:** None

**Board Committee Assignment:** *Academic and Student Affairs*

## Emeritus (E-14A)

**Original Implementation:** Unpublished

**Last Revision:** ~~April 21, 2009~~ July 19, 2011

The title of emeritus professor is a position of great honor conferred only on retirees who have a record of distinguished service to Stephen F. Austin State University (SFASU).

The title is not automatic upon retirement, and should ordinarily be bestowed on an individual who has received at least one of the following honors: regents professor, SFASU Alumni Distinguished Professor Award, SFASU Foundation Faculty Achievement Award, SFASU Teaching Excellence Award, or comparable state-wide and/or national professional recognition.

### A. Faculty/Librarian Eligibility

To be eligible for an appointment as emeritus, an individual shall meet the following requirements:

1. Provide prior service to SFASU for 15 years and hold the rank of professor or librarian IV for the last 10 years;
2. Demonstrate professional excellence in teaching, research/scholarly/creative accomplishments, and service to the university.

### B. Procedure

A nomination for the title of emeritus professor may be submitted by any SFASU tenured faculty member in the nominee's department following the normal promotion timetable. The application shall be reviewed according to the procedures for full professor/librarian IV in the candidate's department and college. The appropriate dean shall forward a recommendation to the provost and vice president for academic affairs who shall, in turn, submit a recommendation to the university's president. A formal appointment as emeritus *professor* shall be conferred by the Board of Regents.

### C. Privileges

An emeritus professor shall have the following privileges:

1. Name listed as an emeritus in the university's *General Bulletin*;
2. Recognition at the May commencement ceremony following the granting of the emeritus title.

3. A place of honor in any academic procession.
4. Representation of the university at community or professional meetings, upon request.
5. Right to use the title of emeritus in professional endeavors.
6. Committee service at the request of the provost and vice president for academic affairs.
7. Opportunity to audit courses with fees waived, subject to the availability of space and with the consent of the instructor.
8. Office space, laboratory space, a telephone, and a computer, subject to available space and approval of the departmental chair, the dean, and provost and vice president for academic affairs.
9. Library, parking, and health and wellness privileges.
10. E-mail privileges, a faculty I.D. card, and university business cards.

#### **D. Administrative Official Eligibility**

The title emeritus may be given by the president to a retired administrative official ~~not holding faculty rank~~ to recognize meritorious service. Privileges and qualifications that accompany the title shall be determined by the president. The conferring of this title is not automatic upon retirement.

**Cross Reference:** None

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

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

**Forms:** Promotion/Tenure Application

***Board Committee Assignment:*** Academic and Student Affairs

## Faculty Code of Conduct (E-72)

**Original Implementation:** April 28, 2005

**Last Revision:** ~~July 15, 2008~~ July 19, 2011

Tax-supported colleges and universities must function in accordance with the public trust, and actions by faculty within them must be consistent with the execution of that trust.

The following offenses *represent breaches of that trust and violations of the Stephen F. Austin State University Faculty Code of Conduct*:

~~are examples of actions that are in breach of that trust:~~

- Plagiarism;
- Forgery *or* unauthorized alteration or use of university documents, records, or identification materials;
- Knowingly furnishing false information to the university, *or failure to acquire and maintain appropriate licensure and certification required for supervision and practice*;
- The use of violent or other forceful methods to obstruct the functions of the university, which include teaching, research, administration, public service, presentations by guest lecturers and speakers, and other authorized activities;
- Physical abuse of any person on university-owned or controlled property or at university-sponsored or supervised functions, or conduct that threatens or endangers the health or safety of any such person;
- Theft of or negligent damage to the university or to the property of a member of the university community or a campus visitor;
- Unauthorized entry to or use of university facilities *or resources*;
- Unlawful manufacture, distribution, dispensing, possession, or use of controlled substances, or any substance the possession or distribution of which is regulated by federal or Texas law, except where the manufacture, distribution, dispensing, possession, or use are in accordance with the laws of each;
- Lewd, indecent, or obscene conduct or language on university-owned or controlled property or at a university-sponsored or supervised function; ~~and,~~
- Violation of other promulgated university policies or rules;-
- *Conviction of a criminal or civil offense that reflects negatively upon the university.*

### Procedures

1. Each faculty member is required to notify *his or her immediate supervisor* ~~the university~~ of any felonious criminal conviction no later than five days after such conviction.
2. Violations of the standards established in this policy can result in the assessment of a penalty ranging from an oral reprimand to *termination-separation from the*

university. Tenured and tenure-track faculty members are also subject to standards and procedures in Tenure Policy (E-50A).

3. Faculty members are required to abide by the terms of this policy as a condition of employment.
4. Violations of the standards established in this policy should immediately be brought to the attention of the academic *unit* chair/director to whom the individual is responsible and the dean of the college. The provost and vice president for academic affairs in consultation with the ~~academic~~ chair/director and the dean will ~~investigate~~ ~~decide whether the incidental allegation is true~~ and ~~determine~~ what action should be taken.
5. Faculty members may appeal disciplinary action taken pursuant to this policy by following the appeal procedure outlined in *Resolving Faculty Disagreements in Issues Other Than Termination and Non-Renewal of Contracts (E-26A)*, ~~Guarantees Relating to Matters other than Termination and Non-Renewal of Contracts E-26A~~ or Tenure (E-50A).

**Cross Reference:** Tenure (E-50A), Discrimination Complaints/Sexual Harassment (E-46), Property Inventory and Management (C-42), Use of University Facilities (B-1), Alcohol/Drug Free Workplace (E-5), *Resolving Faculty Disagreements in Issues Other Than Termination and Non-Renewal of Contracts (E-26A)* ~~Guarantees Relating to Matters other than Termination and Non-Renewal of Contracts~~

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

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

**Forms:** None

**Board Committee Assignment:** *Academic and Student Affairs*

## Firearms, Explosives and Ammunition (D-14)

**Original Implementation:** Unpublished

**Last Revision:** ~~July 20, 2010~~ July 19, 2011

Firearms, ammunition, explosive devices, or illegal knives may not be brought on to the campus of Stephen F. Austin State University or any property which is owned, leased, or operated by the university, or a passenger vehicle which is owned, leased, or operated by the university, without the written permission of the president.

~~Requests for permission to bring any of the above listed items on campus must be submitted in writing to the chief of university police, or designee, at least fifteen (15) business days prior to the date the requestor seeks to bring such an item on campus to the president. The chief will forward the request to the vice president for university affairs with a recommendation for approval or rejection, with a copy provided to the director of environmental health, safety & risk management. The vice president for university affairs will review the request with the president, who will have the final decision.~~

~~The president will advise-notify the requestor, the chief of university police chief and the director of environmental health, safety & risk management of his/her final decision. of requests for permission which has been granted as outlined herein.~~

**Cross Reference:** Texas Penal Code § 46.03

**Responsible for Implementation:** President

**Contact for Revision:** General Counsel

**Forms:** ~~None~~ Request for Use of Prohibited Materials

**Board Committee Assignment:** Building and Grounds

## Grants and Contracts Administration (A-56)

**Original Implementation:** August 1, 2000

**Last Revision:** July 15, 2008 *July 19, 2011*

~~The effective administration of contracts and grants is an essential operational function. The provost and vice president for academic affairs establishes and makes available publishes procedures for the administration of grants and contracts. These procedures are designed to assure that all research and sponsored programs are conducted in accordance with other university policies and procedures, with laws and regulations; and with the provisions of the grants and contracts and grants themselves. These procedures for the administration of grants and contracts are outlined in the Technical Assistance~~ *Grants and Contracts Procedures Manual* published by the Office of Research and Sponsored Programs (ORSP).

~~Deans and academic chairs/directors are responsible for reviewing proposals for grants and contracts and for assuring that the proposed commitments of unit resources are feasible and realistic.~~

**Cross Reference:** Conflict of Interest in Sponsored Activities (A-11.5); Misconduct in Research (A-31.5); Human Subjects Protection (A-62); Salary Supplements, Stipends and Additional Compensation (E-9); Effort Reporting and Certification for Sponsored Activities (A-68); ~~Technical Assistance~~ *ORSP Grants and Contracts Procedures Manual*.

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

**Contact for Revision:** Provost and Vice President for Academic Affairs; Director, Office of Research and Sponsored Programs

~~**Forms:** OSRP Proposal Clearance Form, Revision Clearance Form, Request to Establish Account—External Grants and Contracts, Effort Certification Reports for Faculty and Salaried Employees~~ *ORSP grants and contracts forms page*

**Board Committee Assignment:** *Academic and Student Affairs*

## Hazing (D-16)

**Original Implementation:** September, 1987

**Last Revision:** ~~July 15, 2008~~ *July 19, 2011*

Stephen F. Austin State University is unequivocally opposed to any activity by an organization or individual(s) within the organization that is herein defined as hazing.

### Definitions

**Hazing:** Any intentional, knowing or reckless act occurring on or off campus by one person alone or acting with others, that endangers the mental or physical health or safety of a currently-enrolled or prospective student for the purpose of new member intake, being initiated into, affiliating with, holding office in, or maintaining membership in that organization.

Hazing acts include but are not limited to:

1. any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, placing a harmful substance on the body, or similar activity;
2. any type of physical activity such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
3. any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health of the student;
4. any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, humiliation, that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered at the institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to the acts described in this policy;
5. any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code.

**Committing an Offense:** The organization and any individual involved in hazing commits an offense by:

1. engaging in hazing;
2. soliciting, encouraging, aiding or directing another engaging in hazing;



3. intentionally, recklessly or knowingly permitting hazing to occur;
4. having first-hand knowledge that a specific hazing incident is being planned or has occurred and failing to report said knowledge in writing to the judicial officer.

**Organization Hazing Offense:** An organization commits an offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges, or alumni of the organization commits or assists in the commission of hazing.

**Consent:** It is not a defense to prosecution of an offense that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

### **Penalties - University**

**Individual:** Each individual committing an offense is subject to university penalties ranging from probation to expulsion.

**Organization:** Student organizations committing an offense may be placed on university probation and are subject to withdrawal of university recognition.

### **Penalties - Criminal**

**Individual:** Penalties relative to criminal prosecution range from a fine of \$2,000 and/or 180 days in jail for failure to report a hazing incident to a fine of \$10,000 and two years in jail for an incident which causes the death of a student.

**Organization:** The student organization may be penalized with a fine of up to \$10,000 or double the expenses involved due to the injury, damages or loss.

### **Notice of Policy**

**To General Campus Community:** This policy shall be published in the General Bulletin, on the SFASU Website, and in the Schedule of Classes so as to cause all students to be aware of the provisions of this policy.

**Of Offenders:** A list of organizations that have been disciplined for hazing or convicted for hazing on or off campus during the previous three years shall be included each time this policy is published. The three-year publication will begin as soon as an organization's name can be placed in the first available printing of one of the above named publications. A date in parenthesis following an organization's name will indicate the last year the organization will be included.

**Cross Reference:** *Student Conduct Code (D-34.1); V.T.C.A., Education Code, secs. Tex. Educ. Code §§ 37.151-.157, 51.936 to 37.157; V.T.C.A., Education Code, secs. 51.936*

**Responsible for Implementation:** Vice President for University Affairs

**Contact for Revision:** Dean of Student Affairs

**Forms:** None

**Board Committee Assignment:** *Academic and Student Affairs*

## Illicit Drugs and Alcohol Abuse (D-19)

**Original Implementation:** September 1, 1986

**Last Revision:** ~~October 12, 2009~~ July 19, 2011

It is the declared policy of the United States government to create a drug-free America. As a part of that policy, the Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 701-707, was adopted. On December 12, 1989, President Bush signed the Drug-Free Schools and Communities Act Amendment of 1989, 20 U.S.C. § 1011i, which amends provisions of the Drug-Free Schools and Communities Act of 1986 and the Higher Education Act of 1965. University policies relating to the use of illegal drugs and alcoholic beverages have been established by the Board of Regents of Stephen F. Austin State University in compliance with state and federal law.

### Definitions

1. Controlled substance means a controlled substance in schedules I through V of the Schedules of controlled substances, 21 U.S.C. § 812. Examples include, but are not limited to: heroin, marijuana, mescaline, peyote and cocaine. This definition does not include medication prescribed by a physician.
2. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
3. Criminal drug statute means a criminal statute involving manufacture, distribution, dispensation, use or possession of any controlled substance.
4. Federal agency means an agency as that term is defined in 5 U.S.C. § 551(1).

### Standards of Conduct

It is the university's policy that all members of the university community and guests are required to comply with federal, state and local laws regarding the possession, consumption and distribution of alcoholic beverages. University policy prohibits all employees (full-time and part-time faculty, staff and students) from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcoholic beverage in the workplace, or reporting to work under the influence of alcoholic beverages or illegal drugs. None of the funds appropriated to the university by the state legislature for travel expenses may be expended for alcoholic beverages.

University policy further stipulates that the unauthorized use of intoxicating beverages on university-controlled property or at university-sponsored activities, including, but not limited to, intercollegiate and intramural athletic events is prohibited. Alcoholic beverages are not permitted in university residence halls. With regard to student apartments, alcohol is permitted in apartments only for individuals 21 years of age or older.

Alcoholic beverages will be permitted for authorized university-sponsored or co-sponsored events on university controlled property only as follows:

~~Lumberjack Alley~~ Official university tailgate events (~~must cease 30 minutes prior to the game~~);

Homer Bryce Stadium Pressbox (only if catered or sold through a licensed vendor);

Baker Pattillo Student Center (only if catered or sold through a licensed vendor and subject to the criteria in the Student Center Operations policy B-29);

The Ed and Gwen Cole Art Center at the Old Opera House (only beer and wine may be served for events approved in advance by the dean of fine arts);

Juanita Curry Boynton House (both interior and exterior).

In all cases, possession or use of alcohol must be in full compliance with applicable state laws including the Texas Alcoholic Beverage Code. Nothing herein shall be taken as an assumption of risk or responsibility on the part of the board of regents, the university or its employees for any injuries or damages, whatever kind, resulting from any person's possession or use of alcohol, whether such use is legal or illegal. The only university funds that may be used to purchase alcohol are approved discretionary accounts. Under no circumstances will appropriated funds, funds under the control of the athletics department, or funds generated by research grants and contracts be used to purchase alcohol. Texas Government Code § 2113.012 prohibits use of appropriated funds to compensate an officer or employee who uses alcoholic beverages on active duty; therefore, alcoholic beverages may not be served at official functions between 8 a.m. and 5 p.m., Monday through Friday.

It is the policy of Stephen F. Austin State University that any unlawful manufacture, possession or delivery of any controlled substance or illegal drug is strictly prohibited. Moreover, it is the policy of the state of Texas and of this university that this institution will be as free of illegal drugs as it can possibly be.

### Health Risks

#### ALCOHOL ABUSE

Alcohol is a primary and continuous depressant of the central nervous system. Impairment of judgment and of recently learned, complex and finely tuned skills begins to occur at blood alcohol concentrations as low as 0.025 percent. These impairments are followed by the loss of more primitive skills and functions, such as gross motor control and orientation at concentrations in excess of 0.05 percent. Alcohol in moderate doses impairs nearly every aspect of information processing, including the ability to abstract and conceptualize, the ability to use large numbers of situational cues presented simultaneously, and the cognitive ability to determine meaning from incoming

information. Alcohol consumption can therefore promote action on impulse without full appreciation of, or concern about, the potential negative consequences of such action. Chronic long-term effects of heavy drinking over a period of years can result in brain damage; cancer of the mouth, esophagus or stomach; heart disease; liver damage resulting in cirrhosis, alcoholic hepatitis, and cancer of the liver; peptic ulcer disease; and possible damage of the adrenal and pituitary glands. Prolonged, excessive drinking can shorten life span by 10 to 12 years.

## ILLICIT DRUGS

Illicit drugs include narcotics, such as heroin or morphine; depressants, such as barbiturates, Quaaludes, or valium; stimulants, such as cocaine or "crack"; hallucinogens, such as PCP, LSD or mescaline; cannabis, such as marijuana or hashish; inhalants, such as nitrous oxide, amyl nitrite (poppers) or various hydrocarbon solvents; and designer drugs, such as  $\alpha$ -methylfentanyl (China White), methamphetamine (Ecstasy) or meperidine (Demerol).

**Narcotics.** Narcotics initially produce a feeling of euphoria that is often followed by drowsiness, nausea and vomiting. Tolerance may develop rapidly and dependence is likely. The use of contaminated syringes may result in diseases such as AIDS, endocarditis (inflammation of the lining of the heart) and hepatitis.

**Depressants.** The effects of depressants are in many ways similar to the effects of alcohol. Small amounts can produce calmness and relaxed muscles, but a somewhat larger dose can cause slurred speech, ataxia or unstable gait, and altered perception. Very large doses can cause respiratory depression, coma and death. The combination of depressants and alcohol can multiply the effects of the drugs, thereby multiplying the risks. The use of depressants can cause both physical and psychological dependence.

**Stimulants.** Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils; elevated blood pressure, heart and respiratory rate; and increased body temperature. Occasional use can cause a stuffy or runny nose, while chronic use can ulcerate the mucous membrane of the nose with long-term use eroding the nasal septum. The injection of cocaine with unsterile equipment can cause AIDS, hepatitis and other diseases. Preparation of freebase, which involves the use of volatile solvents, can result in death or injury from fire or explosion. Cocaine can produce psychological and physical dependency. In addition, tolerance develops rapidly. Crack or freebase rock is extremely addictive. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia and seizures. Overdoses occur easily.

**Hallucinogens.** Phencyclidine (PCP) users frequently report a sense of distance and estrangement. Time and body movement are slowed down. Muscular coordination worsens, and senses are dulled. Speech is blocked and incoherent. Chronic PCP users report persistent memory problems and speech difficulties. Mood disorders, such as depression, anxiety and violent behavior, may also occur. In late stages of chronic use,

users often exhibit paranoid and violent behavior and experience hallucinations. Large doses may produce convulsions and coma, heart failure, lung problems and/or ruptured blood vessels in the brain. Lysergic acid (LSD), mescaline and psilocybin cause illusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness and tremors. Sensations and feelings may change rapidly. It is common to have a bad psychological reaction to LSD, mescaline and psilocybin. The user may experience panic, confusion, suspicion, anxiety and loss of control. Delayed effects or flashbacks can occur even after use has ceased.

**Inhalants.** The chemicals in most inhalants are rapidly absorbed in the lungs and exert their central nervous system effects within seconds, producing an altered mental state for about five to fifteen minutes. Immediate effects of inhalants include nausea, sneezing, coughing, nose bleeds, fatigue, lack of coordination and loss of appetite. Solvents and aerosol sprays can decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrite can cause rapid pulse, headaches, and involuntary passing of urine and feces. Inhalation of toluene as well as other hydrocarbons has been associated with kidney and liver damage, peripheral nerve problems, convulsions, encephalopathy (organic brain damage) and other central nervous system disorders. Sudden death associated with both glue sniffing and especially the inhalation of aerosols containing halogenated hydrocarbons (Freon) has been reported and is thought to be secondary to cardiac arrhythmias (abnormal electrical conduction patterns in the heart).

**Marijuana.** The short term effects of marijuana include distortion of time perception, increased heart rate, dilation of blood vessels and loss of short-term memory. Also decreased are visual perception and psychomotor skills, which have adverse effects on driving ability. The effects of long-term use include loss of motivation, chronic bronchitis, decreased vital lung capacity and an increased risk of lung cancer. Tolerance and psychological dependence do develop with marijuana.

**Designer Drugs.** Designer drugs are synthetic chemical modifications of older drugs of abuse that are designed and manufactured in covert laboratories and sold at great profit for recreational use. These drugs can be several hundred to several thousand times stronger than the drugs they are designed to imitate. Designer drugs similar to opiates include fentanyl, demerol, and "china white." The narcotic analogs of designer drugs can cause symptoms such as those seen in Parkinson's disease - uncontrollable tremors, drooling, impaired speech, paralysis and irreversible brain damage. Analogs of amphetamines and methamphetamines cause nausea, blurred vision, chills or sweating and faintness. Psychological effects include anxiety, depression and paranoia. Withdrawal problems include sweating, diarrhea, fever, insomnia, irritability, nausea and vomiting, and muscle and joint pain.

### University Penalties

#### STUDENTS

Any student who is determined, through the regular disciplinary procedures of the university, to have violated the policy on the use of illicit drugs will be suspended from the university for no more than two years and no less than the remainder of the current semester. At the discretion of the vice president for university affairs, a student suspended under this policy may, under certain conditions, remain enrolled at the university on disciplinary probation. These conditions can include substance abuse evaluation, treatment and/or counseling. Any cost for services or treatment not offered as a student service on campus will be the responsibility of the student.

University sanctions imposed for alcohol possession or consumption can include progressive levels of probation leading to suspension for multiple offenses, attendance at an alcohol education class offered by the university, community service, substance abuse evaluation, treatment and/or counseling. Any cost for services or treatment not offered as a student service on campus will be the responsibility of the student.

## EMPLOYEES

The university prohibits all employees (full-time and part-time faculty, staff and students) from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcoholic beverage in the workplace, or reporting to work under the influence of alcoholic beverages or illegal drugs. None of the funds appropriated to the university by the state legislature for travel expenses may be expended for alcoholic beverages.

Observance of the policy regarding alcoholic beverages and illegal drugs is a condition of employment for all university employees. An employee violating this policy shall be subject to employment discipline up to and including termination, or shall be required to undergo satisfactory participation in a drug abuse assistance or rehabilitation program, such as the Employee Assistance Program of the university.

Any employee directly engaged in the performance of work pursuant to the provision of a federal grant or contract who is convicted of violating a criminal drug statute shall notify his/her immediate supervisor of the conviction no later than five days after the conviction. The immediate supervisor shall promptly report the conviction to the appropriate vice president and the director of research services. On behalf of the university, the director of research services shall notify the federal agency grantor or contractor of the conviction within ten days of the university's receipt of notice from the employee or of receipt of other actual notice.

## Good Faith Effort

Stephen F. Austin State University shall make a good faith effort to maintain a drug-free workplace by implementing and enforcing this policy. The university shall also comply with United States Department of Transportation regulations regarding drug testing of drivers with a commercial driver's license.

**Federal Law**

Offense	Minimum Punishment	Maximum Punishment
Manufacture, distribution or dispensing drugs (includes marijuana)	A term of imprisonment not more than 20 years, and a minimum fine of \$1,000,000	A term of life imprisonment without release (no eligibility for parole) and a fine not to exceed \$4,000,000 (for an individual) or \$20,000,000 (if other than an individual)
Possession of drugs (including marijuana)	Civil penalty in amount not to exceed \$10,000	Imprisonment for not more than 20 years or not less than 5 years, a fine of not less than \$5,000 plus costs of investigation and prosecution
Operation of a common carrier under the influence of alcohol or drugs		Imprisonment for up to 15 years and a fine not to exceed \$250,000

**Texas Law**

Offense	Minimum Punishment	Maximum Punishment
Manufacture or delivery of controlled substances (drugs)	Confinement in the Texas Department of Criminal Justice State Jail facility for a term of not more than 2 years or less 180 days, or confinement in a community correctional facility for not more than 1 year, and a fine not to exceed \$10,000	Confinement in TDCJ for life or for a term of not more than 99 years or less than 15 years, and a fine not to exceed \$250,000
Possession of controlled substances (drugs)	Confinement in jail for a term of not more than 180 days, and a fine not to exceed \$2,000	Confinement in TDCJ for life or for a term of not more than 99 years or less than 15 years, and a fine not to exceed \$250,000
Delivery of marijuana	Confinement in jail for a term of not more than 180 days, and a fine not to exceed \$2,000	Confinement in jail for a term of not more than 180 days, and a fine not to exceed \$2,000



Possession of marijuana	Confinement in jail for a term of not more than 180 days, and a fine not to exceed \$2,000	Confinement in jail for a term of not more than 2 years or less than 30 days, or confinement in TDCJ for a term of not more than 10 years or less than 2 years and a fine of not more than \$10,000
Driving while intoxicated (includes intoxication from alcohol, drugs, or both)	Confinement in jail for a term of not more than two years or less than 72 hours, and a fine of not more than \$2,000, possible loss of driver's license and license surcharge up to \$2,000 per year for 3 years.	Confinement in jail for a term of not more than two years or less than 30 days, or confinement in TDCJ for a term of not more than ten years or less than two years and a fine of not more than \$10,000
Public intoxication		A fine not to exceed \$500
Purchase or consumption or possession of alcohol by a minor	Fine of not more than \$500	For a subsequent offense a fine of not less than \$250 nor more than \$2000
Sale of alcohol or furnishing alcohol to a minor	Fine of up to \$4,000 and/or up to 1 year in jail	Both
Driving under the influence of alcohol by a minor	Fine of not more than \$500 and community service related to education about or prevention of misuse of alcohol.	A fine of not less than \$500 or more than \$2,000, confinement in jail not to exceed 180 days and/or both; community service related to education about or prevention of misuse of alcohol.

### Counseling, Treatment and Rehabilitation

#### STUDENTS

Stephen F. Austin State University, through the counseling services office, provides alcohol/drug abuse prevention service which is available to all students. Services include assistance in abstaining from the use of chemical substances, early intervention when chemical abuse is detected, and referral to a campus support system and/or a community referral for inpatient/outpatient services not available on campus. Medical counseling and printed information on chemical dependency are available through University Health Services, the campus student health facility. Students may seek individual counseling or request printed information at either campus location.

**Prevention/Education.** The objectives of this element of the assistance program are to: increase awareness of the students, faculty, and staff concerning the psychological and health risks associated with chemical use; provide information to students regarding a variety of wellness issues which promote successful college adjustment; and, orient students, faculty and staff to the services available through the assistance program. Presentations are available to student groups on a variety of topics including alcohol and substance abuse, adult children of alcoholics, assertiveness skills, stress and time management, self-esteem and related issues. A group representative should contact the counseling services office to schedule a presentation. The assistance program also offers an Alcohol Awareness Workshop. The workshop provides basic information, tools for self-assessment, information on university and state regulations, and an orientation to the assistance program. Students may request to attend the workshop or be referred by the judicial officer.

**Referral/Assessment.** Any SFA student requiring information about, or assistance with, a chemical abuse problem may be referred to the assistance program. A student may initiate a self-referral by contacting the counseling office; university faculty and staff may initiate a student referral. Participation by a student is voluntary, except when mandated by the judicial officer. A counselor conducts an assessment interview on the student's initial visit and provides the student with details regarding confidentiality and record keeping requirements. The counselor informs the student of alternatives and makes recommendations based on the student's needs.

**Campus Support System.** Counseling services serves as a link between the individual student and support groups which are available for chemical dependency, adult children of alcoholics and victims of sexual abuse. Support groups function under guidelines established by counseling services.

**Community Referral.** Services for chemical dependency are available in the Nacogdoches community and include: private practitioners offering individual counseling or intellectual/psychological assessment; self-help groups such as Alcoholics Anonymous and Narcotics Anonymous; and inpatient/outpatient treatment.

## EMPLOYEES

University employees with supervisory responsibilities should be cognizant of employee behavior related to unacceptable job performance which may result from drug or alcohol abuse. Any decision to initiate employee counseling or a referral to personnel services should be based on the employee's unacceptable job performance. Employee counseling, referral and related record keeping should be conducted with the degree of care and confidentiality appropriate to such personnel matters. Alcohol and drug abuse seminars are among the services provided cost-free to university employees. Other services for employees with a chemical dependency are available in the community, including private practitioners offering individual counseling, self-help groups such as Alcoholics Anonymous and Narcotics Anonymous, and inpatient/outpatient treatment at various health care facilities.

It is the intent of Stephen F. Austin State University to continue to strive for a drug-free campus and to comply with state and federal regulations regarding prevention programs established to eliminate the illegal use of drugs and alcohol abuse. To this end, SFA will provide annually to each student and employee a copy of this drug and alcohol abuse prevention program. In addition, the university will conduct a biennial review of this program implemented to provide a learning and working environment free of drug and alcohol use. The purposes of the biennial review will be to: 1) determine the effectiveness of the program and implement needed changes; and 2) ensure that the sanctions included in the program are consistently enforced. The university's general counsel will be responsible for initiating the biennial review.

**Cross Reference:** Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 701-707; Drug-Free Schools and Communities Act Amendments of 1989, 20 U.S.C. § 1011i, 34 C.F.R. §§ 86.1-.411;; 21 U.S.C. §§ 812, 841-865; 5 U.S.C. § 551(1); General Appropriations Act; Texas Gov't Code § 2113.012; OMB Circular A-21; Tex. Transp. Code § 708.102; Tex. Alco. Bev. Code §§ 106.01-.15; Tex. Penal Code §§ 12.01-.49, 49.01-.12; Faculty Handbook; Non-Academic Employee Handbook; State of Texas Travel Allowance Guide; Drug and Alcohol Testing Policy (E-61); *Discipline and Discharge (E-11)*

**Responsible for Implementation:** President

**Contact for Revision:** General Counsel

**Forms:** None

**Board Committee Assignment:** *Academic and Student Affairs*

## Intellectual Property (D-20)

**Original Implementation:** April 9, 1988

**Last Revision:** ~~January 25, 2010~~ July 19, 2011

Stephen F. Austin State University encourages participation by faculty, staff and students in scholarly research and creative activities that support and enhance teaching in its classrooms and laboratories. While research conducted at Stephen F. Austin State University is aimed at discovery and dissemination of knowledge, rather than profit from commercial application, the Board of Regents recognizes that questions regarding intellectual property rights may arise from such activities. The Board of Regents seeks through adoption of this policy to balance the interests of the public, the university and the inventor, author, or creator in intellectual property arising from research and creative activities conducted by employees of the university. The board further seeks to ensure that inventions, discoveries and creative works are used and controlled in an efficient and prudent manner which will result in maximum benefit to the public, the university and the inventor, author, or creator.

### Applicability

This policy shall apply to all persons employed by Stephen F. Austin State University or a component thereof, and to anyone using facilities or funds subject to control or supervision by Stephen F. Austin State University. This policy, as amended from time to time, shall be deemed to constitute part of the conditions of employment of every employee, including student employees. Unless otherwise excluded, this policy shall apply to intellectual property of all types (including any invention, discovery, trade secret, technology, scientific or technological development, computer software, conception, design, creation or other form of expression of an idea) regardless of whether the intellectual property is subject to protection under patent, trademark, or copyright laws, or common law.

### Copyright

#### 1. Definitions

a. Copyright is the ownership and control of the intellectual property in original works of authorship. Copyright ownership and the rights thereof are defined by federal law. It is the policy of Stephen F. Austin State University that all rights in copyright shall remain with the creator of the work unless otherwise subject to contractual legal obligations, or the work is a "work made for hire" as that term is defined by federal law. The university will not require faculty to produce "works made for hire" as part of their workload or as terms for continued employment unless the production of works made for hire were a part of the faculty member's original conditions of employment.

b. A "work made for hire" is:

If expressly agreed to by the parties in a written instrument, a work specially ordered or commissioned by the university for use as a contribution to a collective work, as a part of a motion picture or other audiovisual work, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as answer material for a test, or an atlas, shall be considered a “work made for hire.” An “instructional text” is a literary, pictorial, or graphic work prepared for publication and with the purpose of use in systematic instructional activities. Multimedia courseware specially commissioned by the university shall be included as a work made for hire. “Multimedia courseware” is defined as interactive teaching aids created and deployed with electronic tools. They may incorporate text, graphic video, and audio elements and may be mounted for remote access on a file server or pressed onto a CD-ROM for stand-alone distribution. Examples include but are not limited to, distance education courses, electronic textbooks, hypertext modules, simulation software, and databases containing numbers, images, or text. Financial support for course development or course reductions offered by the university to aid with course development of on-campus or distance education courses will not by itself constitute a work made for hire unless agreement is reached prior to such arrangements that the resulting course will be a work made for hire. (See Policy D-20A)

## 2. Ownership

### a. General

In keeping with academic tradition, the university does not claim ownership of copyrightable intellectual property created by faculty during the normal course of their employment unless otherwise agreed in writing. Such property includes but is not limited to: course content, syllabi, course materials, course computer enhancements (courses in which 50% or more of content is delivered by electronic means to off campus students are governed by Policy D-20A), authored/created textbooks, books, articles, software, multimedia courseware, data sets in any format and similar works, the intended purpose of which is to disseminate the results of academic research or scholarly study created on the faculty’s own initiative. Further, the university claims no ownership of faculty authored/created popular nonfiction, novels, poems, musical compositions, software or other works of artistic imagination which do not result from projects commissioned or assigned by the university. Unless evidence of excessive use or abuse of university funds or facilities exists, the university will convey, upon request and to the extent consistent with its legal obligations, the copyright in such works to the individual faculty creator(s) or author(s). Faculty members will make such decisions and take such steps to protect works they own, with their discretion.

### b. Sponsored Research Agreements

Copyright ownership of all material (including software) that is developed in the course of, or pursuant to, a sponsored research agreement (whether funded by a public or private agency or organization) shall be determined in accordance with the terms of the sponsored research agreement, *federal law*, or, in the absence of such terms, the

copyright shall be negotiated with the author generally following the principles set forth in this policy.

#### c. Use of University Resources

(1) Copyright in all material (including software) that is developed with the significant use of funds, space, hardware, or facilities administered by the university, including but not limited to classroom and laboratory facilities, but without any obligation to others in connection with such support, ~~shall reside~~ *resides* in the university. The university recognizes and affirms the traditional academic freedom of its faculty to publish freely without restriction. In keeping with this philosophy, the university will not construe the provision of office, computer or library facilities as constituting significant use of university funds, except for those situations where the funds were paid specifically to support the development of such. Faculty development leaves, faculty development grants, minigrants and research course reductions will not be construed as a significant use of university funds.

(2) Copyright in works resulting from projects that are performed in whole or in part by any person with grants from funds administered by the university shall be determined in accordance with the terms of the support agreement, *federal law*, or, in the absence of such terms, shall be negotiated by the parties involved. The university will determine whether to register and enforce the copyright on works it owns.

#### d. Joint Works

Works may be created through the joint efforts of faculty, employees working within the scope of employment, and/or others under contract to provide services. Such joint works would be jointly owned by the faculty member and ~~University~~ *university*. Ownership agreements ~~should~~ *shall* be executed to memorialize the parties' intentions and avoid later confusion over ownership rights. Any of the joint owners may register and enforce the copyright in the names of all owners with accounting. In the absence of an agreement on the division of revenues, they will be shared pro rata after recouping costs.

### 3. Revenue Sharing

#### a. Works Not Owned by Stephen F. Austin State University

If the university does not claim ownership of an intellectual property, authors and creators of intellectual works not owned by the university may copyright the related work, publish it, register the copyright and receive any revenues which may result therefrom.

#### b. Works in Which Stephen F. Austin State University Has a Property Interest (Generally, Commissioned Works or Works Prepared in the Course and Scope of Employment)

(1) Royalty income received by the university through the sale, licensing, leasing or use of copyrightable material in which the university has a property interest will normally be shared with the author. Authorship for this purpose shall be determined by the president or his designee. Compensation and division of royalties, if any, will be negotiated by written agreement prior to commencement of work on the project or as soon thereafter as practical.

(2) In the event that an author contributes a personal work to the university, a written agreement accepting such contribution shall be executed. The terms of the agreement shall include a statement governing the division of royalties between the university and the author.

(3) In cases of extramural funding, the terms of the funding agreement shall govern the division of any royalties that may result from commercialization of materials resulting therefrom. In the event that the funding agreement vests royalty rights in the university, and does not provide any royalty share for the author, the terms of Copyright, Section 3.b.(1) shall apply. No such royalty payment to the author, however, may violate the terms of the funding agreement.

#### **4. Use of University or Agency Sponsored Materials**

a. Prior to the use of a work in which the university has an interest, the author will consult with the university through appropriate administrators, or provide a reasonable opportunity for such consultation, with respect to its use. The university reserves the right to use for instructional and research purposes, without obligation to make payment therefore, any works created by employees or students during their periods of employment or attendance and revisions or derivations of such works.

b. When unresolved questions on use occur, they shall be referred to the president or his designee for resolution.

#### **5. Revision of Materials**

Materials owned by the university under the terms of this policy shall not be altered or revised without providing the author a reasonable opportunity to assume the responsibility for the revision. If the author declines the opportunity to revise such material, the assignment of responsibility for the revision will be made by the president or his designee in consultation with the appropriate department or office.

#### **6. Withdrawal of Materials**

a. Materials owned by the university under the terms of this policy shall be withdrawn from use when the university, in consultation with the author, deems such use to be obsolete or inappropriate. No withdrawal or other discontinuance that would violate the terms of any licensing or other agreement relating to the materials shall take place.

b. The university may release to the author(s) the right to any work copyrighted in the name of the university.

## **7. Warranty**

Authors/creators must obtain appropriate permissions and releases necessary to avoid infringing or invading the personal rights of others. An author or creator of any work owned by the university under the terms of this policy ~~shall~~ warrants that, to the best of his/her knowledge, the work does not infringe on any existing copyright or other legal rights; that work not identified as quotations is the expression and creation of the author; that necessary permission for quotations and the like has been obtained; and that the work contains no libelous material or any material that invades the privacy of others.

## **8. Notice of Copyright**

Although the law does not require copyright notice for legal protection, the university encourages that such notice be applied to all works.

All material owned by the University under the terms of this policy shall be protected by notice of copyright in the name of the University. The proper form of such notice is as follows:

© 20\_\_, Stephen F. Austin State University. All rights reserved.

The date should be the year in which the work was completed or in which it was published, whichever is earlier. The name of the university should be spelled out in its entirety.

Works in the electronic environment are protected under copyright law just as print works are protected, from the moment of fixation in a tangible medium of expression. This is generally understood to include fixation in a central processing unit.

## **Patents**

### **1. Obligations**

a. Employees and others who are subject to this policy by virtue of their employment or use of university services or facilities shall disclose to the president or his designee (dean with copy to the general counsel), any invention or discovery (including those made under cooperative arrangements); provide complete information thereon; and cooperate with the university in protecting potential patent and know-how rights in accordance with Administration of Intellectual Property below.

b. When an invention arises from a project specially commissioned by the university, created in the course of employment, or with use of university facilities or funds beyond the provision of office or library facilities, the inventor ~~shall~~ hereby assigns all rights, title



and interest in and to any such invention to the university or its designee and *shall* assist the university or its designee in securing patent protection on the invention. ~~In this instance, the~~ The inventor shall, upon request, execute an invention agreement prior to commencement of the project, or as soon thereafter as practical.

c. All parties privy to inventions, know-how, trade secrets, or other discoveries which may be patentable shall maintain such information in strict confidence, so as to protect the intellectual property (subject to internal disclosure as outlined above). Researchers, consultants, and other individuals hired on projects which may involve the development of patentable property shall execute a non-disclosure agreement. Notwithstanding this provision, all employees shall be subject to non-disclosure and confidentiality obligations on patentable or other trade secret information as a term and condition of employment.

## **2. Sponsored Research**

a. In cooperative undertakings sponsored by, or involving, third parties, provisions for the control of patents normally should be consistent with the general policy stated above. The provision of sponsored research funds shall trigger patents section 1.b. above. However, it is recognized that in some cases the interests of other organizations (federal, industrial, etc.) will justify modifications of the general policy. In those cases, the provisions with respect to patents shall appear in the applicable memorandum of understanding or agreement for the review and approval of the president. It is intended and provided that disclosed inventions will be identified and managed in accordance with patent policy and procedures.

b. Nothing in this policy shall be interpreted as precluding the acceptance of a contract, grant, or agreement that provides for ownership of inventions and patent rights by the cooperating agency or organization.

## **3. Royalties**

a. After a deduction of fifteen percent (15%) for administrative costs, and a deduction for the cost of patenting, licensing, and protecting of invention and patent rights, the net royalties or other income arising from an invention or discovery shall be divided as follows:

(1) Fifty percent (50%) to the inventor(s);

(2) Fifty percent (50%) to the university.

b. Special facts concerning an invention may warrant a different distribution of royalties. Agreements with respect to royalties shall be in writing and signed by the president or his designee. Any agreement which grants the inventor more than fifty percent (50%) of the net royalties shall require approval of the Board of Regents.

c. In the event that a person contributes an invention to the university, a written agreement accepting the contribution shall be executed. The terms of the agreement shall include a statement governing the division of royalties between the university and the donor.

#### **4. Use of Inventions and Discoveries**

a. Prior to the use of an invention or discovery in which the university has an interest, the employee responsible for the invention or discovery will consult with the university through appropriate administrators, or provide a reasonable opportunity for such consultation, with respect to its use. The university reserves the right to use for instructional and research purposes, without obligation to make payment therefore, any inventions or discoveries made by employees during their periods of employment and revisions or derivations of such inventions or discoveries.

b. When unresolved questions on use occur, they shall be referred to the president or his designee for resolution.

#### **Trademarks, Service Marks and Trade Names**

1. Trademarks and service marks may be any work, name, symbol, or device, or any combination thereof adopted and used by the university in the sale or advertising of goods or services to identify and distinguish such goods and services from those sold by others.

2. Trade names include any names used to identify Stephen F. Austin State University and its services.

3. The president or his designee shall be responsible for protection and licensure of trademarks, service marks, and trade names used by or related to Stephen F. Austin State University.

4. No licenses shall be granted to commercial entities for use of trademarks or service marks in connection with commercial services or stationery, alcoholic beverages, inherently dangerous products, products of obscene or disparaging characteristics, health related products, products classified as staple foods, meats, and natural agricultural products, and any other uses which in the opinion of the president or his designee would degrade the reputation or goodwill of the university.

5. Trademark licensing inquiries should be directed to the director of athletics for processing in accordance with ~~our~~ *the university's* licensing program. If the licensing inquiry does not fall within ~~our~~ *the* traditional licensing program, the request should be forwarded to the general counsel.

#### **Trade Secrets**

Trade secrets may be comprised, generally, of any formula, pattern, or device, or of information which gives one an opportunity to obtain an advantage over competitors who do not know or use it in commercial applications. Trade secrets in which Stephen F. Austin State University maintains an interest shall be protected in accordance with the terms of sponsored research agreements or, if none exist, by any lawful means available to the university as determined by the president or his designee.

### **Disclosure of Intellectual Property**

1. Each individual subject to this policy has a duty to disclose promptly, in writing, and prior to any disclosure either to the public or for commercial purposes, any intellectual property created or discovered by such individual. Disclosure shall be made to the president or his designee (dean with copy to the general counsel).
2. The president shall adopt policies and determine procedures for appropriate institutional review of such disclosures. The duty to disclose arises as soon as the individual has reason to believe, based upon his/her own knowledge or upon information supplied by others, that the intellectual property may be protectable under patent, trademark, or copyright law, or common law. Certainty about the protections to be afforded such intellectual property is not required before a disclosure should be made. Each individual subject to this policy shall execute such declarations, assignments, or other documents as may be necessary to protect the university's interest in such intellectual property.
3. Disclosure of equity ownership or management participation in a business entity that has an agreement with the university relating to research, development, licensing, or exploitation of intellectual property created or discovered by an employee shall be made in accordance with Equity Ownership and Management Participation below.

### **Equity Ownership and Management Participation**

1. Ownership of any equity interest in a business entity that has an agreement with the university relating to research, development, licensing, or exploitation of intellectual property created or discovered by an employee shall be disclosed to the president or his designee. The president shall take any necessary steps to avoid injury to the university as a result of potential conflicts of interest arising out of such equity ownership.
2. No employee may serve as a director, officer, or employee of a business entity that has an agreement with the university relating to research, development, licensing, or exploitation of intellectual property in which the university has an ownership interest except upon request of, or prior approval by, the Board of Regents. Authorization to serve as a director, officer, or employee of such a business entity may be subject to one or more conditions established to avoid injury to the university as a result of potential conflicts of interest.

3. In accordance with Section 51.912 of the Texas Education Code, the names of all business entities that have an agreement with the university relating to the research, development, licensing, or application of intellectual property in which employees own an equity interest, or for which such persons serve as director, officer, or employee, shall be reported to the governor and legislature on an annual basis. The university may accept equity interests as partial or total compensation for rights conveyed in agreements with business entities relating to intellectual property owned by the university. The university may negotiate, but shall not be obligated to negotiate, an equity interest on behalf of any employee as a part of an agreement between the university and a business entity relating to intellectual property created, discovered, or developed by the employee and owned by the university.

### **Disposition of Income**

1. In the disposition of any net income accruing to the university or a component from patents, trade secrets, or copyrights, first consideration shall be given to the promotion of research.
2. In the disposition of any net income accruing to the university or a component from licensure of trademarks or service marks, first consideration shall be given to creation or enhancement of scholarship programs.

### **License Agreements**

1. Agreements which grant a third party the right to make, use, or sell a patented invention, invention know-how, or trade secret that has been disclosed and assigned to, or is otherwise owned by, the university shall require approval by the Board of Regents.
2. Agreements which grant a third party the right to reproduce, sell or use a copyrighted work, trademark, service mark, or trade name in which the university owns an interest shall require approval by the president.

### **Administration of Intellectual Property**

1. The president or his designee shall be responsible for administering this policy. Duties encompassed by this responsibility shall include filing appropriate registration forms and supporting documents with the Copyright Office, Library of Congress, or the Patent and Trademark Office, negotiating and drafting licenses and other royalty agreements, drafting necessary agreements for specially commissioned works, determining the applicability of this policy and appropriate law to intellectual property, and adoption of policies and procedures consistent with this policy statement and necessary for determination of ownership or protection of the university's interests in intellectual property. All referrals to the president or his designee, under this policy, shall follow established procedures and administrative channels of communication.

2. In determining the university's ownership interest in any intellectual property and measures necessary for appropriate protection or exploitation of such interests, the president or his designee may utilize assistance from designated university committees, the general counsel, Texas attorney general, an appropriate private law firm or attorney, or corporations established for the purpose of managing intellectual property.
3. The responsibility for commercial marketing and licensure of intellectual property, and for maintenance of appropriate fiscal records, is assigned to the president or his designee.
4. All expenses of copyright registration, patenting and other forms of protection sought by the university shall be borne by the university, unless otherwise paid by a licensee through a negotiated licensing agreement. If the university fails or refuses to pursue within a reasonable period any registration of copyright or patent, or other protection, for intellectual property in which an employee has an ownership or royalty interest, the employee may independently pursue registration or other protection of such interest. All patents must be filed in the university's name, unless the university relinquishes all rights and interest to the intellectual property in writing, *signed by the president*. The individual shall be reimbursed for expenses related to such protective action, pursuant to a negotiated written agreement, if the university subsequently decides to assert and exploit the university's interests in the property.

**Cross Reference:** Intellectual Property Rights for Distance Education (D-20A); Tex. Educ. Code § 51.912; *17 U.S.C. § 101*

**Responsible for Implementation:** General Counsel

**Contact For Revision:** General Counsel

**Forms:** None

**Board Committee Assignment:** *Academic and Student Affairs*

## Intellectual Property Rights for Distance Education (D-20A)

**Original Implementation:** April 22, 2003

**Last Revision:** ~~October 30, 2007~~ July 19, 2011

### Guiding Principles

• ~~—This policy applies only to courses in which 50% or more of the content is delivered electronically and for which the university has a compelling interest because of its obligation to deliver advertised curricular programs and courses. The university strongly supports and encourages the development of intellectual property from faculty, staff and students. It also recognizes the importance of such property in fulfilling the mission of the university and in providing strength and vitality within the academic programs.~~

• The university recognizes that faculty and students have exclusive ownership of copyrightable materials they create in the normal course of academic teaching or enrollment in ~~courses~~ classes, including, but not limited to syllabi, class notes and outlines, exams, handouts, *and* web enhancements, etc. ~~This policy applies only to classes in which 50% or more of the content is delivered electronically and for which the university has a compelling interest because of its obligation to deliver advertised curricular programs and courses. The compelling interest of the university is to be negotiated via the procedure outlined in the "Introduction to Categories" section.~~

The university supports the concept that ownership of intellectual property rights in distance education ~~courses~~ classes does not have to be an all-or-nothing proposition. The university believes that clarification of rights supports mutual interests of both the university and the developers of electronically delivered ~~courses~~ classes.

Strategic judgments about distance course development or the development of whole degree programs offered via distance education media are to be driven by curricular needs identified and approved by appropriate faculty, chairs, and deans ~~of the colleges involved and~~ in consultation with the director of the *Office of Instructional Technology* (OIT). ~~Expansion of distance education course offerings should be the result of careful strategic planning to maximize student enrollment and to meet the needs of students. In this process the university should promote programmatic and faculty strengths while seeking a distinctive niche in the distance education marketplace.~~

Members of the academic faculty are expected to maintain currency in their professional activities and technological innovations to enhance courses they teach. This may range from simply placing course syllabi online to the development and delivery of complete distance education courses. While faculty should not be compelled against their wishes to create distance education classes as "works made for hire," the strategic mission of the university and the needs of the curricula may compel the university to seek and hire faculty and staff who possess these skills or are willing to complete the training necessary to acquire them. In extreme cases, when it is not possible to develop courses critical to the delivery of online programs with existing faculty and staff, the university may be compelled to develop them through "work for hire" contractual arrangements outside the university community.

This policy shall apply to all persons employed by Stephen F. Austin State University, to anyone using SFASU facilities or resources under the supervision of SFASU personnel, and to all SFASU students.

The intent of this policy is that the university-supported development of distance education courses will be the decision of faculty, academic chairs/directors within individual departments and college dean, based on programmatic needs. Further, the decision about the appropriate category for each specific course will be made by the faculty, academic chairs/directors and college dean prior to the development of the course.

Appeals regarding the application of this policy shall be referred first to the academic unit's chair/director and the college dean. If the concern is not resolved at this level, it may be referred to an OIT Arbitration Committee appointed by the provost and vice president for academic affairs which is comprised of one representative from the faculty, administration, and the OIT.

### **-Introduction to Categories**

*Intellectual property rights for distance education courses* Courses in which 50% or more of the content is delivered through Stephen F. Austin State University via electronic means except as noted below are classified as governed by one of three categories: 1) works totally faculty- or staff-generated; 2) works jointly generated by the an individual and the university; and 3) works-for-hire. university generated.

*The decision about the appropriate category for each specific course will be made by the faculty member, academic unit directors, college dean, and OIT prior to the development of the course, and* Decisions about the appropriate assignment of course category should be made according to the unique role of the course within the program. and through

~~negotiations between the faculty member(s), their academic chair/director and college dean and the director of OIT.~~

Faculty members must meet with their academic ~~unit chair/director~~ and ~~director of OIT~~ to sign a license agreement. The agreement must then be signed by the college dean and the university president. ~~and receive approval from the college dean prior to creating electronically developed course materials for distributed learning in order to reach and sign a license agreement as to the appropriate category. It is understood that if circumstances warrant, a new license agreement may be signed by all parties reflecting~~

~~change, a new license agreement will be issued to reflect the any new categorization. It is also understood that~~ Courses in which the university does not have a "compelling interest" may not require any license agreement with the university and can be considered the sole property of the author(s). This determination, *made by the president or designee*, must be made ~~(in writing)~~ before the course is developed. (An example of a "compelling interest" for the university might be a graduate course that is part of a complete online degree program that would be jeopardized if the faculty member left the university and the faculty replacement was either unskilled or unable to create a similar course in a timely fashion.)

### ***-Rights That Apply to All Three Categories***

*Individuals creating these materials maintain the right to:* **~~Rights of the Individual Applied to All Three Categories~~**

- ~~To make derivative works that do not compete with academic interests of the university;; (See policy E-35—Outside Employment.)~~
- ~~To be identified as the author of the work, including the right to decide whether to allow the author's name to be displayed in association with the work;~~
- ~~To use the work for teaching, scholarship/, and research, and service by colleagues or students in one's own department on the SFA campus; and~~
- ~~To borrow portions of the work for use in compilations or other composite works that do not compete with academic interests of the university.~~

*The university maintains the right to:*

### **~~Rights of the University Applied to All Three Categories~~**

- ~~To control whether the university's name or logo is displayed in association with the work;~~



- To be informed in advance of any uses, reproductions, distributions; and dispositions of the work by the author(s) that may be construed as a conflict of interest or in conflict with ~~the university policy on outside employment; and,-~~
- *control whether the university's name or logo is displayed in association with the work.-*

### **Category 1 – —Works Totally Faculty- or Staff-Generated**

Works in this category result from an individual's efforts *on personal time* ~~on his/her personal time~~ without any *extraordinary* ~~direct~~ support from or through the university. *Ordinary support would include required support from OIT, or* ~~and without any use of standard university resources such beyond those normally provided by the university such as a standard~~ office and laboratory space, library facilities, and ordinary access to computers, software, and networks.

### **Rights, Responsibilities, and Agreements**

~~While employed by the individual is employed by the university, an individual:~~

- ~~The individual~~ has the exclusive right to allow or disallow the use of *one's* ~~of their~~ intellectual property in part or in whole by others;
- ~~The individual~~ has the exclusive right to market the *work* ~~course~~ outside the university in a manner that does not compete with the mission or market of the university;
- ~~The individual agrees to~~ shall revise the *course-work* as necessary to meet or exceed the *Principles of Good Practice for Electronically Delivered Courses* as required by the Texas Higher Education Coordinating Board (THECB);
- ~~The individual agrees to a~~ shall submit to a review of the *course-work* by appropriate academic program leaders and OIT staff to verify that the course *or other work* meets or exceeds the *Principles of Good Practice for Electronically Delivered Courses*;
- ~~The individual~~ is solely responsible for keeping the *course-work* current; *and,*
- ~~The individual agrees to teach sections of the course as often as requested by his/her academic chair/director;~~
- ~~The individual agrees to~~ shall abide by all applicable university *policies, and* state and federal laws.

1. ~~Before any use is made of intellectual property materials, the~~ *faculty members* ~~author or producer~~ shall *and do hereby* warrant that *they or she* ~~is~~ are the sole owners of the *author's* contributions to the works ~~or and~~ that the contributions does not infringe on any copyright, violate any property rights, or contain any libelous unlawful material.

**Portability:**

Upon the individual's departure from employment ~~with~~by the university, the university forfeits all rights to use the ~~course or any components of~~intellectual property of the individual unless permission is ~~otherwise~~granted in writing by the individual.

**Category 2 – —Works Jointly Generated by the Individual and University**

Works in this category result from the individual's effort in part or entirely on university time and/or with access to and use of specialized staff, facilities, and equipment beyond that *ordinarily* ~~normally~~provided. *These works also include those involving* ~~and/or~~ compensation in the form of direct grants, additional compensation, or release time for course development.

**Rights, ~~R~~responsibilities, and ~~A~~greements**

*While employed by the university, an individual:* ~~while individual is employed by the university:~~

- ~~The individual~~ has the *non-exclusive* right to market the *work* ~~course~~ outside the university in a manner that does not compete with the mission or market of the university;
- ~~The individual~~ has the right to be informed in advance of any uses, reproductions, distributions, and dispositions of the work by the university;
- ~~agrees to~~ shall revise the work as necessary to meet or exceed the *Principles of Good Practice for Electronically Delivered Courses* and understands that any compensation for development of the work is contingent upon adherence to *Principles of Good Practice for Electronically Delivered Courses*;
- ~~The individual agrees~~ shall submit to an initial and periodic review of the *work* ~~course~~ by appropriate academic program leaders and OIT staff to verify that the ~~course~~ work meets or exceeds the *Principles of Good Practice for Electronically Delivered Courses* as required by the THECB;
- ~~The individual agrees to~~ revise the course as necessary to meet or exceed the *Principles of Good Practice for Electronically Delivered Courses* and understands that any compensation for development of the course is contingent upon adherence to *Principles of Good Practice for Electronically Delivered Courses*. If the individual refuses to revise the course according to the recommendations of the review process, the university retains the right to assign revision and teaching tasks to another faculty member of the university's choosing;
- ~~The individual agrees to~~ teach sections of the course as often as requested by his academic chair/director;

- ~~The individual~~ is solely responsible for keeping the course *or other work* current; and,
- ~~The individual agrees to~~ shall abide by all applicable university *policies*, or state and federal laws.

~~Before any use is made of intellectual property materials, the author or producer shall warrant that he or she is the sole owner of the author's contribution to the work and that the contribution does not infringe any copyright, violate any property rights or contain any libelous unlawful material.~~ Before any use is made of intellectual property materials, the individual shall and does hereby warrant that he or she is the sole owner of the contribution to the work, and that the contribution does not infringe on any copyright, violate any property rights, or contain any libelous unlawful material. ;

The university:

- *has the non-exclusive right to market the work outside the university in a manner that does not compete with the mission or market of the university;*
- ~~has the right to use the intellectual property of the individual in a course as part of SFA course delivery for both credit and noncredit purposes;~~
- ~~The university~~ has the right to borrow portions of the work for use in compilations or other composite works;
- ~~The university~~ has the right to make derivative works if the author or authors assign copyright ownership to a third party; ~~and~~
- ~~The university~~ may not assign the use of the individual's intellectual property in the course or course components to another instructor without first allowing the individual the options to teach the section(s) of the course being offered up to and including what is ~~normally~~ considered an overload for the individual; *and,*
- ~~has -~~
- *the right to assign revision and teaching tasks to another faculty member if an individual refuses to revise the work according to the recommendations made during a review process.*

### Portability

*Upon the individual's departure from employment with the university, the individual has the:*

### **~~Rights of the individual following the individual's departure from the university:~~**

- ~~n~~Non-exclusive right to use the course as part of course delivery for both credit and noncredit purposes, provided the university's name or image (logo) is not used in connection with the course; *and*

- ~~non-~~Exclusive right to market *the* course, provided the university's name or image is not used in connection with the course.

**~~Rights of the university following the individual's departure from the university:~~**

*Upon the individual's departure from employment with the university, the university has the:*

- ~~n~~Non-exclusive right to use the course, or course components, as ~~part of th~~for e SFASU course delivery for both credit and noncredit purposes without *the* individual's consent; *and*
- *non-exclusive right to market the course.*

**Category 3 — Works for Hire — University**~~University Generated~~

Works in this category result from an individual's effort under a formal contractual arrangement with the university *to develop* ~~for the development~~ and/or revision of courses or as a result of the terms of the individual's ~~job description~~ employment or hiring agreement.

***Rights, Responsibilities, and Agreements***

*While employed by the university, an individual:*

**~~Rights and agreements while individual is employed by the university:~~**

- ~~The individual agrees to~~shall develop the course to meet or exceed the *Principles of Good Practice for Electronically Delivered Courses* and understands that any compensation for development and/or revision of the course is contingent upon adherence to *the Principles of Good Practice* as required by the THECB;
- ~~The individual agrees~~shall submit to a review of the course by the appropriate academic program leaders and OIT sStaff to verify that the course meets or exceeds the *Principles of Good Practice for Electronically Delivered Courses* and the appropriate standards and contractual specifications;

*The university:*

~~The individual agrees to teach sections of the course as often as requested by their department chair;~~

- ~~The university~~has *the* exclusive right to use the materials generated under the terms of the contract;

- ~~The university~~ has the right to borrow portions of the work for use in compilations or other composite works; *and*,
- 
- ~~The university~~ has *the* exclusive right to market the course outside the university.

### **Portability:**

Upon the departure of the individual from employment ~~with~~ the university, the individual forfeits all rights to use or market the course or any components of the intellectual property unless permission is otherwise granted in writing by the university.

The university retains *the* exclusive right to use and revise the course ~~as part of the SFASU course delivery~~ for both credit and noncredit purposes. The university has the exclusive right to market the course outside the university.

**Cross Reference:** ~~University Policies~~; Intellectual Property (D-20~~7~~); Conflict of Interest in Sponsored Activities (A-11.5~~7~~); Instructor-Generated Materials (A-22.1~~7~~); Copyrighted Works Reproduction (A-12~~7~~); Distance/~~Distributed~~ Education Faculty *Competencies and Compensation* (A-58~~7~~); Outside Employment (E-35).

**Responsible for Implementation:** President; Vice President for Academic Affairs

**Contact for Revision:** President

**Forms:** License Agreement for Works Totally Faculty or Staff Generated; License Agreement for Works Jointly Generated by the Individual and University; License Agreement for Works for Hire - University Generated; Principles of Good Practice for Electronically Delivered Courses.

**Board Committee Assignment:** *Academic and Student Affairs*

## Items Requiring Board of Regents Approval (D-20.5)

**Original Implementation:** July 5, 1988

**Last Revision:** ~~January 25, 2011~~ July 19, 2011

- A. Items That Require Approval by the Board of Regents
  - 1. Construction/renovation projects if the estimated cost is \$100,000 or more, including:
    - a. Selection of an architect/engineer
    - b. Authority to submit the proposal to the Texas Higher Education Coordinating Board if the estimated project cost (includes all cost) is at least \$4,000,000 for new construction, \$4,000,000 for renovation, or as otherwise required under law.
    - c. Construction contract awards. The Guaranteed Maximum Price must be reported to the Buildings and Grounds Committee at the next possible meeting.
    - d. Approval of project budget.
    - e. Change orders that would increase the cost of the project beyond the amount of the Guaranteed Maximum Price. Board approval of change orders would not be required for budgeted construction contingencies within the Guaranteed Maximum Price.
    - f. For projects requiring coordinating board approval, a final project close-out report entailing a post completion evaluation of the project that includes the following elements that must be reported to the Buildings and Grounds Committee: final project cost, summary of change orders, existence of any liquidated damages, final HUB participation percentages and total value, summary of approvals from any state or federal agencies having jurisdiction, survey summary of evaluation by end users, and summary of final inspection punch list for items needing repair. A warranty inspection will be conducted and major warranty repairs summarized for review by the president and chair of the Buildings and Grounds Committee.
  - 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 (exempt) excluding those requiring student status -
    - e. Change of position status of full-time faculty and administrative/professional (exempt) staff
    - f. Advisement on termination of full-time faculty and administrative/professional (exempt) staff (executive session only, does not require board action for approval)

- g. Leaves of absence for faculty and administrative/professional (exempt) staff for one semester (four and one-half months) or more
- h. Dual employment (with state agencies) of faculty and administrative/professional (exempt) 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 change admission, probation, or suspension regulations; establish or alter policies, regulations, or rules relating to employment or property rights; 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; change long standing and well accepted practices or patterns of behavior; or implement rules, regulations or activities established by external authorities
- 5. Contracts, purchases, or agreements in the amount of \$100,000 or more, except those that appear in Item B below
- 6. Any lease of any item (building, equipment, etc.) if the total cost of the lease is expected to be \$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
- 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 *tuition, student ~~mandatory~~ fees, and room and board rates*
- 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 \$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 \$100,000
  2. Change orders under \$100,000 as long as the approved budget is not exceeded
  3. Appointment, change-of-status, promotion, termination of non-exempt 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 \$100,000
  7. Budget transfers that do not increase the board approved budget
  8. Private, governmental, and foundation grants, agreements or sub-awards if the purpose of such is stipulated by the grantor. New grants, contract, agreements or sub-awards will be submitted to the Board of Regents for ratification on a quarterly basis.
  9. Materials purchased for resale in auxiliary operations and central stores
  10. Materials purchased for inventory stock of physical plant, residence life, or student center operations, such as custodial cleaning products and paper goods
  11. Materials purchased for inventory stock from operation and maintenance budgets previously approved by the board, such as food purchases for the Early Childhood Lab and Piney Woods Conservation Center
  12. Library subscription services
  13. Recurring printing orders
  14. Contracts and agreements for athletic events, entertainment concerts, fine arts events, and other similar activities
  15. Group travel packages for resale
  16. Materials or services purchased for emergencies resulting from disasters, hazards, or other exigent circumstances
  17. Other items approved by the president of the university which are not listed in Section A of this policy
  18. Specific commodities or service necessary for day-to-day operations of the university:
    - a. Water utility
    - b. Regulated electricity for beef farm, broiler farm and PWCC
    - c. Gasoline for university vehicles
    - d. Credit card merchant service fees
    - e. Maintenance contracts associated with preventive and/or repair work for on-



going maintenance or service provided on a scheduled or as-needed basis for equipment or software

f. Asbestos abatement projects as necessary on an “as needed” basis

g. Insurance negotiated and/or approved by the State Office of Risk Management

h. Temporary staffing services

i. Telecommunications and networking services and fees for land-line phones, cell phones and internet service

j. Hosted software services and applicable license and maintenance for general business operations such as student bill payment, cashiering and student email

**Cross Reference:** None

**Responsible for Implementation:** President

**Contact for Revision:** President

**Forms:** None

**Board Committee Assignment:** Finance and Audit Committee

## Laboratory Fees (A-24)

**Original Implementation:** June 29, 1981

**Last Revision:** ~~April 22, 2008~~ July 19, 2011

Laboratory fees ~~may~~ shall be assessed in an amount sufficient to cover in general the costs of laboratory materials and supplies used by a students *enrolled in the respective laboratory*. An ~~academic unit~~ department/division or school may choose to average the costs of its ~~over its~~ total laboratory program and set an appropriate uniform fee. The basic fee *for all laboratory classes* is \$10; ~~w~~ For those classes when ~~re~~ it can clearly be demonstrated that the value of expendable supplies is ~~well beyond~~ more than the basic fee \$10, a reasonable laboratory fee *up to, not to exceed* \$30 may be charged. *No fee will be assessed on any laboratory course whose demonstrated expenses are less than \$10 per student. Assessed lab fees shall not exceed the cost of actual materials and supplies used by students.*

Laboratory fees *greater than \$10* will be recommended by the ~~academic unit~~ department chair/director and ~~approved~~ by the dean of the college and *for approval* by the provost and vice president for academic affairs. ~~and published in the appropriate media~~. All laboratory fees *shall* will be reviewed annually at the ~~academic unit~~ department-level for appropriateness and accuracy. New and changed fees *above the \$10 basic fee* will be submitted to the ~~B~~oard of ~~R~~egents for *final* approval. *All laboratory fees shall be published in the appropriate media.*

**Cross Reference:** ~~Texas Education Code, Section 54.501, VTCA~~ *Tex. Educ. Code § 54.501*

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

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

**Forms:** None

**Board Committee Assignment:** *Academic and Student Affairs*

## Off-campus Credit Courses (A-34)

**Original Implementation:** September 8, 1978

**Last Revision:** ~~July 15, 2008~~ July 19, 2011

Stephen F. Austin State University recognizes *the need to that offering* off-campus credit courses *to meet students' educational interests.*

~~as an important responsibility to the citizens of Texas. As part of this responsibility, the university offers off-campus credit courses designed to meet the educational needs of the community it serves.~~

~~General policies for offering off-campus credit courses:~~

~~All off-campus courses offered~~ must comply with the policies and procedures of the Texas Higher Education Coordinating Board (THECB) and any regional and professional accreditation requirements. The responsibility for submitting a proposal *for teaching an off-campus* ~~ed off-campus~~ credit course rests with the dean of the college offering the course, *with approval of the provost and vice president for academic affairs.*

~~in collaboration with the Office of Instructional Technology (OIT) and the provost and vice president for academic affairs (VPAA).~~

~~All Academic chairs/directors, and deans proposing to offer off-campus credit courses shall be coordinated with the Office of Instructional Technology (~~must notify and work with~~ OIT), whhiche is responsible for overseeing THECB notification and reporting procedures. Deans and academic unit chairs/directors are responsible for scheduling the courses, reserving space at reasonable cost, managing course-related budgets ~~budgets related to courses and all instructional aspects of the the off-campus courses. being offered.~~~~

~~Additional compensation may be appropriate if~~ ~~Because~~ off-campus instruction makes demands on faculty ~~time and energy~~ beyond those at required for on-campus instruction. ~~, additional compensation is appropriate. The responsibility for Additional~~

~~establishing the schedule of compensation must be approved by rests with the academic the dean and the provost and vice president for academic affairs.~~

**Cross Reference:** ~~Texas Education Code, Title III, sub Title A, Chapter 51, Subchapter C, Sec. 61.051~~ *Tex. Educ. Code § 61.051(j).*

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

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

**Forms:** None

***Board Committee Assignment:*** *Academic and Student Affairs*

## Out-of-State Electronic Fee (C-52)

**Original Implementation:** April 20, 2004

**Last Revision:** ~~January 29, 2008~~ July 19, 2011

In a December 20, 1999 memorandum, then Commissioner of Higher Education, Don W. Brown stated:

~~"Policies on tuition and fees for courses delivered out of state derive from their status as non-state funded courses. Lacking specific provisions to the contrary, courses taken by non-resident students living outside the state should be treated the same as other self-supporting courses for which the institution does not receive formula funding such as continuing education or correspondence courses. Texas Education Code '54.545-The Texas Administrative Code allows specifies that the fees for self-supporting courses for which the institution does not collect tuition or receive formula funding are to be set by the institution's' governing boards to set fees for non-resident students who reside out of Texas while taking distance education coursework. This rule allows the Stephen F. Austin State University (SFA) Board of Regents to set an Out-of-State Electronic Fee for non-resident students who reside out of Texas while taking SFA distance education coursework. The Board of Regents-approved Out-of-State Electronic Fee replaces lost formula funding. Students paying these fees are eligible to pay in-state tuition rates plus an out-of-state electronic fee in lieu of non-resident out-of-state tuition. and should be sufficient to recover the cost of providing the course. In general, we would expect that those fees would be greater than resident tuition, but beyond that, their amounts are to be determined by the institution's governing board. May the institution make a profit on such courses? Yes, we believe you may."~~

~~This policy allows the Stephen F. Austin State University (SFASU) Board of Regents to set an Out of State Electronic Fee for non-resident students who reside out of Texas while taking SFASU distance education coursework. The Board of Regents approved Out of State Electronic Fee replaces lost formula funding. These students are eligible to pay in-state tuition rates plus an out-of-state electronic fee in lieu of non-resident out-of-state tuition.~~

**Cross Reference:** ~~The Coordinating Board Memo from Don Brown, December 20, 1999 and Chapter 4 Subchapter E of the Texas Higher Education Coordinating Board Rules and Regulations. 19 Tex. Admin. Code § 4.264~~

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

**Contact for Revision:** Director of Instructional Technology

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs

## Parking and Traffic Regulations (D-24)

**Original Implementation:** September 1, 1961

**Last Revision:** ~~April 19, 2011~~ July 19, 2011

### SECTION I: GENERAL PROVISIONS

1. **General:** Pursuant to the authority granted by Sections 51.201 et seq., 54.005, 54.505, 65.31, and 71.04 of Title 3 of the Texas Education Code and as approved by the Board of Regents of Stephen F. Austin State University (SFA), these *Parking and Traffic Regulations* are promulgated to regulate and control parking and traffic and the use of parking facilities, to provide for the issuance of parking permits, and to provide for jurisdiction over offenses. These rules and regulations are supplementary to applicable ordinances of the city of Nacogdoches and the statutes of the state of Texas that govern pedestrians and the use of motor vehicles and bicycles.
  - A. The operation of a motor vehicle or bicycle on university property is a **PRIVILEGE** granted by the university and is not an inherent right of any faculty/staff member, student or visitor. All faculty, staff, students and visitors who park on university property must have a university parking permit or park in a short-term paid parking space. A parking permit signifies that an individual has been granted the privilege of parking a vehicle on university property and does not guarantee a parking place on campus.
  - B. The university assumes no liability or responsibility for damage to or theft of any vehicle parked or driven on campus. The university assumes no responsibility or any duty to protect any vehicle or its contents at any time the vehicle is operated or parked on the campus. No bailment is created by granting any parking or operating privileges regarding a vehicle on any property owned, leased or otherwise controlled by the university.
  - C. Each person operating a motor vehicle on university property is responsible for obeying all university parking and traffic regulations as well as all city and state parking and traffic regulations. All vehicles operated on the university property must display a valid parking permit 24 hours a day, 365 days a year.
  - D. These regulations are in effect at all times on university property.
2. **Administration and Enforcement of these Regulations:**

**A. Parking Appeals:** Any person receiving a citation who believes it is unwarranted may enter a plea of not guilty at the Office of Parking & Traffic (P&T). All appeals must be submitted within seven (7) class days of the date of the citation. Appeal forms and other information may be obtained at the P&T office.

Student citations shall be appealed through the Student Government Association's Supreme Court. Dates on which the Appeals Court meet are posted and made available in the P&T office. Persons wishing to appear before the Appeals Court may do so in lieu of a written appeal. It is the responsibility of the person appealing to obtain the date and time the Appeals Court will meet so that they may appear in person. All decisions of this body are final.

Faculty and staff citations shall be appealed through the Faculty/Staff Traffic Appeals Board.

**B. Parking and Traffic:** The Parking and Traffic (P&T) Division of the University Police Department (UPD) is authorized to enforce these regulations and is responsible for the administrative functions relating to parking permits; establishing procedures and requirements for the issuance of parking permits; the collection of enforcement fees for parking and traffic violations; establishing requirements for the submission of appeals; the processing of appeals from parking and traffic citations; and for management of parking lots and garages. P&T supervises parking enforcement assistants who issue parking citations and provide other services such as lock-out and jump starts.

**C. The Stephen F. Austin State University Police Department (UPD):** UPD is authorized to enforce these regulations at any time or under any circumstances deemed necessary. UPD officers may issue university citations or court appearance citations enforceable in municipal court.

The Board of Regents of Stephen F. Austin State University is authorized to employ campus police personnel. Such officers are commissioned as Texas peace officers and are vested with all powers, privileges and immunities of peace officers in the performance of their duties. As Texas peace officers, Stephen F. Austin State University police officers have county-wide jurisdiction in all counties in which the university owns property.

All persons on university property are required to identify themselves to such officers when requested. Failure to produce identification upon request of an officer may result in arrest and appearance before a magistrate.

The university police shall be vested with the authority to refuse to allow persons having no legitimate business to enter upon any property under the control and jurisdiction of Stephen F. Austin State University and to eject any unauthorized persons from said property upon their refusal to leave peaceably upon request.

The university police are authorized to enforce the Texas Motor Vehicle Code, the Texas Penal Code, and applicable ordinances of the city of Nacogdoches, the parking and traffic regulations of the university, and all other laws.

All accidents, thefts and other offenses that occur on university property or anywhere within the campus area should be reported to the university police immediately. Accident reports should be made prior to moving vehicles. One-vehicle accidents should also be reported. Vehicles should always remain locked.

3. **Authority:** P&T and UPD are authorized to enforce these regulations:
  - A. Through the issuance of university citations and collection of enforcement fees, including the periodic billing of unpaid citations and the referral of individual cases pertaining to unpaid campus citations to a national collection agency;
  - B. Through the impoundment of vehicles interfering with the movement of vehicular, bicycle, or pedestrian traffic, blocking a sidewalk or space for those with disabilities, loading dock, ramp, cross-walk, entrance, exit, fire lane, or aisle;
  - C. Through the impoundment or immobilization of vehicles for unpaid enforcement fees or display of a lost, altered or stolen parking permit;
  - D. By the suspension, revocation or denial of campus driving privileges, parking permit and garage access privileges to those who have flagrantly violated these regulations;
  - E. By requiring either the vehicle owner or operator or the person who purchased the permit to appear in court for certain moving violations or at a university hearing for non-payment of outstanding charges or other violations of these regulations;
  - F. By barring re-admission and by withholding grades, degree, refunds and official transcript of any student for non-payment of outstanding charges in accordance with university standards;
  - G. By disciplinary action against employees or students who fail to abide by these regulations;



H. By such other methods as are commonly employed by city governments or state agencies in control of traffic regulation enforcement.

I. Violation of the university parking & traffic regulation is a misdemeanor punishable by a fine of up to \$200.

4. **Proof:** The issuance of a citation reflecting the existence of any parking or traffic control device, sign, short-term spaces, signal or marking at any location on university property shall constitute prima facie evidence that the same was in existence and was official and installed under the authority of applicable law and these regulations. When any person is charged with having stopped, parked and left standing a motor vehicle on the campus, in violation of any provision of these *Parking and Traffic Regulations*, proof that said vehicle was, at the date of the offense, bearing a valid university parking permit shall constitute prima facie evidence that said vehicle was then and there stopped, parked, and left standing by the holder of the parking permit. If the vehicle does not bear a valid university parking permit, proof that the vehicle at the date of the offense alleged was owned by an individual is prima facie proof that said vehicle was then and there stopped, parked and left standing by the individual.

5. **Responsibility:**

A. The person to whom a university parking permit is issued is responsible for any citation issued with respect to a car displaying that permit or a vehicle registered through P&T by that person.

B. If the vehicle does not display a valid university parking permit and is not registered through P&T to any university permit holder, then the person to whom the vehicle is registered through the Texas Department of Transportation at the time of issuance of the citation and that individual's university affiliate (faculty, staff or student) are responsible for the citation.

6. **Collection Methods:** The university may arrange for collection of debts due to the university pursuant to these regulations in the following manner:

A. Permit payments may be deducted from employee payroll checks with the employee's permission. Deductions for all permit purchases will continue until the full price of the permit is paid or until the permit is returned. Employees are responsible for monitoring their paychecks to ensure that proper deductions are being made for their SFA parking permit.

B. A financial hold will be placed against students for past due debts.

## SECTION II: DEFINITIONS

**COMMUTER:** SFA students without a SFA housing assignment.

**CONTRACT EMPLOYEE:** Any person employed by a business, which has contracted to operate a business or service function of the university, who is not a member of the faculty, staff or student body.

**DISABLED VEHICLE:** Any vehicle that has mechanical failure that prevents it from being operated at all or impedes the vehicle's operation for a period of more than three (3) weeks.

**FACULTY/STAFF:** Any person employed by the university, regardless of whether the person is employed with or without salary, including casual employees.

**FLAGRANT VIOLATIONS:** A clear and obvious violation of these rules and regulations, including but not limited to possession of a lost, stolen or altered permit; possession of a permit by someone other than the original purchaser; receipt of 10 or more citations within one academic year; or any violations that substantially impact the daily operations of the university or the health and safety of others.

**IMMOBILIZATION:** Impoundment of a vehicle in place.

**MOTORCYCLE/MOPED/MOTOR SCOOTERS:** A self-propelled device with at least two wheels in contact with the ground during operation; a braking system capable of stopping the device under typical operating conditions; a gas or electric motor; and a deck designed to allow a person to stand or sit while operating the device.

**P&T:** Stephen F. Austin State University Office of Parking & Traffic.

**PARKING ENFORCEMENT ASSISTANT:** Employee of P&T who controls the parking of motor vehicles; issues parking citations in parking lots, garages and along streets at SFA; provides guidance and directions to visitors; assists with special-event parking; provides special services such as escort, vehicle unlocks and jump starts; and immobilizes vehicles in accordance with these regulations.

**PARKING PERMIT:** Permit issued by P&T that authorizes parking on university property.

**PARKING SPACE:** An area designated for vehicle parking by pavement or curb markings or signs. Any area not so marked is not a valid parking space.

**PERMIT REQUIREMENTS:** a permit is required at all times on campus, with the exception of semester intersessions.

**PRIVATE CONTRACTOR:** Any person employed by a business, but not affiliated with SFA as faculty, staff or student, which has contracted to operate a business or service function of the university.

**RESIDENT:** SFA students who have a current SFA on-campus housing assignment.

**SEMESTER INTERSESSION:** the period between the day following published last day of SFA finals of one semester and the beginning of the next semester (first day of class) and SFA spring break.

**SFA:** Stephen F. Austin State University

**SHORT TERM PARKING SPACE:** Any parking space for which the payment of an hourly rate is required.

**STUDENT:** Any person who is or has been within the last six months registered and enrolled at the university (including but not limited to online students, special students, part-time students, auditing individuals, teaching assistant students, graders and research assistants).

**IMPOUND:** securely hold a vehicle until certain conditions are met for its release.

**UNIVERSITY:** Stephen F. Austin State University

**UNIVERSITY PROPERTY:** includes all properties under the control and jurisdiction of the Board of Regents of Stephen F. Austin State University.

**UPD:** Stephen F. Austin State University Police Department

**VEHICLE:** Includes, but is not limited to, automobiles, buses, trucks, trailers, motorcycles, motor scooters, motorbikes, mopeds, bicycles, golf carts, club cars and tractors.

**VENDOR:** An individual or company not affiliated with university that provides goods or services to the university.

**VISITOR:** Any person who is not a faculty, staff or student member or official visitor of the university or otherwise eligible for a SFA parking permit.

### SECTION III: TRAFFIC REGULATIONS

1. **Compliance:** Every vehicle operator shall comply with these regulations, state law and all traffic control devices at all times, unless otherwise specifically directed by P&T or UPD. State and local laws pertaining to operation of motor vehicles, bicycles and pedestrians on public streets apply on the campus and streets owned and operated by the university.

Vehicles are prohibited at all times from parking in reserved spaces without a proper permit, no-parking zones, tow-away zones, fire lanes, crosswalks, loading zones or service driveways, on lawns, curbs or sidewalks, barricaded areas or in any manner which obstructs the flow of vehicular or pedestrian traffic.

2. **Special Instructions:** No person shall fail to comply with any instruction related to traffic or parking given by a university police officer or director of P&T or a P&T parking enforcement assistant.
3. **Temporary Restrictions:** The director of P&T or chief of UPD or their designee is authorized to temporarily implement restrictions that govern parking and traffic relating to construction, emergency situations or special events on campus, and by agreement with the city of Nacogdoches, on public streets. Notice of such restrictions may be given by the posting of temporary signs or barriers or in any other area deemed appropriate.
4. **Speed Limits:** 20 mph on campus roads, 10 mph in parking lots and service drives and 5 mph in parking garages is the maximum speed limit, at all times, unless otherwise posted.
5. **Traffic Obstruction:** No person shall park or bring to a halt on the campus any vehicle in such a manner as to interfere with normal vehicular or pedestrian traffic or jeopardize safety or university property.
6. **Vehicles in Buildings:** With the exception of wheelchairs, ADA scooters or other devices specifically authorized by the director of P&T or chief of UPD or their designee, no person shall place, use, park or otherwise leave a vehicle within any university building other than a parking garage at any time.
7. **Sidewalks, Grass or Shrubbery:** No person shall drive a vehicle on a sidewalk, walkway, patio, plaza, grass, shrubbery or any unmarked or unimproved ground area unless such areas are signed and marked for driving, except as specifically authorized by P&T or UPD.

8. **Passenger Pick-Up and Drop-Off:** No person shall stop a vehicle on any street, alley or driveway on the campus for the purpose of picking up or dropping off a pedestrian without first drawing up to the right-hand curb.
9. **Pedestrians:** Pedestrians have the right-of-way at marked crosswalks, in intersections and on sidewalks extending across a service drive, building entrance or driveway. Pedestrians crossing a street at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles on the street. No pedestrian shall stand on the traveled portion of any street, alley or driveway in such a manner as to obstruct or prevent the free flow of traffic.
10. **Reserved Spaces:** Several parking spaces, regardless of the area in which they are located, are reserved 24 hours a day, seven (7) days a week for service vehicles, residence hall directors, handicapped or as loading zones. This also includes UPD business, police vehicles only, visitor spaces and VIP parking spaces at Hall 20. Parking areas are generally reserved for the type of permit holder indicated by signs from 6 a.m. to 4 p.m., Monday through Friday, except as otherwise indicated. Parking lots 8W (north of McKibben Education Building) and 15 (HPE Complex) are reserved Monday through Friday until 8 p.m.
  - a. A portion of Lot 47 (Commuter Lot), as identified by metal signs, is reserved for band practice on Monday, Tuesday, Wednesday and Thursday after 3:30 p.m. Vehicles will be towed, at owner's expense, from this area during this designated time.
  - b. ~~Some lots A portion of Lot 47 (Commuter Lot) will~~ may be reserved for ~~Lumberjack Alley~~ *tailgating* events before, ~~and~~ during *and after* each home football game. These reserved areas will be identified by signage placed out the day before the game designating the time the area must be clear of vehicles. Vehicles inside this area after the specified time may be towed at the owner's expense.
  - c. Pecan Park (Lot 54): All spaces facing the pavilion are reserved for non-SFA park patrons ONLY.
11. **Motorcycle Spaces:** Several parking spaces too small for conventional vehicles have been designated for motorcycles by curb markings. Spaces so marked are for two-wheeled motor vehicles only. Motorcycles may not park in no-parking zones, fire lanes, reserved spaces or any other space not deemed a legal parking space.

12. **Head-In Parking:** All vehicles, except motorcycles, must park head-in and within a defined space in lots and streets having angled or head-in parking.
13. **Parking Designations:** Parking areas are designated by signs and/or color coding on a map obtained from the UPD, P&T the Visitor Information Booth or online at the P&T website at [http://www.sfasu.edu/documents/parking\\_map.pdf](http://www.sfasu.edu/documents/parking_map.pdf). These signs and maps indicate the type of permit holder for which the area is reserved. Certain lots are reserved for permit holders assigned to that lot only.

Certain parking spaces have been designated as 20-minute parking spaces. These spaces are so designated to provide short-term parking for business access to the Stephen F. Austin State University Post Office, student center offices and other designated areas.

Parking more than 20 minutes is prohibited. Citations may be issued for each 21-minute segment of parking overtime. Parking in the 20-minute spaces does not require an SFA parking permit.

#### SECTION IV: PARKING REGULATIONS

1. **General:** A vehicle operator shall park only in a parking space as authorized by the parking permit displayed or as otherwise specifically authorized by P&T or UPD. Each parking space within a lot or garage shall be marked or defined by appropriate signs and/or other markings. Parking in a garage requires either the appropriate SFA permit, or in the case of the Student Center Garage, payment by the hour.
  - a. A permit must be obtained for each academic year or portion thereof. Permits for the current academic year may be obtained at any time during the academic year. Persons may complete a permit application for the next academic year beginning April 1 and the permits will be mailed to the address provided by applicant on the first business day in August.
  - b. A permit must be displayed on the vehicle no later than the first business day that the vehicle is brought on campus.
  - c. Only the permit for the current academic year should be displayed.

d. Vehicles owned by students cannot normally be registered in the name of a faculty or staff member, unless approved by the chief of police or the director of P & T or their designee.

e. Anyone whose SFA status changes must update their permit to reflect that change no later than the first university business day after the change takes place. If the permit number of a returned permit is legible, then the replacement permit will be issued for \$15. Otherwise, the regular fee will be charged.

f. A vehicle should not be sold with the parking permit still displayed.

g. Damaged parking permits should be replaced immediately through the Parking & Traffic office.

2. **Use of Parking Permits:** no person shall lend, sell or otherwise allow another person to use their permit, except as specifically authorized by these regulations.

3. **Permit Requirements:** a permit is required at all times on campus, except if parked in the Student Center Garage or the short-term paid spaces in Lot 21 or during intersessions when parking without a permit is authorized in commuter and resident spaces only. Vehicles are eligible to park only as authorized by the class of permit issued. (Section V.2, Permits, “Classes of Permits and Eligibility,” sets forth the classes of permits and eligibility requirements).

All faculty, staff, students (full or part-time) or employees of private contractors or other government agencies assigned to Stephen F. Austin State University, who operate a vehicle on university property, regularly or occasionally, are required to obtain a parking permit.

4. **Manner of Parking:** No person shall:

**A.** Park without a current parking permit or payment of the designated short-term parking, except as specifically authorized by the director of P&T or the chief of UPD or their designee.

**B.** Park a vehicle such that it occupies portions of more than one parking space.

**C.** Park a vehicle with the left wheels to the curb unless parked on a one-way street.

**D.** Double park a vehicle.

**E.** Park a vehicle in a manner that obstructs “disabled” parking spaces, walkways,

driveways, ramps, loading docks, or marked crosswalks.

**F.** Park any vehicle on a sidewalk, walkway, patio, plaza, grass, shrubbery or any unmarked or unimproved ground area.

**G.** Park a vehicle or permit a vehicle to stand in or block access to any area designated as a fire lane or 15 feet in either direction of a fire hydrant. Fire lanes are designated by posted signs and/or yellow or red painted curbs. Any emergency authorization for use of fire lanes must be obtained through UPD.

**H.** Park a vehicle in a no parking zone

**I.** Park a vehicle in an area designated as a bus stop.

**J.** Park in a space with a barricade or remove a barricade, except as specifically authorized by P&T or UPD.

**K.** Park a trailer, recreational vehicle or mobile home on university property unless specifically coordinated and approved by P&T.

**L.** Park or store a bicycle except at designated bicycle parking areas.

5. **Loading Zones:** Loading zones/docks are intended for the delivery of bulky items that cannot be carried long distances. The operator of a vehicle making deliveries must be actively loading or unloading the vehicle with the flashers engaged, and may not be parked in the loading zone for longer than 15 minutes. When loading/unloading is completed, the vehicle must be relocated to the assigned lot. If the loading/unloading activity will take longer than 15 minutes contact P&T for assistance.
6. **Disabled Parking:** No person shall park a vehicle in a "disabled" space without a university permit and appropriate state disabled placard or license plate. Disabled parking is provided in all parking lots on campus. These spaces are reserved 24 hours a day, seven (7) days a week for the holders of state handicapped parking placards or license plates. A current SFA permit is also required. Only the person to whom the disabled plate or placard is issued may use the permit for such parking.
  - a. Handicapped permits and temporary handicapped permits are issued by the county tax assessor-collector of any Texas county.
  - b. Only vehicles displaying a handicapped permit or temporary handicapped permit may park in "Reserved for Handicapped" parking



spaces or any other area designed for disabled persons such as an access ramp or curb cut. These vehicles must also display a valid Stephen F. Austin State University parking permit.

c. A vehicle displaying a valid SFA parking permit and a valid handicapped permit may park in any non-reserved parking space on campus. Reserved parking spaces are reserved 24 hours a day/ seven (7) days a week for service vehicles, residence hall directors, visitors, and loading zones.

d. Permits assigned to vehicles displaying appropriate disabled parking placards will be issued in compliance with Texas Transportation Code, Section 0681.0006 Parking Privileges: Persons with Disabilities and Section 0681.0008 Parking Privileges: Veterans with Disabilities.

e. Faculty/staff members who have a valid handicap placard or license plate issued by the state of Texas may purchase a commuter permit for \$50 in lieu of a faculty/staff permit.

7. **Temporarily Sick or Injured Permit:** A temporary permit, valid for up to one week, may be obtained by a person who is temporarily disabled, due to illness or injury, to park in areas other than the area designated on his/her regular valid permit. An application for this permit must be accompanied by a doctor's statement. Parking assignments will be made in keeping with available resources. Those requiring disabled parking in excess of one week must obtain a state temporary disabled placard by completing the form (<http://www.adaptiveaccess.com/handicap-license.pdf>).
8. **Visitor Parking:** Official visitors, not otherwise eligible for a university parking permit, may be offered no-cost visitor permits, not to exceed three days without the specific permission of the director of P&T. Visitor parking is set aside for special interest areas of the university. These spaces may not be utilized by university personnel, students or employees of private contractors assigned to Stephen F. Austin State University. These spaces are reserved for bona fide visitors to the university. Visitors should obtain a visitor parking permit from Parking & Traffic office or the Information Booth on Vista Drive. Visitors are required to show a valid driver's license to obtain a visitor permit.
9. **Emergency Vehicle Parking:** Emergency vehicles are exempt from the provisions of these regulations when being operated in response to an emergency situation.

10. **Abandoned Vehicles:** The university may deem a vehicle parked on university property for more than 48 hours without a valid permit to be abandoned and may remove such vehicle as provided in Section 683.001 – 683.078 of The Texas Transportation Code.
11. **Disabled Vehicles:** If a vehicle becomes temporarily disabled and cannot be parked in its assigned area, it must be reported to the University Police Department. The fact that the vehicle is temporarily disabled will be recorded, and an officer will either render assistance or authorize temporary parking. Temporary parking will only be authorized for 24 hours or less. If parking for a longer period is necessary, authorization must be renewed at 24-hour intervals. Temporary parking will not be authorized in areas that are not parking spaces (tow-away or no-parking zones, etc.) or in disabled parking. A permit may not be purchased for display on a disabled vehicle. For these purposes, a disabled vehicle is a vehicle that has been disabled for more than three weeks.
12. **Short-term Pay Parking (Student Center Parking Garage and the numbered spaces in Lot 21):** Short-term pay parking is available in these locations for parking without a permit and paying the hourly rate.
13. **Student Center Parking Garage Fees:** The use of the Student Center Parking Garage is deemed Pay-Per-Use 24 hours a day, 7 days a week. Persons parking in the Student Center Parking Garage must enter the garage by pulling a ticket or use a garage entry card. The forms of payment accepted by the equipment will be posted at the entrances to the garage. Permit and hourly rates may be found on the Parking Fees Table located in Appendix A.
14. **Special Events:** Any university department hosting an event on campus may request event parking. Some of the available resources include:
  - **Student Center Parking Garage:** The individual department is responsible for notifying P&T within 48 hours of the event with the number of permits/passes needed for the event. See university policy, Building Security/Special Events (F-5.) Passes for the Student Center Parking Garage will not be issued without a minimum of 48-hour notice. This is to allow for the parking arrangements to be made to accommodate the visitors to campus. The fee for a department to utilize the parking garage for an event is \$8 per day for up to 9 passes, \$6 per day if 10 or more are purchased or \$3 per day if 30 or more are purchased. The amount will be charged to the requesting department via Inter-Departmental Transfers (IDTs).
  - **Lot 21:** Pay station pin codes are available to SFA departments for special event parking for \$5 each for up to eight (8) hours of parking. Pin codes for Lot

21 will not be issued without a minimum of 48-hour notice. This is to allow for the parking arrangements to be made to accommodate the visitors to campus. The amount will be charged to the requesting department via Inter-Departmental Transfers (IDTs).

## SECTION V: PARKING PERMITS

1. **Issuance of Permits:** The director of P&T may issue a parking permit to any employee or student of the university and vendors or contractors operating on the campus upon payment of the appropriate fee. The director of P&T shall allocate permits, at the director's discretion, among the faculty, staff, students and visitors of the university in a manner intended to serve the needs of the university.

A parking permit will be issued upon application and payment of the parking permit fee to P&T. An individual may only use one parking permit at any time. A hangtag parking permit is transferable to any passenger vehicle being operated by or for the transportation of the permit holder. Ownership of all permits remains with the university and is not transferable.

The director of P&T may issue special permits for events to the host department. Parking areas are subject to closure by the director of P&T for special events, construction or other special circumstances. The director of P&T may establish fees for special circumstance parking, including event parking.

**Bicycles:** The university does not require the registration of bicycles; however, owners are encouraged to have bicycles marked for identification purposes at UPD. Information is located on the UPD property registration page online at <http://www.sfasu.edu/upd/property-registration.asp>. UPD will record bicycle serial number and description and make available an engraving tool to mark bicycles for identification. There is no charge for this service.

- a. Every person operating a bicycle on university property must give the right-of-way to pedestrians at all times, keep to the right of the roadway and obey all traffic signals.
- b. Bicycles may not be parked on sidewalks or in university buildings at any time. Bicycles are to be parked in bicycle racks. Bicycles may not be left on porches or walkways and may not be chained to trees, light poles, shrubs, art objects, handrails or stairways.

c. Bicycles parked in violation may be impounded and removed to the University Police Department and a \$25 fee charged for release.

## 2. **Classes of Permits and Eligibility:**

### **A. Faculty/Staff:**

#### **Class "AA"**

Eligibility: SFA faculty and staff as designated by the president and vice presidents

Price: Refer to **Appendix A** for rates

Where: valid in any space on university property, except disabled spaces (unless a state disabled placard or license plate is displayed), or reserved spaces (service truck, hall director, visitor, etc.).

#### **Class "F"**

Eligibility: SFA faculty and staff

Price: Refer to **Appendix A** for rates

Where: valid in the faculty/staff lots except Aikman Drive, which requires an AA permit, disabled spaces (unless a state disabled placard or license plate is displayed), resident spaces or reserved spaces (service truck, hall director, visitor, etc.).

#### **Class "PG" – Student Center Garage Permits**

Eligibility: SFA faculty and staff

Price: \$725 for 12 months

Where: valid for parking in the Student Center Parking Garage

*NOTE: Garage Permits require purchase of a regular permit.*

#### **Class "M"**

Eligibility: SFA faculty and staff

Price ~~\$70~~50 for 12 months

Where: valid in any area designated for motorcycle parking, reserved, visitor or any legal parking space, except along Aikman Drive.

#### **Class "B" – Faculty/Staff Class "B" Daily Surface Permit**

Eligibility: SFA faculty and staff

Price: \$2 each (minimum purchase of 5 permits)

Where: valid in the faculty/staff lots except Aikman Drive, which requires an AA permit, disabled spaces (unless a state disabled placard or license plate is displayed), resident spaces or reserved spaces (service truck, hall director, visitor, etc.).

## **B. Student**

### **Class “PG” – Student Center Garage Permits**

Eligibility: SFA students

Price: \$725 for 12 months

Where: valid for parking in the Student Center Parking Garage

*NOTE: Student Garage Permits require purchase of a regular permit.*

### **Class “C” - Commuter Student Surface Permit**

Eligibility: SFA students not living in university housing

Price: \$70 for 12 months

Where: valid for parking in the Commuter Student surface spaces on campus.

### **Class “H” - Resident Student Permit**

Eligibility: SFA students with a current SFA housing assignment

Price: \$95 for 12 months

Where: valid for parking in the Resident or All Permit spaces on campus

### **Class “M”**

Eligibility: SFA Students

Price ~~\$70~~\$60 for 12 months

Where: valid in any area designated for motorcycle parking or any legal parking space except along Aikman Drive

### **Class “S” - Commuter Student Daily Surface Permit**

Eligibility: SFA students without a SFA housing assignment

Price: \$2 each (minimum purchase of five permits)

Where: valid for parking in the Commuter Student surface spaces on campus

### **Class “K” - Resident Housing Student Daily Surface Permit**

Eligibility: SFA students with a SFA housing assignment

Price: \$2 each (minimum purchase of five permits)

Where: valid for parking in Resident or All Permit spaces on campus

## **C. Other**

### **Class “W” – Fitness Permit**

Eligibility: Student Recreation Center members not otherwise eligible for an SFA permit. Those who are the spouse of a faculty or staff member are eligible, provided the member’s SFA-affiliated spouse has purchased a valid parking permit.

Price: \$20 for 12 months

Where: valid for parking in Commuter Student surface spaces and only when using the Student Recreation Center

**Class “CV” – Contractor/Vendor Parking Permit**

Eligibility: Any non-affiliated vendor, salesperson, technical representative, other service personnel (such as copier repairers) or contractor. Students, faculty and staff are not eligible for vendor/service permits.

Price: \$156 for 12 months

Where: valid for parking in Faculty/Staff spaces when conducting university business. Class “CV” permits are not valid in Resident parking areas or along Aikman Drive.

**Class “RF” – Retired Faculty/Staff Parking Permit**

Eligibility: Any SFA retiree who does not receive compensation for employment from SFA

Price: No charge

Where: valid for parking in Faculty/Staff spaces.

3. **Display of Permits:** Permits shall be displayed on the vehicle according to the instructions furnished on the permit. Each academic year a permit holder who fails to display their permit will be allowed three warnings for parking in an authorized area without displaying the permit.
4. **Surrender or Removal of Permits:**
  - A) Termination of relationship with SFA: A permit holder shall return their permit to SFA when the permit holder's relationship with the university terminates. Permits not returned to SFA remain active, and the permit holder is responsible for the permit fee.
  - B) Permit holders are required to remove and surrender their permit:
    1. In the case of a decal permit when there is a change in ownership of the vehicle
    2. When a replacement permit has been issued
    3. Upon revocation of the permit
5. **Expiration of Permits:** Permits expire on the date listed on the face of the permit.

6. **Payment of Permit Fees:** When an application is made for a permit, the fee charged will be for the entire permit period or for the entire unexpired portion of the permit period. See [Appendix A: Parking Fees Table](#) for specific permit fees.
7. **Lost/Stolen Permits:** A permit holder shall immediately report to P&T any lost/stolen permit and complete the associated report. Lost/stolen permits may be replaced for a fee (see [Appendix A: Parking Fees Table](#)). Any permit recovered after such a report has been filed must be returned to P&T immediately. Use of a permit that has been reported as lost/stolen is subject to fines and penalties as described in these regulations.
8. **Permit Refunds:** A permit is non-refundable and is not transferable from the person to whom it is issued to another individual. Resale of parking permits is prohibited and will be considered a false or fictitious permit.
9. **Permit Misuse:** Misuse of any permit shall result in confiscation of the permit, and no permit shall be issued to that individual for at least one year thereafter. P&T is authorized to suspend campus parking and driving privileges on university property for any person whose vehicle is cited for displaying a lost, stolen or altered permit, or any SFA parking permit not issued in accordance with these regulations. Students will be referred to the Office of Student Rights and Responsibilities, and faculty/staff will have the matter forwarded to the appropriate dean, director or department head for disciplinary action. Violators who are found in possession of a lost, stolen or altered permit shall also pay the annual cost of the permit type they fraudulently used.

## SECTION VI: SPECIAL SERVICES

1. **Escort Services:** The University Police Department and Office of Parking & Traffic offer escort service upon request between dusk and dawn to individuals requiring transportation to and from residence halls, academic buildings and/or vehicles. To receive an escort, either request in person at the University Police Department or by telephone at 936-468-2608. The University Police Department also provides escort 24 hours a day to local hospitals for emergencies when immediate medical care is not needed. For further information on the escort service, call the University Police Department at 936-468-2608.

2. **Jump Starts and Vehicle Unlocks:** Services such as battery jump starts and vehicle unlocks are offered by the University Police Department as time permits. The University Police Department does not change flats, push cars or perform other automotive service.
3. **Special Events:** P&T employees will assist SFA event sponsors with convenient and effective access while limiting the impact the event traffic will have on campus parking. P&T offers services such as barricading spaces, placement and removal of cones, golf cart service, etc. Event parking management will be directed by:
  - Available parking spaces
  - Expected attendance
  - Costs that may be incurred by department sponsoring event
  - Expected/potential impact on regular users of the area
  - Logistical ability of P&T to manage event
  - Whether or not the event is university or non-university sponsored

## SECTION VII: ENFORCEMENT

1. **Parking and Traffic Citations:**
  - A) Issuance: Any person violating these regulations may receive a citation.
  - B) P&T Authority: University parking enforcement assistants are authorized to write university parking citations.
  - C) UPD Authority: UPD officers are authorized to issue university citations and court appearance citations for violation of these regulations. It is the general policy of the university to issue court appearance citations only for moving violations and for any violation when the individual's driving or parking privileges have been suspended, although UPD may issue a court appearance for any appropriate violation. All vehicles driven on Stephen F. Austin State University property are subject to all university traffic regulations, state of Texas motor vehicle codes and city of Nacogdoches motor vehicle laws. Moving violations may be issued on a city of Nacogdoches traffic citation or filed in the office of the appropriate justice of the peace or with the city of Nacogdoches Municipal Court.



Fees for parking violations may be paid in person at the university business office between 8 a.m. and 4 p.m. Monday through Friday, or mailed to:

Stephen F. Austin State University  
Business Office  
P.O. Box 13053, SFA Station  
Nacogdoches, TX 75962-3053

2. **Failure to Discharge Court Appearance Citations:** Failure to discharge a court appearance citation may result in the issuance of an arrest warrant.
3. **University Citations:** University citations are issued for offenses listed in **Section VIII: Driving and Parking Offenses**. Any person receiving a university citation must remit the amount of the charge or submit an appeal to P&T within 14 days after issuance of the citation. Any towing, booting and/or storage fees for removal of an impounded or immobilized vehicle or bicycle must be paid regardless of whether an appeal has been submitted.
4. **Appeals from University Citations:** Any person issued a university citation may appeal the citation within seven (7) class days of the citation's issuance by completing the appropriate P&T form. Boot Administrative citations and towing or storage fees are not eligible for appeal. Any citation that is not a warning must be appealed as described in these regulations.
5. **Failure to Pay Citation Charges:** Unpaid citations can result in student financial holds preventing students from receiving grades, refunds, official transcripts or graduating. Ten (10) or more violations within one academic year may result in suspension of driving and parking privileges on campus and/or disciplinary action.
6. **Vehicle Immobilization or Impoundment:** P&T or UPD may immobilize (boot) or impound (tow/relocate to a storage area) the vehicle of any person who accumulates three (3) or more unpaid parking or traffic citations without a SFA parking permit, violation of the terms of a conditional release, parked in an ADA space without displaying a state ADA placard or license plate, or illegally using an ADA permit assigned to another individual, parked in any space without a permit for that area, or is in possession of a lost, stolen or altered parking permit. All outstanding citations must be paid in full prior to the release of the vehicle. Vehicles may also be booted for other violations of these regulations or state law at the discretion of UPD. The university is not responsible for any damage to the vehicle during booting, towing, relocation, or storage. After notice has been posted on the vehicle, vehicles booted for longer than three (3) days may be impounded (towed to

a storage area). The owner and operator are severally responsible for any booting, towing or storage fees.

Immobilization (wheel lock): A vehicle may be immobilized in place if:

1. it is parked anywhere on campus without displaying a current permit and has three or more unresolved citations; or
2. the owner or operator violates the terms of a conditional release; or
- 3 it is parked illegally in a handicap space without displaying a proper permit; or
4. the owner or operator illegally uses a handicap permit to obtain parking privileges; or
5. it is parked in any space without a permit for that area.

No vehicle may be towed without the express approval of the university chief of police, the director of P&T or their designee.

Fees for tow away will be included on the SFA bill if owner is a student or faculty or staff member. Others may pay at the university business office between 8 a.m. and 4 p.m. Monday through Friday.

#### **7. Suspension of Parking Privileges:**

Notices of parking violations may constitute a suspension of parking privileges, and any fee assessed is for reinstatement of parking privileges for operators of vehicles registered with the university.

All violations involving registration of vehicles operated on the properties of the university are violations of the law and SFA *Parking and Traffic Regulations*. Disposition of these citations at the university is a privilege extended by the university, which may be withdrawn at the university's option.

Violation of suspension of parking privileges shall result in removal of the vehicle by tow away.

Driving and parking privileges may be suspended by P&T, UPD or the Office of Student Rights and Responsibilities if the violator has displayed a lost, stolen or altered permit or other flagrant violations of these regulations. The loss of the privilege of driving or parking a vehicle on campus shall commence immediately following notification of suspension. Such notification shall state the term of the suspension and consequences for violation of the stated terms. The violations of the

suspension shall be reported to the Office of Student Rights and Responsibilities if the person is a student or to the appropriate dean, director or administrative official for possible disciplinary action if the person is a faculty or staff member.

A. If a person whose privilege of driving or parking on campus has been suspended receives a university citation by reason of having a vehicle on campus during the period of their suspension, the period of suspension may be extended and a referral to the appropriate university office may be made for further university disciplinary action.

B. A person receiving notice that their privilege of driving or parking on university property has been suspended shall return, without refund, the remnants of the permit issued (or the entire hanging permit) to the P&T office immediately.

8. **Collections:** Any charge not paid when due may be forwarded to an outside collection agency or an attorney for collection. The offender will be responsible for paying all costs of collection, including any agency fees and/or reasonable attorney's fees, which will be added to the total amount due.

9. **No Excuse:**

The absence of sufficient parking spaces on the university campus is not justification for violation of these regulations. Failure to enforce any regulation shall not constitute a waiver of the university's authority to enforce these regulations. Other improperly parked vehicles do not constitute an excuse for improper parking.

## SECTION VIII: DRIVING AND PARKING OFFENSES

### 2011-2012 Parking Violations

Code	Violation Description	Fine
<b>General Violations</b>		
A1	Displaying a valid permit, but in violation of lot or area assignment ( <i>6a-4p M-F; Reserved lots are reserved until times indicated by signage</i> )	\$40
A2	Parking backward in a parking space	\$30
A3	Failing to display a valid parking permit	\$40
A4	Not parking properly within the lines of a parking space	\$30
A5	Parking in a space designated "20 minute only" for more than 20 minutes ( <i>6a-4p M-F</i> )	\$30

A6	Displaying a permit assigned to another vehicle	\$30
A7	Display two or more valid permits	\$30
A8	Failure to display proper permit on registered vehicle (three warnings per academic year, then \$10 per incident)	\$10
A9	Expired short-term parking	\$30
<b>Flagrant Violations</b>		
B1	Parking in a reserved parking space without displaying a proper permit <i>(plus tow fee if applicable)</i>	\$40
B2	Parking a vehicle in a no-parking zone <i>(plus tow fee if applicable)</i>	\$40
B3	Parking in any manner which obstructs vehicular traffic <i>(plus tow fee if applicable)</i>	\$40
B4	Parking in a manner which obstructs a crosswalk <i>(plus tow fee if applicable)</i>	\$40
B5	Parking in a fire lane <i>(plus tow fee if applicable)</i>	\$50
B6	Parking in a tow-away zone <i>(plus tow fee if applicable)</i>	\$40
B7	Parking in a loading zone or service driveway <i>(plus tow fee if applicable)</i>	\$40
B8	Parking on a lawn, curb, sidewalk or other area not set aside for parking <i>(plus tow fee if applicable)</i>	\$40
B9	Parking on campus while parking privileges are suspended <i>(plus tow fee if applicable)</i>	\$150
C1	Moving a barricade or parking within any barricaded area <i>(plus tow fee if applicable)</i>	\$40
C2	Using a forged, altered, false, fictitious or stolen permit <i>(plus tow fee if applicable)</i>	\$150
C3	Falsifying or altering vehicle registration information <i>(plus tow fee if applicable)</i>	\$100
C4	Parking in/blocking a handicapped space, ramp, or unloading zone w/o placard <i>(plus tow fee if applicable)</i>	\$150
C5	Having a vehicle towed from campus	**
C6	Citation with move	\$40
C7	Vehicle moved to another location on campus	**
C8	Vehicle has been wheel locked	\$75
C9	Parking in violation of the direction of a traffic control officer	\$40
C10	Theft of property or damaging property by unauthorized boot removal or tampering/attempted removal of the boot (plus replacement cost of damaged property)	\$150

**Flagrant violations are enforced 24 hours a day, 7 days a week and are subject to immobilization or impound.**

**\*\* Rates will be posted in the P&T office after competitive bid process.**

### APPENDIX A: PARKING FEES TABLE

2011-2012 SFA Parking Permits				
Permit Sales Rate Chart				
Faculty and Staff				
Permit Type	Description	Annual		
AA	Faculty/Staff AA Permit <sup>±</sup>	\$130* <i>see below</i>		
F	Faculty/Staff Assigned Lot Permit <sup>±</sup>	\$130* <i>see below</i>		
PG	Annual Student Center Garage	\$725	NA	NA
	Semester Student Center Garage	\$310	\$310	\$310
M	Motorcycle Permit	\$ 50		
B	Faculty/Staff Daily Permit	\$2/Day	\$2/Day	\$2/Day
Student				
Permit Type	Description	Sep-11	Jan-12	May-12
PG	Annual Student Center Garage	\$725	NA	NA
	Semester Student Center Garage	\$310	\$310	\$310
C	Commuter Permit	\$ 70	\$ 47	\$ 24
H	Campus Resident Permit	\$ 95	\$ 64	\$ 32
	Campus Resident Second Vehicle	\$ 67	\$ 45	\$ 32
MS	Commuter Daily Permit	\$2/Day	\$2/Day	\$2/Day
SM	Motorcycle Permit	\$ 60	\$ 40	\$ 20
K	Campus Resident Daily Permit	\$2/Day	\$2/Day	\$2/Day
Miscellaneous				
Permit Type	Description	Sep-11	Jan-12	May-12
W	Fitness Permit	\$ 20	\$ 20	\$20

CV	Contractor/Vendor Permit	\$156	\$104	\$52
T	Trailer Permit	\$ 50	\$ 33	\$17
RV	Occupied Recreational Vehicle**	\$ 40		
<b>** Per night, after four (4) days</b>				

<b>Student Center Garage Hourly Parking</b>	
0-30 Minutes	No Charge
First Hour	\$2
Each Hour Thereafter	\$1
Maximum Daily Charge	\$8
Lost Parking Ticket	\$8
Lost Contract Space Card	\$25

<b>Short-Term Paid Parking Lot 21</b>	
First Hour	\$2.00
Each Hour Thereafter	\$1.00
<b>Fees</b>	
Replacement Permit	\$15
Bicycle Release Fee	\$25
Lost/Stolen Replacement Permit	\$25

<b>*Faculty/Staff or Other Government Agencies Annual Permit Fees</b>						
Salary \$19,999.99 and Less	Salary \$20,000 - \$39,999.99	Salary \$40,000 - \$59,999.99	Salary \$60,000 - \$79,999.99	Salary \$80,000 - \$99,999.99	Salary \$100,000 - \$119,999.99	Salary \$120,000 and Above
\$36	\$60	\$84	\$108	\$132	\$156	\$180

*F permits are prorated monthly*

**Cross Reference:** Parking and Traffic Regulations and Information, Tex. Educ. Code §§ 51.201-.211

**Responsible for Implementation:** Vice President for University Affairs

**Contact for Revision:** Chief of University Police

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs

## Petitions and Handbills (D-25)

**Original Implementation:** July, 1980

**Last Revision:** ~~July 15, 2008~~ July 19, 2011

These rules shall govern the circulation and distribution of all petitions (a document embodying a formal written request made to an official person or organization) and handbills (a printed sheet that is distributed by hand), on university property.

1. Students, employees, and their approved organizations may circulate and distribute petitions and handbills on university property, except in academic buildings unless otherwise authorized by law.
2. Visitors, defined as any person who is not presently enrolled as a student nor is presently employed by the university, may circulate and distribute petitions and handbills in assigned areas of campus upon approval.
3. Students, employees, and their approved organizations shall require no previous approval to circulate or distribute petitions and handbills on university property so long as the individual or group(s) sponsoring the petitions or handbills is clearly identified in writing on the material itself.
4. All persons or organizations seeking to distribute a petition or handbill without identifying information must complete a registration form with the Office of Student Activities and deposit a true and correct copy of the petition or handbill to be circulated or distributed.
5. Areas and times of circulation and/or distribution are as follows:
  - a. Students, employees, and their approved organizations may circulate and distribute properly registered (*if required by this policy*) petitions and handbills on university property at any time and in any location, except in academic buildings unless otherwise authorized by law.
  - b. Visitors may circulate and distribute properly registered petitions and handbills in the area of campus assigned as a part of the registration process. On the days visitors have been approved to be on campus, they may circulate and/or distribute petitions and/or handbills between the hours of 8:00 a.m. and 7:00 p.m. on the days registered for.
  - c. Handbills may not be placed on parked vehicles or any other stationary object, (i.e., table, bench, etc.) as a means of distribution.
6. Registration must be made through the Office of Student Activities at least twenty-four (24) hours in advance to facilitate orderly scheduling of the circulation and/or distribution area(s).
7. Circulation and distribution by all parties must be conducted in compliance with these rules and university policy and 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. The person or organization circulating or distribution these materials shall clean and remove any litter which results from this activity.
9. No person or organization may circulate or distribute a petition or handbill that:
- a. violates the university's policy on solicitation;
  - b. contains material that is obscene or libelous; or
  - c. advocates the deliberate violation of law.

For the purposes of this section "advocacy" means preparing the group addressed for imminent action and ~~steering-directing~~ it to such action *with the likelihood of producing that action*, as opposed to the abstract espousal of the moral propriety of a course of action.

All decisions regarding prohibition of a petition or handbill based on content would follow the procedures outlined in the signs policy, D-31, Section IV.

10. In addition to these rules, petitions and handbills to be circulated and distributed by students, faculty, and staff, and their approved organizations, in:
- a. residence halls must comply with the rules governing residence halls; and
  - b. the Baker Pattillo Student Center must comply with the rules governing this building and its grounds.
11. These rules do not apply to:
- a. the university, and its agents, servants, or employees, acting in the course and scope of their agency or employment; and
  - b. the Stephen F. Austin State University Alumni Association and the Stephen F. Austin State University Foundation.

**Cross Reference:** ~~Stephen F. Austin State University Policy~~ *U.S. Const. amend. I; Signs and Exhibits (D-31)*

**Responsible for Implementation:** Vice President for University Affairs

**Contact for Revision:** Dean of Student Affairs

**Forms:** Registration Form, Student Affairs/Student Activities

**Board Committee Assignment:** *Building and Grounds*

## Property Liability (B-34)

**Original Implementation:** April 22, 2003

**Last Revision:** ~~July 15, 2008~~ July 19, 2011

Any university employee entrusted with state property may be held financially liable for damaged, destroyed, lost, or 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.

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 may be held financially liable for lost, damaged and stolen property as outlined in Texas Government Code § 403.275. See Property Liability Policy (B-34).”

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 employee 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.

**Cross Reference:** Texas ~~Government~~ Gov't Code §§ ~~Ann. Sec. 403.271(a) through 403-~~ .278-, 2203.004; Property Inventory and Management, ~~Policy~~ (C-42)

**Responsible for Implementation:** Vice President for Finance and Administration

**Contact for Revision:** Director of *Procurement and Property Services* ~~Purchasing and Inventory~~/HUB Coordinator

**Forms:** None

**Board Committee Assignment:** *Finance and Audit*

## Public/Student Health (D-26)

**Original Implementation:** February 29, 1988

**Last Revision:** ~~July 15, 2008~~ July 19, 2011

Stephen F. Austin State University recognizes an obligation to promote public health on campus by protecting students, faculty, and staff from the spread of contagious and infectious diseases. An effective and responsible approach to safeguarding public health on campus requires that legitimate concerns about the potential for transmission of diseases in university settings neither be sensationalized nor minimized, but that university officials work closely with other interested parties to establish policies and procedures that inhibit the likelihood of contagion while promoting an educational environment characterized by safety, continuity, and calm.

When circumstances arise that require review, the vice president for university affairs will convene a Public/Student Health Committee, consisting of appropriate faculty and staff members. This committee will assist the vice president in coordinating the university's efforts to fulfill its responsibility concerning public health. In carrying out its tasks, the committee shall follow the guidelines of recognized authorities including: The National Center for Disease Control, the United States Public Health Service, the Texas Department of Health, and the American College Health Association. Further, the committee shall conform its actions to the Texas Communicable Disease Prevention and Control Act and other law.

In the event of public inquiry concerning university policy on public health or health-related matters at SFASU, the executive director of marketing, or their designee, will serve as the official spokesperson for the university. Medical records of individuals shall remain confidential, but public information shall be disclosed upon request in accordance with the Texas ~~Open Records~~ *Public Information Act* and the Family Educational Rights and Privacy Act. Requests for such information should be referred to the university's general counsel.

If a public health issue arises that could involve the continuity of business and academic functions of the university, other ad hoc committees may be impaneled to address those particular issues.

**Cross Reference:** ~~None~~ *Tex. Health & Safety Code Ch. 81; Tex. Gov't Code Ch. 552; Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g*

**Responsible for Implementation:** Vice President for University Affairs

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

**Forms:** None

***Board Committee Assignment:*** *Academic and Student Affairs*

## Receipts and Deposits (C-5)

**Original Implementation:** Unpublished

**Last Revision:** ~~October 12, 2009~~ July 19, 2011

### Purpose

This policy provides procedures and guidelines to all Stephen F. Austin State University departments handling receipts and deposits. Procedures have been established to encourage an effective administration and internal control of receipt-handling operations throughout the university. ***Note: The term –“receipts,” as referenced in this policy, is deemed to include currency, coins, personal checks, bank drafts, money orders, traveler’s checks, cashier’s checks, and credit card transactions, debit card transactions, wire transfers, and any other method of receiving funds.***

### Authority and Responsibility

The university has delegated the authority and responsibility for establishing policies and procedures for all receipt-handling activities to the Office of the Controller. In carrying out this duty, the controller’s office is responsible for:

1. Establishing and enforcing policies and procedures governing the receipt, handling, custody, and disbursement of funds.
2. Requiring the establishment and maintenance of records accounting for funds received and paid by the university.
3. Establishing and authorizing banking depositories to be used for university funds.
4. Establishing and authorizing procedures for granting, maintaining, and terminating the departmental collection of university funds.

### Applicability

This policy is applicable to every university department, administrative office, and affiliated organization that handles receipts for any university-related function. Employees that handle receipts on behalf of the university are required to be familiar with the ~~requirements~~ *provisions* of this policy. Additionally, the Office of the Controller or *Department of Audit Services* may perform periodic audits of any department with receipt-handling operations.

### Summary

Any individual handling university receipts is responsible to the university for proper security and accountability. Due to the personal liability involved in performing receipt-handling functions, it is important that only authorized employees accept funds for university business. Employees are required to appropriately safeguard, account for, and document all receipts received on behalf of the university. Applicable university discipline and/or discharge policies will be followed in the imposition of sanctions related to a violation of this policy.

## **Guidelines**

### **Segregation of Duties**

Receipt-handling operations must be subject to daily supervisory review and management. To minimize the potential for mistakes or misappropriation of receipts, the segregation of receipt handling duties is recommended. The duties of collecting receipts, maintaining documentation, preparing deposits, and reconciling records should be separated among different individuals. In departments where the separation of duties is not feasible, strict individual accountability and thorough management supervision and review is required.

### **Written Departmental Procedures**

In addition to the receipt-handling procedures established in this document, each department that handles receipts is required to have its own internal policies and procedures for receipts. Written procedures should minimally include authorization of person(s) to collect receipts; maintenance of receipt books; security and reconciliation of receipts; preparing, approving, and depositing receipts ~~within~~ at the business office; over/short procedures; and a procedure to notify the appropriate campus authority in the event of a loss.

In addition, it is the responsibility of the department *head or supervisor* to ensure that all employees with receipt-handling responsibilities have receipt-handling duties included in their job description.

### **Safekeeping**

Departments handling receipts are responsible for the safekeeping of these university assets. Physical security should be emphasized to every employee involved in receipt handling. The following general guidelines should be followed to help maintain the integrity of those areas handling receipts:

- Unauthorized persons are not allowed in areas where receipts are handled.
- If possible, doors should be locked at all times in areas where receipts are handled. Safe doors should be kept closed during working hours and locked at times when it is not necessary to be in and out of the safe.
- Large sums of cash should be counted and handled out of sight of the general public.
- Individuals should keep working funds to a minimum at all times. Excess funds should be in a locked device or deposited ~~in~~ *with* the business office.
- Cash and receipts should **NEVER** be unattended. This applies to cash registers, desktops, ~~and~~ cash drawers, *and any other place in which cash is located*. If an employee leaves his or her workstation for any reason, regardless of how briefly, cash and receipts must be appropriately secured in a locked place.
- For overnight storage and during other periods when cash is not being used, it should be kept in a secure place, either a safe or locked container.
- If a safe location is not available within the department, the cash and receipts should be brought to the business office on campus for safekeeping.
  - ~~————The revenue-cash and receipts should be sealed in an envelope kept in a locked bank bag provided by the business office.~~
  - ~~The preparing staff member should sign their name across the seal of the envelope.~~
  - The department name and responsible party should be noted on the outside of the ~~locked bag~~ *envelope*.
- If a safe location is not available within the department, and the business office is not open, the ~~deposits-cash and receipts~~ should be brought to the University Police Department (UPD) *in a locked bag*.
- Under *no* circumstances should an individual keep university cash with their own personal funds, deposit university funds in a personal bank account, or take university funds to one's home for safekeeping.
- Checks should always be properly restrictively endorsed upon receipt.

### Custodian Responsibilities

*For purposes of this policy, ~~t~~The custodian ~~or~~ is anyone who handles cash and receipts. ~~designated individual responsible for a department's receipt handling operations~~The custodian is responsible for:*

**The adequate and appropriate safekeeping of the university monies** - While using cash funds for daily operational activities, procedures should be established to maintain a safe and secure working environment to ensure the safeguarding of funds and safety of personnel. Employees should be well informed of their responsibilities for handling cash



and receipt transactions and being accountable for those funds. The custodian must see that appropriate internal control measures are enforced.

When not being used for operational activities, all cash and receipts should be kept in a safekeeping device, either a safe or locked container. Lock combinations and the custody of keys should be maintained by one person. These items should not be stored in an unlocked desk drawer or unsupervised area. For strictly emergency situations, the department head or other designated employee should have the safe combination or an extra set of keys.

**Maintaining current and accurate records of the funds** - The records should provide clear documentation of receipts from the time of collection to the time of deposit. *This information documentation should always be readily available for audits by the Office of the Controller, Department of Audit Services, or the department head.* Specific information on appropriate documentation can be found under the heading, "Receipts Procedures." ~~This information should always be readily available for audits by the Controller's Office, Department of Audit Services, or the department head.~~

~~**Performing, at a minimum, a monthly reconciliation**~~ Depending upon the volume of transactions, weekly or daily reconciliations may be more appropriate. ~~The Controller's Office will assist in determining the frequency. Use the Cash Receipts Reconciliation Form for reconciling the cash.~~

### Overages and Shortages

Both overages and shortages should be noted and tracked by the custodian and then reviewed and certified by a supervisor or department head. Significant amounts should be immediately reported to the department head and the controller's office. If there appears to be a growing pattern or anything unusual or *abnormal* ~~strange~~ about the overages and shortages, that information must be disclosed immediately.

### Refunds

A refund is the return of funds for a transaction that occurred on a prior business day. Refunds cannot be made directly through the use of petty cash funds, change funds or funds received from cash receipts, *unless specifically authorized by the business office.* All refunds should be processed by the completion of a purchase voucher in adherence to the procedures as established by the controller's office, depending upon the type of transaction involved. Petty cash funds, change funds, or funds received from cash receipts **must not** be used to reimburse employees for out-of-pocket expenditures. These reimbursements will be made in accordance with procedures developed by the

~~Controller's controller's office. All funds must be deposited. No department may use any~~  
~~receipted funds for any other purpose. All funds must be deposited.~~

## **Receipts Procedures**

### **Training Requirements**

Mandatory ~~r~~Receipts ~~t~~Training is required of all employees whose job duties include the acceptance, record keeping, and deposit of university receipts. Training should be arranged with the business office. Employees are required to do follow-up training annually.

New hires will be given information stating the need for receipts training at the new employee orientation.

### **Receipting Revenues**

University departments that collect receipts must have an established departmental procedure for documenting all receipts. Computer generated receipts, cash register receipts, or pre-numbered receipt books or tickets are acceptable forms of documentation.

*All pre-numbered receipt books are issued by the business office. All other receipts issued must be approved by the ~~Controller's~~ business office as to form.*

As a minimum, receipt documentation should include:

1. Payer's name
2. Amount of payment
3. Mode of payment (cash, check, credit card, money order, etc.)
- ~~3.4.~~ *Check or money order number, if applicable*
- 4.5. Purpose of payment
- ~~5.6.~~ Date of payment
- ~~6.7.~~ Initials of employee collecting funds

~~This~~ *above* applies to receipts collected directly from individuals, as well as receipts received through the mail, over the Internet or by phone.

With prior approval by the business office, departments that receive large volumes of checks by mail (such as application fees) may document their receipts by creating a spreadsheet which contains the information above. The check number, date of receipt, initials of the employee, and the amount must be noted on the face of the application or documentation received with the payment. The spreadsheet must be reconciled to the group of checks.

## Canceled/Voided Transactions

The same-day cancellation of a transaction must be approved by a supervisor. Upon approval, the original receipt should be voided and the payment returned to the customer. The customer should sign the voided receipt acknowledging the transaction.

## Manual Cash Receipt Books

Manual *pre-numbered* cash receipt books ~~must~~ may be obtained from the business office *only*. Receipt books will not be placed in campus mail. ~~If receipts other than those distributed by the Business Office are used, they must be approved by the Business Office.~~ The business office will document the distribution of each receipt book.

Documentation will include:

1. Department name
2. Department account number
3. Numbers of each book distributed
4. Signature by the person receiving the book(s)
5. Description of what the receipts book(s) will be used for

Each person issuing receipts and/or making deposits **MUST** have receipt-handling training in order to ~~ensure~~ *facilitate* the proper procedures are followed. The business office will provide this training ~~-(sSee Training Requirements, above-).~~

The receipts **MUST** be used in consecutive order. If more than one person in a department is issuing receipts, each person should be assigned their own book and be responsible for the maintenance and deposit of revenue recorded in that book. All receipts, including voided receipts, **MUST** be accounted for. *The original (white) receipt is given to the customer. The green copy of each receipt is to be sent to the business office along with a Deposit Summary Form (approved by the business office as to form).* The ~~pink~~ yellow copy of each receipt should remain in the receipt book for reference purposes.

~~Each time a deposit is made, the receipts being sent with the cash receipt transmittal form to the Business Office should be noted inside the receipt book.~~

~~When the cash receipt transmittal form is returned to the department from the Business Office, the document number should be noted beside the corresponding information in the receipt book.~~

~~Used receipt books will be retained in the departments for the previous three consecutive years plus the current year.~~

Note: *It is the department's responsibility to retain a* All documentation pertaining to deposits, ~~including copies of receipts, will be returned to the department for retention.~~ ~~Record-Record~~ retention schedules (see ~~policy D-28, Records Management (D-28)~~) must be adhered to for all receipts, *receipt books*, ~~and Deposit Summary Forms~~, and any other backups. Documentation ~~They~~ should be destroyed in accordance with the approved SFA Records Retention Schedule.

### ***Reconciling Cash and Receipts***

*Cash receipts **must** be reconciled. On days when cash is collected, a reconciliation must be performed at the close of the business day when possible, and no later than the beginning of the next business day. Cash, checks and credit cards must reconcile with the daily receipts. All receipt numbers (including voids) utilized for the day's business must be accounted for.*

*At a minimum, the supervisor must perform a monthly reconciliation of receipts to deposits, verifying that the amounts receipted were actually deposited and credited to the appropriate accounts in the Banner System. Depending upon the volume of transactions, weekly or daily reconciliations may be more appropriate. The business office can assist in determining the frequency. Under no circumstance should this reconciliation be performed by the same individual who receipted the funds. The supervisor must keep written documentation of the reconciliations and report any discrepancies to the controller's office immediately.*

### ***Payment ~~Check~~ Acceptance***

~~There are several different categories of checks.~~

#### **Acceptable with Proper Identification:**

**Cashier's Check** A check purchased at a bank for any amount; the bank completes all information on the face of the check with a bank officer signing as the maker.

**Certified Check** A personal check guaranteed by the bank; the check is stamped "certified" and signed by a bank officer.

**Money Order** An ~~item~~ instrument purchased at a bank, post office, or other business establishment for any amount *that orders a sum of money to be paid to someone else.*

**Traveler's Check** A special check supplied by banks or other companies for the use of travelers; these checks already bear the purchaser's signature and must be countersigned in the cashier's presence.

**Personal Check** A written order payable on demand, drawn on a bank by a depositor; a personal check is written against an individual's funds as opposed to a cashier's check, certified check, money order, or traveler's check, all of which are written against *or guaranteed by* bank funds.

**Starter Check** A non-personalized encoded check that a person receives from a bank when they establish a checking account. These are for the person's use prior to receiving encoded checks from the bank. Starter checks **should only be accepted if the bank has encoded the routing number and account number on the bottom of the check.**

**Unacceptable without permission ~~from~~ of the bBusiness oOffice:**

**Counter Check** A non-personalized, non-encoded check that is available at most banks.

**Third-Party Check** A check made payable to a person or organization other than the one accepting or cashing the check (for example, a paycheck).

**Foreign Check** A check written on a foreign bank (e.g., a Canadian bank) not specifically prepared as U.S. currency. The maker's address might be outside the United States; however, it is the bank's address that must be examined.

**Every check or money order must be reviewed for completeness as follows:**

Item	Verification
<b>Account holder's name, address, phone number</b>	Verify that information is included on the check. A daytime phone number is preferred.
<b>Bank coding and holder's account number</b>	Observe that the check has the customer's bank account and routing number encoded on the bottom along with the bank and check number.
<b>Payee</b>	Must be payable to Stephen F. Austin State University- <del>The abbreviation, SFA, or SFASU, is acceptable.</del>
<b>Information</b>	Departments accepting checks in person should record legibly the following items on the face of the check: the issuing person's <b>driver's license number, date of birth (DOB), the accepting department, and the accepting employee's initials.</b>

### ***Credit Cards:***

*Stephen F. Austin State University accepts the following credit cards:*

- *Visa (for non-student payments only)*
- *American Express*
- *MasterCard*
- *Discover*

*When accepting credit cards, the following guidelines should be observed:*

- *Credit cards shall be accepted for no more than the amount of purchase.*
- *The expiration date and security code are required.*
- *If information is received by phone, a contact phone number must be included.*
- *All credit card information should be considered confidential and must be protected (see Payment Card Acceptance and Security (C-61)).*

*Specific instructions for handling credit card transactions will be conducted during receipt training.*

~~NOTE: All departments receiving mail remittances should review the check for completeness given the applicable items stated above.~~

### **Signage**

At the location where funds are collected, each department must have signage in place with the following ~~detailed~~ information.

- MAKE CHECKS PAYABLE TO SFASU
- PLEASE ASK FOR A RECEIPT
- RETURNED CHECK FEE WILL BE CHARGED
- NO FUNDS LEFT OVERNIGHT

### **Endorsement Stamps**

Each department must restrictively endorse all checks ***immediately*** upon receipt. This prohibits the negotiation of the check if it is stolen. Endorsement stamps can be obtained from Printing Services and read: “Stephen F. Austin State University, For Deposit Only”. The department should include the department’s name under the endorsement, so lost or stolen checks can be traced back to the department if found.

### **~~Accepting Credit Cards~~**

~~Stephen F. Austin State University accepts the following credit cards:~~

- ~~• Visa~~
- ~~• American Express~~
- ~~• MasterCard~~
- ~~• Discover~~

~~When accepting credit cards, the following guidelines should be observed:~~

- ~~• Charge cards shall be accepted for no more than the amount of purchase.~~
- ~~• The expiration date and security code are required.~~
- ~~• If information is received by phone, a contact phone number *must* be included.~~
- ~~• All credit card information should be considered confidential and must be protected. See.~~

~~Specific instructions for handling credit card transactions will be conducted during receipt handling training.~~

### **~~Reconciling Cash and Receipts~~**

~~Cash receipts **must** be reconciled. On days when cash is collected, a reconciliation must be performed at the close of the business day when possible, and no later than the beginning of the next business day. Cash, checks and credit cards must reconcile with the daily receipts. All receipt numbers (including voids) utilized for the day's business must be accounted for.~~

### **~~Deposits of Cash and Checks~~**

~~Some university departments are authorized to make deposits directly to the bank *in a locked bag* via courier service provided by the UPD. These departments include: University *student c*Center *b*Business *o*Office, Fine Arts *t*Ticket *o*Office, and Athletics. Other departments may *request* ~~request~~ *such authorization from the business office* to make deposits directly to the bank via courier service by the UPD from the Controller's Office. Each department that makes deposits directly to the bank via the UPD courier shall submit the deposit summary form to the Business Office on the deposit date. All other departments will hand deliver their deposits *in a locked bag* to the *b*Business *o*Office or to one of the above named departments (upon approval by the *b*Business *o*Office). *Each*~~

*department that makes deposits shall submit the following to the business office on the deposit date:*

- *a Deposit Summary Form*
- *the green copies of the receipts or the cash register tapes*

Deposits must be brought to the business office (or above named departments) within 5 calendar days or when \$100-100 or more in receipts ~~has~~ have accumulated, whichever comes first. *Deposits must not be mailed to the business office.*

All checks must be restrictively endorsed immediately upon receipt.

### **Preparing and Making the Deposit**

It is the responsibility of the department to accurately count all currency and checks collected. It is recommended that a second individual recount the currency and checks before completing the deposit.

~~A Deposit Summary Form~~ must be completed and submitted to the ~~b~~Business Office with each deposit. ~~This deposit summary form must include the department name and account number(s).~~ *The green copies of the receipts or the cash register tapes must also be included.*

### **Currency**

- All currency must be separated by denomination and presented face up and facing the same direction.
- -An adding machine tape should be included with the breakdown of the amounts for each denomination.
- *The adding machine tape must have a clear 0.00 at the top.*
- Coins must be counted and submitted in coin wrappers.
- ~~Coins~~Amounts in excess of wrapper amounts should be secured in an envelope with the enclosed amount noted.

### **Checks**

- All checks must face the same direction for expediting the bank processing.
- An adding machine tape must be ~~run to determine~~ included showing the total amount of checks being deposited.



- *A second adding machine tape must be included verifying the total previously calculated.*
- The adding machine tapes must have a clear 0.00 at the top.
- ~~A second adding machine tape must be run to verify the total previously calculated.~~

### **Sales Tax**

Departments are responsible for collecting any applicable sales tax and reporting it to the business office on the ~~D~~deposit ~~S~~summary ~~F~~form.

**Cross Reference:** ~~Policy C-61; Payment Card Acceptance and Security (C-61); Policy D-28; Records Management (D-28)~~

**Responsible for Implementation:** Vice President for Finance and Administration

**Contact for Revision:** Controller

**Forms:** ~~Cash Receipts Reconciliation Form;~~ Deposit Summary Form

**Board Committee Assignment:** *Finance and Audit*

## Satisfactory Academic Progress for Financial Aid Recipients (A-40)

**Original Implementation:** September, 1985

**Last Revision:** ~~April 20, 2010~~ July 19, 2011

Federal regulations mandate minimum standards of "satisfactory progress" for students receiving financial assistance. These requirements apply to the student's entire academic history, whether financial aid was received or not, and to all types of aid: grants, loans, and work-study. The standards for determining progress at the University are composed of three separate measurements: grade point average (GPA), *pace of completion*, ~~credit hour requirements~~, and maximum hours allowed *for a degree level*. All students must be enrolled in a degree or certificate program. Newly enrolled undergraduate students must be admitted "in good standing."

Students who are admitted to Stephen F. Austin State University (SFA) as non-degree, provisional (except graduate students who will be given one semester to remove provisional status), transient, ~~Summer Prep~~, career interest or self-improvement, audit courses, *and concurrent enrollment AARC (090) tutoring, or on academic suspension* shall NOT be eligible to receive financial aid. When the student is admitted to a degree program *or special student status has changed*, ~~special student status is changed, or suspension status is removed, an eligible~~ a student may then be considered for financial assistance. *Students on academic suspension who are allowed by their academic department to attend may receive aid if they meet the financial aid satisfactory academic requirements.*

### GRADE POINT AVERAGE (GPA)

The grade point average is the ~~qualitative~~ quantitative measurement used for academic work at the university. For financial aid purposes, a student must maintain a cumulative GPA of 1.6 or better as a freshman, 1.8 or better as a sophomore, 2.0 or better as a junior or senior, and 3.0 or better as a graduate student. Grade point averages shall be checked *at the end of each semester*. ~~on an annual basis for satisfactory progress.~~

### ~~CREDIT HOUR REQUIREMENTS~~ PACE OF COMPLETION

*Pace of completion is the quantitative measurement of the number of hours completed each semester at SFA. Pace of completion is measured at the end of each semester.*

*In order to continue to receive financial assistance, students must complete 67% of the cumulative hours attempted at SFA and in any accepted transferred hours to SFA.*

~~The credit hour requirement is the quantitative measurement of the minimum number of hours completed each year at SFA. A year is defined as beginning in the summer and running through the following spring session. In order to receive financial assistance, undergraduates must complete 67% of the hours attempted.~~

Credit hours shall be considered satisfactorily completed if one of the following grades is earned: A, B, C, D, or P. Grades of F, W, WH, WF, WP, or QF are not satisfactory.

*Repeated courses will be counted in pace of completion. Financial aid may be awarded to students enrolled for remedial courses. These courses are considered attempted hours and are also counted as earned hours for determining satisfactory progress for financial aid purposes.*

If graduate students receive a WH (*incomplete*) for thesis/dissertation research or thesis/dissertation writing, the hours shall not be counted as hours attempted due to the length of time needed to complete this degree requirement. Time limits on the research and writing of a thesis/dissertation are determined by the academic department.

~~Students who withdraw from the university prior to the end of a session or do not make satisfactory progress shall be denied financial assistance for the upcoming session. Students may reapply after satisfactory progress has been achieved.~~

~~Financial aid may be awarded to students enrolled for remedial courses (098 & 099). These courses are considered attempted hours and are also counted as earned hours for determining satisfactory progress for financial aid purposes. Repeated classes are treated the same as any other class.~~

### **MAXIMUM HOURS ALLOWED FOR DEGREE OR CERTIFICATE**

The maximum allowable hours at each level of study apply to all students regardless of the number of changes in major or concentration. A student's entire academic record at SFA (including prerequisite courses) is used in calculating hours toward the maximum requirement. Course work transferred to SFA shall count toward the maximum number of allowable credit hours. Maximum hours allowed shall be checked after *the end of each semester to determine if the maximum hours allowed have been met. If the student has exceeded the allowable number of hours, they will be denied further financial aid for that degree level.*

For all degree programs *and allowable certificate programs*, the maximum number of hours allowed will be set at one-and-a-half times the -minimum program length. ~~For post-baccalaureate programs, the maximum numbers of attempted hours is 36.~~

## *WARNINGS AND APPEALS*

*Students not in compliance with this policy's required GPA, or whose pace of completion falls below the necessary standard, will be given a warning semester. At the end of the warning semester, a student not in compliance is not eligible for financial aid unless an appeal has been approved by the financial aid appeals committee.*

*Students who are not making satisfactory academic progress and have had a warning semester may file a written appeal to the financial aid office within thirty (30) days after notification of denial of financial aid. Written appeals should state why the student failed to meet satisfactory academic progress and what has changed that would allow the student to re-achieve the requirements at the end of the next evaluation period. Appeals should include documentation that supports the circumstances concerning the failure to maintain the expected level of satisfactory progress. If an appeal is granted, the student should meet satisfactory academic progress requirements by the end of the next evaluation period. Students are allowed a maximum of two appeals. All decisions on appeals are final. Students shall be notified of the disposition of their appeal in writing and/or email.*

~~in compliance are ineligible for assistance until they make up the credit hour deficiency from the last evaluation period and/or bring their GPA to the standard indicated. Once the deficiency is made up, students should notify the Financial Aid Office.~~

~~Students who are not making satisfactory academic progress may file a written appeal to the Financial Aid Office within thirty (30) days after notification of denial of financial aid. Appeals should include all documentation that supports mitigating circumstances concerning the failure to maintain the expected level of satisfactory progress. If an appeal is granted, the student must meet satisfactory academic progress requirements by the end of the next evaluation period. All decisions on appeals are final. Students shall be notified in writing and/or email.~~

**Cross Reference:** 20 U.S.C. 1091(a)(2), (c); 34 CFR 668.16(e), 668.32(f), 668.34; ~~Policy A-74~~, Active Military Service (A-74)

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

**Contact for Revision:** Director of Financial Aid; Provost and Vice President for Academic Affairs

**Forms:** None

***Board Committee Assignment:*** *Academic and Student Affairs*

## Signs and Exhibits (D-31)

**Original Implementation:** July, 1980

**Last Revision:** ~~July 15, 2008~~ July 19, 2011

### I. Introduction

Stephen F. Austin State University reaffirms its commitment to the freedoms of speech and expression by establishing this policy. Individuals have the right to attempt to attract the attention of others, and corresponding rights to hear the speech of others when they choose to listen, and to ignore the speech of others when they choose not to listen. This policy outlines the rules that govern the use of signs and exhibits to attract the attention of others.

Students, faculty, and staff are free to express their views, individually or in organized groups by sign or exhibit, on any topic, in all parts of the campus. Persons not affiliated with the university are free to express their views by sign or exhibit in areas designated for that purpose. These postings and exhibits are subject only to rules necessary to preserve the equal rights of others and the functions of the university. Teaching, research, and other official functions of the university shall have priority.

### II. Definitions

"Student" shall mean any person registered for academic credit at the university.

"Faculty" and "Staff" shall mean any person employed by the university.

"Official organization" shall mean any organization recognized by the university.

A "sign" means any method of displaying a visual message to others, except transferring possession of a copy of the message will be considered distribution of literature and not a sign.

A "banner" is a sign hung from a structure, or between two buildings, structures, or poles. A banner posted as part of a manned exhibit may be considered to be a "sign".

A "kiosk" is an outdoor structure designated by the university for the posting of signs.

### III. Applicability

The rules articulated in this policy apply to all students, faculty, staff and their official organizations, as well as all other persons and groups. Due to practical administrative realities, this policy does not apply to the university and its agents, servants, or employees, acting in the course and scope of their employment. This exception also includes official activities of the SFA Alumni Association and SFASU Foundation.

#### IV. **Signs**

A student, faculty member, staff member or their official organization may display a sign by holding it, carrying it; by displaying it at a table, or by posting it on a kiosk, bulletin board, or at another designated location. Signs may not be posted in any other location.

##### A. **Posting Signs on Kiosks**

1. Only students, faculty, staff and their official organizations may post signs on kiosks. No advance permission is required so long as the sponsoring individual or person is clearly identified in writing on the material.
2. All persons or organizations seeking to display a sign without identifying information must complete a registration form with the Office of Student Activities and deposit a true and correct copy of the sign to be displayed.
3. Students and employees posting signs as individuals may not post any sign advertising goods or services for sale except at locations designated for that purpose [see Solicitation on Campus (D-33)].
4. Due to space considerations, no sign posted on a kiosk may be larger than 11 inches by 17 inches.
5. Each sign posted on a kiosk must identify the student, employee or organization that posted the sign by using the full name of the individual or organization. Each sign must state the date the sign was posted or the date of the event being advertised.
6. Students, faculty, staff and their official organizations must take care to use the names and marks of the university on postings only in ways that are allowable and never in a way that would give the impression an event was sponsored by the university if that is not the case.
7. Signs may not be posted more than fourteen days before the date of the event they advertise.
8. The person or organization that posts a sign on a kiosk must remove that sign no later than fourteen days after it was posted, or twenty-four hours after the event it advertised has concluded, whichever is earlier.

9. No sign may be posted on a kiosk over another properly posted sign.
10. No person or organization may post more than two of the same signs on any one kiosk at the same time. If space is limited, the university reserves the right to remove multiple signs for the same event, program, or service, or signs sponsored by the same individual or organization, even if each is materially different.
11. A list of all officially designated kiosks and of locations where students, faculty and staff may post signs advertising goods or services for sale will be available in the student activities office and on their website.

**B. Signs in Other Designated Locations**

Each academic or administrative unit of the university may authorize the posting of signs in spaces that unit occupies and controls.

The use of posting space controlled by academic or administrative units may be limited to official statements or business of the unit, or to certain subject matters of interest within the unit, or to signs posted by persons or organizations affiliated with the unit.

**C. Removal of Signs**

The dean of student affairs, or their designee, may remove any sign that violates any of the rules outlined in this policy, or any sign that meets the legal standards below:

1. A sign may be removed if it contains expressions that are an incitement to imminent lawlessness. Such removals may be conducted only with the advice of the general counsel and approval of the vice president for university affairs. Careful consideration must be given to the actual circumstances surrounding such expression, and removal can only occur if it appears that such provocation causes an immediate likelihood of violence or illegal acts. Advocacy of lawlessness is insufficient, and the speech must be directed to inciting or producing imminent lawless action and likely to incite or produce such action.
2. A sign may be removed if it contains "fighting words" expressions. Such removals may be conducted only with the advice of the general counsel and approval of the vice president for university affairs. "Fighting words" are similar to expressions of imminent lawlessness, except they are addressed to individuals on a personal scale. Only those "fighting words" that pose an immediate likelihood to provoke the average person to retaliation and thereby cause a breach of the peace should be considered



under this exception. Again, careful consideration must be given to the actual circumstances surrounding such expression.

3. Signs may be removed if they contain obscenity. Such removals may be conducted only with the advice of the general counsel and approval of the vice president for university affairs. In determining what constitutes obscene material, a three-part test applies:
  - a. The average person applying contemporary community standards would find that the work taken as a whole, appeals to the prurient interest;
  - b. The work depicts or describes in a patently offensive way, sexual conduct specifically defined by the applicable state law; and
  - c. The work, taken as a whole, lacks serious literary, artistic, political or scientific value.

## V. **Banners**

Banners may be posted and displayed only by academic or administrative departments of the university.

## VI. **Exhibits**

### A. **Tables**

Students, employees and their official organizations may set up tables from which to display literature and disseminate information, subject to this policy.

#### 1. **Locations**

Students, employees and their official organizations may set up tables in any outdoor location on the campus and in any indoor location subject to the rules governing the building housing this location.

Persons not affiliated with the university may set up tables in designated locations outdoors on campus and in indoor locations subject to the rules governing the building housing this location.

#### 2. **Table Permits**

Tables may not be set up without a permit. Reservations for space must be made at least twenty-four (24) hours in advance using the Grounds Reservation Form. This form is available in the student activities office and on the student activities website. This process allows the university the opportunity to provide orderly scheduling of areas that may become crowded.

### 3. **Restrictions**

Tables cannot disrupt university functions and/or interfere with vehicular and pedestrian traffic.

Use of amplified sound at tables is governed by the policy, Use of Amplified Sound on Campus Grounds (D-21).

Tables may not be set up on the lower level of the Stephen F. Austin statute plaza.

Tables may only be set up inside any building with permission from the academic or administrative unit that controls the space, or from the faculty member or staff member who controls the space at a particular time. Academic or administrative units may specify additional rules by restricting tables to reasonable locations in spaces occupied by that unit.

Each table must have a sign or literature that identifies the student, faculty, staff or organization sponsoring the table.

Any person or organization sponsoring a table shall remove litter from the area around the table.

Students, faculty, staff and their official organizations may supply their own tables. In addition, the office of student activities maintains a supply of tables that may be reserved and checked out for use on campus.

**Cross Reference:** Use of Amplified Sound on Campus Grounds (D-21); Solicitation on Campus (D-33)

**Responsible for Implementation:** Vice President for University Affairs

**Contact for Revision:** Dean of Student Affairs

**Forms:** None

**Board Committee Assignment:** *Building and Grounds*

## Student Account Receivables (C-59)

**Original Implementation:** July 15, 2008

**Last Revision:** ~~None~~ July 19, 2011

### ~~1.~~ PURPOSE

This document establishes guidelines for the prudent collection of student accounts receivable in the best interest of Stephen F. Austin State University and the state of Texas. Although this policy primarily applies to student account receivables, including certain university issued short term loans, procedures stated herein may be used to process other delinquent receivables from vendors and non-student accounts. This policy does not apply to the write-off of any federal loans.

### ~~2.~~ POLICY STATEMENT

Stephen F. Austin State University is responsible for determining whether the extension of credit in specific cases to students is appropriate and in the best interest of the university to do so. It is the responsibility of the controller's office to establish the following:

- ~~1.~~—a process to ensure that the requested extension of credit is not a prohibited transaction.
  -
- ~~2.~~—a procedure to ensure that any extension of credit (installment plan contract, short term loan request, or repayment agreement) is done so in a prudent manner, including the use of standardized credit applications and legal authority required for approval of the requested credit.
  -
- ~~3.~~—a procedure whereby credit is not extended to students who are in default on other obligations or for whom previous obligations have been written off as uncollectible. If a student account is in default, a transcript and registration hold will be placed on the account.
  -
- ~~4.~~—procedures for ~~recording~~ *managing* and monitoring ~~the billing, accounting and monitoring the billing and~~ collection activities on student accounts.
  -
- ~~5.~~—procedures for recording and monitoring credit extended and subsequent payments received on student accounts.
  -

- 6. • procedures to ensure that amounts reported as receivables on the financial statement are recorded in accordance with generally accepted accounting ~~procedures~~*principles*.

### 3. **CRITERIA FOR RECOGNIZING AN ACCOUNT RECEIVABLE**

1. — ~~A~~ *student* account receivable will be recognized (recorded in the university's financial records) when:
  2. — a student has enrolled for classes at the university or has been registered for classes by the university;
    -
  3. — a student has incurred charges for costs associated with attendance (*tuition, fees, housing and meal charges, post office charges, book purchases, etc.*) from which a benefit to the student is derived;
    -
  4. — payment is due to the university from the student or a ~~contracted~~ third party;
    -
  5. — the revenue from the transaction has been recognized in the university's books and records;
    -
  6. — payment has not been received (collected) by the university from the student or ~~contracted~~ third party;
    -
  7. — the accounts receivable does not represent an extension of credit that is prohibited by law; and,
    -
  8. • the recording is deemed to be appropriate by the university's ~~accounting~~*fiscal* officers.

### 4. **RECORDING AN ACCOUNT RECEIVABLE IN THE FINANCIAL RECORDS**

An account receivable is recorded in the financial records automatically by the registration process. These entries credit the appropriate revenue accounts and debit the appropriate account receivable accounts in the university's accounting system.

In the event that a student withdraws during the semester, the accounts receivable outstanding balance is reduced by the appropriate percentage refund rate relevant at the time of withdrawal.

### **5. RECONCILING ACCOUNTS RECEIVABLE**

The controller's office maintains adequate records of student accounts receivables and prepares a reconciliation of the student receivable records and the financial accounting records *on a timely basis* ~~following the monthly close of the financial accounting records.~~

### **6. AGING ACCOUNTS RECEIVABLE**

The controller's office also maintains an aging schedule for all student accounts receivables with the total of the aging schedule balanced to the total recorded accounts receivable. The following aging brackets are to be used:

1.—Greater than 90 days old

•

2.—Greater than 180 days old

•

2.—Greater than 1 year old

•

4.—Greater than 5 years old

•

### **3. COLLECTING ACCOUNTS RECEIVABLE**

The size of the account receivable may influence the collection efforts. The expenditure of time, effort, and money to collect large accounts receivable is appropriate; however, the same efforts expended on very small accounts receivable may not be economical. Guidelines as to the level of attention and the efforts expended on accounts receivables will be set by the university based on recommendations from collection agencies and management.

The following steps are conducted in collecting accounts receivable which are delinquent or in default.

An account will be considered delinquent or in default if the following apply:

1.—the account balance is at least 181 days old (approximate time semester concludes); ~~and,~~

•

2.—the debtor has not exhibited concern regarding the delinquent account (i.e., requested a repayment agreement); and,

•

3. • the debtor is not an active student.

#### **Aging Bracket in Days with Approximate Billing and Collection Activity**

**~~Active Students:~~***Active Students:*

- ~~4.—0 — 30~~ Payment in full is due unless student is approved for installment plan, repayment agreement, institutional short term loans, or has other pending financial aid.
- 
- ~~5.—1 — 120~~ Business office emails students with balances due.
- 
- ~~6.—1 — 180~~ Transcript and registration holds are placed on student accounts that are past due.
- 
- ~~7. • 1 — 180~~ Registration holds are released if student owes less than \$200 during active registration periods.

*Inactive Students:*

- ~~8.—0 - 30~~ Business office mails first demand letter to students with outstanding balances.
- 
- ~~9.—30 - 60~~ Business office mails second demand letter to students with balances ~~less than of~~ \$100 or more, giving students 30 days to pay any outstanding balance prior to turning over account to collection agency.
- 
- ~~10.—60 — 90~~ Business office applies outstanding general deposit to delinquent students accounts and compiles list to send to collection agency.
- 
- ~~11.—60 - 90~~ Collection agency sends warning letter to students with account balances ~~of \$100 or more~~ greater than \$100 giving student 30 days to make payment or repayment agreement without incurring collection fees.
- 
- ~~12.—60 -- 120~~ -Student has 30 days to make payment without penalty.
- 
- ~~13.—90 -- 150~~ -Collection agency actively pursues collection. Collection agency fees added. -Payments in this time period to either the university or the collection agency will be subject to the collection agency fees.
- 
- ~~14.—90 - 150~~ Business office notifies Texas Comptroller of Public Accounts to initiate warrant hold placed on student accounts-process, ensuring that no treasury warrant is issued to the indebted student (Texas Government Code, § 403.055).

- 
- 15-576 - 1500 Accounts returned *from collection agency*. Business office may refer account to alternate collection agencies for second or third referral (at business office discretion).
- 
- 576 - 1825 Accounts turned over to Texas Attorney General's Office (at business office discretion).

~~Accounts delinquent or in default in the amount of \$10 or more will be turned over for collection. Initially, students will be sent a warning letter from the collection agency. They will have 30 days to respond to this letter and make payment arrangements prior to being subject to collection agency fees. Accounts placed with a collection agency are subject to the following:~~ Collection Fees are calculated and added after the 30-day warning letter has been sent. These fees will be negotiated in advance with the collection agencies and are subject to approval from the *Texas Attorney General's Office*. Accounts will also be reported to the *Texas* Comptroller of Public Accounts as authorized by the *Texas Government Code*, § 403.055 to ensure that no treasury warrants are issued or payments are paid to the debtor until the debt is paid.

If a debtor with a delinquent account makes monthly payments towards the balance or begins making monthly payments within the 30-day window after the collection agency warning letter has been ~~received~~ *sent*, the debtor will be treated as an "active" student and will not be turned over to a collection agency unless monthly payments cease before the account balances ~~is~~ *are* paid in full. ~~If the account is turned over for collection, collection agency fees will apply. However, until the balance has been paid in full~~ Regardless, ~~there~~ *there* will be a transcript hold placed on the account *until the balance has been paid in full*. Also, a registration hold will be placed on the student's account until the balance is \$200 or less.

If a debtor has received a 30-day warning letter and begins making monthly payments but then stops making monthly payments, the debtor will be sent to an outside collection agency without further notice to the debtor.

All demand letters should be mailed in compliance with applicable collection laws. If an address correction is provided by the United States Postal Service, the demand letter should be mailed to the corrected address prior to the referral procedures described above. Demand should be made upon every debtor prior to referral of the account to an outside collection agency and the attorney general.

#### 4- **WRITE-OFF OF AN UNCOLLECTIBLE ACCOUNT**

1.——The following accounts may be subject to write-off:

- *Accounts receivable up to \$10 may be written off by the controller if all collection efforts have been completed and the account has been outstanding for 5 years.*
- *Accounts receivable between \$10 and \$1,000 may be written off by the controller if returned as uncollectible by more than two outside collection agencies (first and second referrals) and the account has been outstanding for 5 years.*
- *Accounts receivable over \$1,000 returned as uncollectible by at least three outside collection agencies (first, second and third referrals) and has been outstanding for 5 years must be referred to the vice president for finance and administration for write-off approval. Requests for write-off should include name, amount, school term, and a statement as to why that accounts receivable has been determined to be uncollectible.*

~~2.——Accounts receivable up to \$10, may be written off by the controller if all collection efforts have been completed and the account has been outstanding for 5 years.~~

~~3.——Accounts receivable between \$10 and \$1,000 may be written off by the controller if returned as uncollectible by more than two outside collection agencies (first and second referrals) and the account has been outstanding for 5 years.~~

~~4.——Accounts receivable over \$1,000 returned as uncollectible by more than three outside collection agencies (first, second and third referrals). Accounts receivable over \$1,000 that have not been collected after the third referral must be referred to the vice president for finance and administration for write-off approval. Requests for write-off should include name, amount, school term, and a statement as to why that accounts receivable has been determined to be uncollectible.~~

A list of all accounts written off will be filed in the controller's office and all student accounts that have been written off will be flagged in the student system. Additionally, a transcript and registration hold will be placed on these student's accounts to prevent these persons from receiving future university services until their balances ~~has~~ have been paid in full. Warrant holds placed on the student's account will not be removed until the balance is paid in full.

The following accounts will be forgiven and permanently written off, and the student's account will be marked as paid in full:

- 5.—Deceased debtors. If the debtor is deceased, the delinquent obligation should be classified as uncollectible and permanently written off after attempts to collect against the estate have been unsuccessful.



- 
- 6. • Residual amounts as deemed appropriate by the vice president of finance and administration after application of any property deposit, and within guidelines set by state and federal regulations.

#### • **FORGIVENESS OF DEBT VERSUS WRITE-OFF OF UNCOLLECTED ACCOUNTS**

The write-off of an uncollected account is a bookkeeping entry only and does not relieve the debtor from his financial responsibility to the university. Although the uncollected account has been removed from the financial books and records (i.e., written-off as uncollectible), the university may still have a claim against the debtor and may still seek legal remedy (i.e., file suit for collection in a court of law). Therefore, it is the responsibility of the controller's office to maintain adequate records regarding legal financial obligations (i.e., debts) owed to the university.

Student account receivables that are forgiven because of the student's death or because the account balance is considered residual will be treated as paid in full, and records will be treated consistent with other student accounts that have been paid in full.

#### • **ALLOWANCE FOR DOUBTFUL ACCOUNTS**

The university's ~~records accounting department maintains~~ an allowance for doubtful accounts on past due accounts for all accounts that have not been written off or forgiven. Prior to closing each fiscal year's books, the controller's office will analyze and adjust the allowance for doubtful accounts, with offsets to the appropriate revenue accounts or bad debt expense, in accordance with accounting guidelines. An allowance for doubtful accounts will be set up as a contra-receivable in each appropriate general ledger.

**Cross Reference:** Texas Comptroller of Public Accounts's Office Fiscal Policies & Procedures, *Accounting for Uncollectible Accounts* (APS 027); ~~Texas Government Code~~ *Texas Government Code* § 403.055; Ch. 2107 ~~Chapter 2107~~

**Responsible for Implementation:** Vice President for Finance and Administration

**Contact for Revision:** Controller

**Forms:** None

**Board Committee Assignment:** Finance and Audit

## Student Conduct Code (D-34.1)

**Original Implementation:** January 1998

**Last Revision:** ~~July 20, 2010~~ July 19, 2011

To fulfill its mission, Stephen F. Austin State University reserves the right to sanction and/or exclude those members of its community who are disruptive of the educational process. A student enrolling in the university assumes an obligation to conduct him/herself in a manner compatible with the university's mission as an educational institution.

This code shall apply to conduct that occurs on university premises, at university sponsored activities and in electronic communities/instructional sites and to off-campus conduct that adversely affects the university and/or the pursuit of its objectives. This code shall apply to a student's conduct even if the student withdraws from the university while a disciplinary matter is pending. The vice president for university affairs, or their designee, shall determine, on a case-by-case basis, if this code should be applied to conduct occurring off campus or in electronic communities/instructional sites. Conduct for which students and student organizations are subject to discipline falls into the categories below. Where such conduct also violates federal, state or local law, the student or student organization may be brought before the appropriate criminal and/or civil magistrate for adjudication while at the same time being subject to the disciplinary proceedings of the university. University proceedings may precede any actions taken by non-university authorities. The determinations and any sanctions resulting from university disciplinary proceedings will be independent of any non-university adjudication. The following list of possible acts is either prohibited by federal, state, or municipal law or by university rules and/or regulations.

1. Hazing (also see ~~u~~University ~~p~~Policy D-16, Hazing)

Stephen F. Austin State University is unequivocally opposed to any activity by an organization or individual(s) within the organization that is herein defined as hazing. Hazing is defined as any intentional, knowing or reckless act occurring on or off-campus by one person alone or acting with others, that endangers the mental or physical health or safety of a currently-enrolled or prospective student for the purpose of new member intake, being initiated into, affiliating with, holding office in, or maintaining membership in that organization.

Hazing acts include but are not limited to:

- a. any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, placing a harmful substance on the body, or similar activity;
- b. any type of physical activity such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- c. any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or substance which subjects the student to unreasonable risk of harm or that adversely affects the mental health of the student;
- d. any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame or humiliation or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered at the institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than to submit to the acts described in this policy;
- e. any activity that induces, causes, or requires the student to perform a duty or task, which involves a violation of the Penal Code.

Any organization and/or any individual involved in any hazing activity will be subject to both university disciplinary sanctions and criminal prosecution. An offense is committed by (a) engaging in hazing; (b) soliciting, encouraging, aiding or directing another engaging in hazing; (c) intentionally, recklessly, or knowingly permitting hazing to occur, or (d) having first-hand knowledge that a specific hazing incident is being planned or has occurred and failing to report said knowledge in writing to the judicial officer.

It is not a defense to prosecution of an offense that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

Individual penalties relative to criminal prosecution range from a fine of \$2,000 and 180 days in jail for failure to report a hazing incident to a fine of \$10,000 and two years in jail for an incident which causes the death of a student. Further, an organization may be penalized with a fine up to \$10,000 or double the expenses due to the injury, damages or loss.

Penalties relative to university sanctions range from probation to expulsion for any individual committing an offense. Student organizations committing an offense may be placed on university probation and are subject to withdrawal of university recognition.

Sanctioned Student Organizations

In compliance with state law, any student organization found responsible of hazing through regular university disciplinary procedures will be listed for three (3) years in any university publication containing the hazing policy. The three-year publication will begin as soon as an organization's name can be placed in the first available publication containing the policy. A date in parenthesis following an organization's name will indicate the last year the organization's name will be included.

## 2. Illicit Drugs

(Also see ~~u~~University ~~p~~Policy D-19, Illicit Drugs and Alcohol Abuse)

It is the policy of Stephen F. Austin State University that any unlawful manufacture, possession, use, delivery or sale of any controlled substance or illegal drug, or the delivery or sale of any simulated illegal substance, is strictly prohibited. Moreover, it is the policy of the state of Texas and of this university that this institution will be as free of illegal drugs as it can possibly be. Therefore, in accordance with state law and university policy, any student who is determined, through the regular disciplinary procedures of the university, to have violated this policy will be suspended from the university for no more than two years and no less than the remainder of the current semester. At the discretion of the vice president for university affairs, a student suspended under this policy may, under certain conditions, remain enrolled at the university on disciplinary probation. These conditions can include substance abuse evaluation, treatment, and/or counseling. Any cost for services or treatment not offered as a student service on campus will be the responsibility of the student.

3. Committing any criminal offense or other unlawful act under any federal, state, or municipal law, including, but not limited to: a. arson; b. robbery; c. burglary; d. theft; e. disruptive activity; f. forgery; g. gambling; h. disorderly conduct; i. trespassing; j. possession of stolen property; k. unlawful, or unauthorized use, possession, or storage of firearms or weapons on university property; l. entering or remaining on campus after withdrawal of consent to remain on campus; m. refusing to leave a university building closed to the public; n. possession of drug paraphernalia.
4. Unauthorized use, possession, or storage of explosives, dangerous chemicals or ammunition on university property; or unauthorized use, possession, or storage of weapons on campus or in any campus building (including residence halls). This includes BB/pellet guns, paintball guns, slingshots, bows or other devices meant to fire projectiles.

5. Causing physical harm, or causing reasonable apprehension of physical harm, to any person. This includes, but is not limited to, stalking, terroristic threats, and physical or sexual assaults.
6. Making or causing any false report, warning, or threat of fire, explosion, or other emergency on university property or at university-sponsored activities.
7. Interfering with fire, police or emergency service. This also includes failure to evacuate university facilities or willfully disregarding any emergency or fire alarm signal.
8. Misusing or damaging fire or safety equipment on university property.
9. Interfering with normal university or university-sponsored activities, including, but not limited to, studying, teaching, research, and university administration. Disruptions in classrooms or other instructional areas will be seen as interference with a university activity.
10. Violating the terms of any disciplinary sanction imposed in accordance with these policies.
11. Furnishing false information to the university.
12. Giving false testimony or other fraudulent evidence at any university disciplinary proceeding.
13. Unauthorized alteration or use of any university documents or records.
14. Failing to comply with the directions of a university official, including university police officers and residence hall staff, acting in the performance of their duties.
15. Violating any university policy, rule, or regulation. Such policies, rules, and regulations may include, but not be limited to, the residence hall contract, as well as those policies, rules, and regulations relating to the use of university facilities, handbills and petitions, solicitation, signs, guest speakers, and parades and demonstrations.
16. Interfering with the freedom of expression of others on university property or at university-sponsored activities.
17. Advocating, orally or in writing, the conscious and deliberate violation of any federal, state, or local law. For the purposes of this section, "advocacy" means preparing the group addressed for imminent action and ~~steering~~ *directing* it to such action *with the likelihood of producing that action*, as opposed to the abstract espousal of the moral propriety of a course of action.
18. Damaging, defacing, or destroying the property of others on university property or at university-sponsored activities.
19. Damaging, defacing, or destroying university property, including, but not limited to, buildings, statues, monuments, library and teaching materials, memorials, trees, shrubs, grasses, and flowers.
20. Wrongful utilization of university goods, services or information including, but not limited to, unauthorized possession or use of university keys, security codes,

long distance phone access codes or calling cards, cable service, testing, proctoring or tutoring services, and sale or use of university property for personal gain.

21. Improper use of student identification card. This includes allowing use of card by another to obtain services such as, but not limited to meals, event admission, and library services. (Also see Policy F-27, Student ID Cards).
22. Unauthorized or illegal use, possession or distribution of alcoholic beverages or products on university property or at university-sponsored activities, including, but not limited to, intercollegiate and intramural athletic events on university grounds, in academic and administrative buildings, public intoxication, or any alcohol-related crime. Housing policies dictate use of alcohol in residence halls and on-campus apartments. (Also see University Policy D-19, Illicit Drugs and Alcohol Abuse).
23. Unauthorized use, possession, or storage of fireworks on university property.
24. Unauthorized throwing of any object in or from a university facility.
25. Littering on university property or at university-sponsored activities.
26. Theft, destruction or other abuse of computer facilities and resources, as delineated in university policies including, but not limited to: University Policy D-8.1, Computer & Network Security; University Policy D-42, Digital Millennium Copyright; University Policy D-43, Computing Software Copyright; or University Policy F-40, Acceptable Use of Information.

Examples of prohibited acts in these policies include:

- a. Unauthorized entry into a file or account, to use, read, or change the contents, or for any other purpose.
- b. Unauthorized transfer or copying of a file or software.
- c. Use of another individual's identification and/or password.
- d. Use of computing facilities and resources to interfere with the work of another student, faculty member or university official.
- e. Use of computing facilities and resources to send obscene or threatening messages.
- f. Use of computing facilities and resources to interfere with normal operation of the university computing system.
- g. Use of computing facilities and resources in violation of copyright laws.
- h. Use of computing facilities and resources activities related to personal for-profit ventures unrelated to the educational mission of the university
- i. Violation of any departmental or lab policy.

The unauthorized use of the emergency exit doors of the university shuttle buses. (Use is authorized in an emergency endangering the life and safety of passengers and driver).

Sexual harassment, as defined in *University Policy E-46, Discrimination Complaints / Sexual Harassment*, sexual assault, sexual abuse or other sexual misconduct.

Selling or distributing course lecture notes, handouts, readers or other information provided by an instructor, or using them for any commercial purpose without the express permission of the instructor.

Violating any rule, regulation, or law for which the university could be penalized including but not limited to fire, safety, or environmental codes.

Disrupting the normal university community living or learning environment to the extent that the rights and/or safety of others are denied.

**Cross Reference:** Hazing (D-16); Illicit Drugs and Alcohol Abuse (D-19); Student ID Cards (F-27); Computer & Network Security (D-8.1); Digital Millennium Copyright (D-42); Computing Software Copyright (D-43); Acceptable Use of Information (F-40); Discrimination Complaints/Sexual Harassment (E-46); Discipline and Discharge (E-11)

**Responsible for Implementation:** Vice President for University Affairs

**Contact for Revision:** Dean of Student Affairs

**Forms:** None

**Board Committee Assignment:** *Academic and Student Affairs*

## Student ID Cards (F-27)

**Original Implementation:** Unpublished

**Last Revision:** ~~July 15, 2008~~ July 19, 2011

*University student identification cards (IDs) are produced by the card services office, located in Room 1.205 of the Baker Pattillo Student Center.*

*Student IDs are used for the following purposes:*

1. *Access to the student's meal plan.*
2. *Access to the student's residence hall.*
3. *Access to the student's Jack Bucks account, if applicable.*
4. *Free admission to regular season home football, basketball, baseball, and softball games.*
5. *Student discounts to certain fine arts performances and student activities.*
6. *Identification when purchasing items by check and for book buy-back in the Barnes and Noble Bookstore.*
7. *Access to the Student Recreation Center, Norton Health and Physical Education complex, and the Wellness Center.*
8. *Some computer and language labs require the deposit of the ID card to use some resources.*
9. *Identification at the business office to receive payroll checks.*

*IDs are produced on the enrollment of a new student. The cost of the initial ID is \$5. Students must display an acceptable picture ID when picking up their first SFA ID card.*

*Lost or stolen IDs should be reported to the card services office as soon as possible. After hours and on weekends, lost or stolen IDs should be reported to the University Police Department. Replacement cards cost \$15 and can be obtained from the card services office during normal business hours.*

*SFA IDs are the property of Stephen F. Austin State University and must be shown and/or surrendered to any university official upon request. SFA IDs are not transferrable. ~~Student identification cards are made on the enrollment of a new student at a cost of \$5. Students must show a valid picture ID to obtain their first SFA ID card. Cards made after registration and replacement cards are made in the Baker Pattillo Student Center, Room #1.205.~~ Use of an ID to gain, or attempt to gain, unauthorized access to university buildings, facilities, or services may result in disciplinary action, confiscation of the ID and/or removal from university owned or controlled property. Possession, alteration, use or attempted use of an ID by anyone other than the person to whom the card is issued shall be considered unauthorized use.*



The cards are used for the following purposes:

1. — The card allows the designated student access to the cafeterias, residence halls and Jack Bucks account, if applicable.
2. — The card allows SFASU students admission into regular season home football, and basketball games.
3. — Certain performances in the Fine Arts Department and Student Activities are sold at a discount price to students with ID cards.
4. — The card is required for identification to purchase items by check and for book buy-back in the Barnes and Noble Bookstore in the Baker Pattillo Student Center.
5. — The validation sticker placed on the front of the card upon payment of semester fees is required to enter the Health and Physical Education building, Wellness Center and the Recreation Center.
6. — The Computer and Spanish Labs require the deposit of the ID card to use diskettes and tapes.
7. — The Business Office requires presentation of ID cards to claim payroll checks.
8. — The card is the property of Stephen F. Austin State University and is intended for use by the individual cardholder only.

**Cross Reference:** None

**Responsible for Implementation:** Vice President for University Affairs

**Contact for Revision:** Director of Student Services

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs

## **Time Sheets-Reporting/Timekeeping System (E-52N)**

**Original Implementation:** Unpublished

**Last Revision:** ~~April 21, 2009~~ July 19, 2011

*This policy pertains to the reporting of hours worked and leave taken by non-exempt employees, including student employees. Non-exempt refers to employees who are not exempt from the Fair Labor Standards Act.*

Official time records are to be maintained for all ~~semi-monthly~~ non-exempt employees ~~employees and for monthly classified employees~~ via the TimeClock Plus timekeeping system. It is the supervisor's responsibility to instruct the employee on how and when to enter time worked and leave taken into the TimeClock Plus system. It is the employee's responsibility to enter time worked and leave taken accurately and per the supervisor's instructions. An employee is subject to disciplinary action, including termination, for any fraudulent time entered or failure to enter leave taken. It is the supervisor's responsibility to verify and electronically certify through the approval process that entries accurately reflect time worked and leave taken for the applicable period. All entries and approvals must be completed by the due dates established by the Payroll Department. Instructional information about TimeClock Plus shall be posted on the Payroll Department website.

The work week begins at 12:01 a.m. on Saturday and ends at 12 midnight on Friday. Compensatory time and overtime are calculated based on the university workweek and in accordance with the Fair Labor Standards Act. See Overtime and Additional Compensation (E-36). ~~Time should be recorded in hours and minutes. Divide the number of minutes worked by 60 to calculate the correct time to report (i.e. 15 min/60 = .25).~~ INK must be used when completing the time sheet. Corrections should be made by drawing a line through the mistake and writing the correct information above, below or to the side. ~~Changes must be initialed by the department head or his designee. Correction fluid or correction tape should not be used on a time sheet or report. Any fraudulent time sheet submitted could result in disciplinary action.~~ Compensatory time, vacation leave, and sick leave may not be used prior to earning (or accruing) the leave.

~~The words "time sheet" and "time report" are used interchangeably for purposes of this policy.~~

### **~~Semi-monthly~~ Student Employees**

~~Semi-monthly employees include hourly employees and student employees (work study and student assistants).~~ Student employees are limited to 20 hours per week on combined SFA-Stephen F. Austin State University jobs, unless prior approval is obtained from the

provost and vice president ~~of~~for academic affairs, and then may not exceed 40 hours per week under any circumstances. *The 20 hour limit is not applicable during summers. The Departmental Approval to Work More Than 20 Hours form must be completed and submitted to the SFA-Office of Human Resources. Approval form is available on line at: <http://www.sfasu.edu/ccs/studentemployment/docs/Over20HourWorkRequest.pdf>*

Prior to the beginning of each pay period, Payroll Services will send the department computer generated time reports for recording time. The hours are to be indicated on a **daily** basis and must indicate what type of time has been earned/taken. Students and casual employees will only have hours worked.

Benefits-eligible employees will have time earned in regular hours worked, compensatory time earned, and/or overtime earned. Time taken is vacation leave, sick leave, holiday leave and/or compensatory time taken. The employee must sign his own time report. The department head or his assigned designee must review the time report for accuracy and sign the time report. Signature stamps are not acceptable on time sheets. If the department head will be unavailable to sign the time sheet, the authorized designee can sign it. The authorized designee must be on the Authorization to Sign form (available from Payroll Services). The signatures certify that the time report correctly reflects all time worked and absences for the pay period indicated. The time report must be returned to Payroll Services in the controller's office in the Austin Building by the deadline indicated on the preprinted time report. A copy must be maintained in the departmental office in accordance with the retention schedule.

**Monthly Employees** Salaried classified employees must maintain daily a Monthly Time Record as per the instructions provided below. The time record must be maintained in the departmental office and must be current and available for review upon request from Payroll Services, the departmental supervisor, and state or internal auditors.

**Cross Reference:** ~~None~~Overtime and Additional Compensation (E-36)

**Responsible for Implementation:** Vice President for Finance and Administration

**Contact for Revision:** Controller

**Forms:** Departmental Approval to Work More Than 20 Hours-Semi-Monthly Time Record, Monthly Time Record (both available in Payroll Services and Human Resources), Authorization to Sign form

**Board Committee Assignment:** Academic and Student Affairs

## Travel (C-49)

**Original Implementation:** October 31, 2000

**Last Revision:** ~~January 25, 2010~~ July 19, 2011

### Applicability

Unless otherwise stated, this policy applies to employees and prospective employees traveling in a university capacity except members of the Board of Regents and the president, who are exempt, and intercollegiate athletics. All policies, rules, and regulations related to travel on behalf of, or in connection with, intercollegiate athletics are included in the current issue of the Intercollegiate Athletics Policy Manual.

The travel regulations contained in this policy apply to all university funds. The reimbursement limits established by this policy may be exceeded only if funds are available in, and the additional costs are charged to, a discretionary account controlled by the budget manager authorizing the additional expenditure. For this policy, discretionary funds shall be defined as specified accounts established for the sole purpose of discretionary use. Expenses paid above the allowable limits will be reported annually to administration as excess travel expenditures.

Employees traveling under contracts and grants (federal, state, local, or private) shall be reimbursed for travel expenses and allowances on the same basis as other university employees, except in those instances where the terms of the contract or grant specify travel guidelines and reimbursement rates which differ from university reimbursement rates.

### General Travel Regulations

Generally, the Texas Comptroller of Public Accounts is the authoritative source regarding travel rules and regulations. Their travel requirements are located online at the travel website. In case of conflict between their guidelines and this policy, this policy takes precedence.

The university shall make every effort to ensure that travel expenses paid and/or reimbursed are reasonable and the most cost-effective considering all relevant circumstances.

A state employee is responsible for ensuring that his or her travel complies with applicable state law and SFA's travel policy. Failure to comply will result in reimbursement delays or rejection of the employee's travel voucher. Fraudulent travel claims will be grounds for disciplinary action.

Employees and others traveling on behalf of the university are reimbursed for actual lodging expenses and on a per diem basis for meals, subject to the provisions of this policy. In the case of employees traveling together, each must pay and claim reimbursement for his own expenses (except taxi or limousine expenses - see Incidental Expenses section of this policy). No expenses can be reimbursed to the traveler until the trip has been completed and a properly documented travel voucher is submitted, except prepaid airfare. (See Airline Ticket Purchase section below.)

Tips and gratuities are not reimbursable.

The applicable account manager may limit or prohibit reimbursement of any travel expenditure provided the traveler is notified in advance.

### **Travel Request**

Except as stated in the Applicability section of this policy, anyone traveling on university business must obtain permission in advance of the trip. Travel requests must be submitted online according to the instructions available on the travel website. All estimated expenses of the trip are to be reflected on the travel request regardless of how they are to be paid (i.e. registration paid by voucher or p-card). A travel request must be submitted and approved at all applicable levels even if no travel expenses are anticipated.

The online travel request can be approved only when account balances are sufficient to cover the total estimated cost of the trip. Whenever possible, the travel request should be entered and approved at least seven (7) working days prior to departure.

NOTE: Expenses cannot be reimbursed from an account not listed on the approved request.

### **Travel to Washington, DC**

An employee traveling to Washington, DC to confer on legislative or appropriations issues shall inform the Texas Office of State-Federal Relations about the timing and purpose of the trip, and provide the office with the name of a person who may be contacted for additional information about the trip. A completed form, Report of State Agency Travel to Washington, DC (available on-line at the travel website) will meet this requirement when submitted prior to the trip.

### **Foreign Travel**

Official university business travel to any foreign country other than Canada or Mexico requires advance written approval from the president of the university. To be considered

for approval, foreign travel must be directly related to the university's mission and must require a duty that cannot be performed without the travel.

A completed online travel request must be approved at all the appropriate administrative levels in sufficient time to be reviewed and approved by the president prior to the date of departure.

### **Charge Card for Travel Expenses**

An individual corporate charge card is available for eligible employees. To be eligible to apply, the employee must take, or expect to take, three (3) or more business trips per fiscal year, or expend at least \$500 per fiscal year for official state business. An employee is not required to apply for or accept a state-issued charge card.

The state-issued individual corporate charge card is to be used for business-related charges only while traveling on official state business. Use of the card for personal business is considered a violation of state policy and the employee may be subject to disciplinary action. The individual whose name appears on the card is solely responsible for payment of the account. If the card is suspended or cancelled for misuse or nonpayment, the employee will be ineligible for travel advances from the university.

If the application is approved by the credit card company, the employee agrees to be bound by the card member agreement which will be sent with each card. Additionally, the employee agrees to be bound by the state policies governing the use of the card. Applications and further information concerning this program are available in the controller's office or online at the travel website. The employee, the employee's supervisor, and the travel manager in the controller's office must sign the application.

### **Advance Travel Funds**

Advance travel funds are available for employees who wish to obtain money in advance of the trip and who are ineligible to apply for the individual corporate charge card. Employees eligible to apply for the corporate credit card are not eligible for advances; however, any employee may request advance travel funds when taking student groups. Advance travel funds may be requested by entering an online travel request (see online instructions for complete details). The minimum amount of advance funds that can be obtained is \$100. The maximum amount of advance funds that can be obtained is 50 percent of the traveler's anticipated out-of-pocket expenditures. Exceptions to this 50 percent limit will be made for road bus drivers. Other exceptions must be approved by the appropriate vice president or the president.

To receive advance travel funds, the travel request with “Advance” in the comments field should be entered and approved at least seven (7) working days prior to departure. An advance will not be issued unless the travel request has been approved. Generally, the requested funds will be available at the university business office at least one working day prior to departure. Advance travel funds will be issued by a check made payable to the individual requesting the funds. As a condition of receiving advance travel funds, the employee agrees to refund any excess (amount advanced less documented eligible expenditures on the travel voucher) within 15 days from the ending date of the trip, *except at fiscal year end when the travel office will establish the deadline*. An employee receiving advance travel funds will be ineligible for future travel advances until the outstanding travel voucher is submitted. An employee who receives an advance and does not travel must immediately return the advance funds. Abuse of the travel advance privilege will result in ineligibility for future advances and the employee may be subject to disciplinary action.

An advance travel check will only be issued prior to the trip. No advancement is authorized if the trip has already commenced. The traveler should submit a travel voucher for reimbursement subsequent to the trip.

### **Travel Voucher (Travel Expense Documentation and Reimbursement)**

In order to receive reimbursement, travel expenditures must be documented on the travel voucher approved by the travel office (available online at the travel website) and signed by the traveler. If the voucher exceeds the original request by more than \$50, a revised travel request must be approved at all applicable levels. The travel voucher must reflect the total reimbursable expenses paid by the employee, regardless of whether advance travel funds were received. Expenses paid by the university should not be on the travel voucher. Original receipts are required for most travel expenses (see applicable section of this policy for specific details), except meals. In the case of meal expenses for group travel, the sponsor/advisor must provide documentation of how the funds were expended. See Student and Other Group Travel, below.

The travel voucher should be submitted, with original receipts attached, to the controller's office within 15 days from the ending date of the trip, *except at fiscal year end when the deadline will be established by the travel office*. ~~All~~ *No reimbursements will be made* and all prior year encumbrances will be cancelled ~~15 days~~ after the end of the fiscal year.

Conference, workshop, or meeting agendas are required to be attached to the travel voucher. The registration fees paid often include the cost of certain meals provided during the event. An employee cannot claim per diem for the meals that are included in the cost of the conference.

## **Foreign Currency Conversion**

All amounts listed on the travel voucher must be converted to U.S. dollars using the rate applicable on the date of the expenditure. A foreign currency conversion table is available online at the travel website. Documentation of the conversion calculation must be attached to the travel voucher. Receipts are required for all reimbursed expenses. In lieu of providing receipts and foreign currency conversions for foreign meals, travelers may elect to be reimbursed at in-state per diem rates.

## **Reimbursement Rates - Lodging**

Reimbursement may not exceed the amount of lodging expenses actually incurred at a commercial lodging establishment, subject to maximum allowances stated below. The original itemized lodging receipt, attached to the travel voucher, is required.

The State Travel Management Program of the Texas Procurement and Support Services (TPASS) has contracted with several commercial lodging establishments for special rates. The contracted vendors and rates are listed on the Texas Comptroller of Public Accounts website. Employees are encouraged to utilize the contracted vendors when possible.

**Travel Tip:** The governmental rate for lodging is usually less than the conference rate. Employees should check the governmental rate first. Since there is often a limited number of rooms available at the governmental rate, employees should make hotel reservations far in advance of the travel dates.

## **In-State**

Travelers may be reimbursed for the actual cost of lodging, not to exceed the travel rates published by the Comptroller of Public Accounts. Generally, the rates listed refer to amounts designated in the federal Domestic Per Diem Rates published by the U.S. General Services Administration (GSA). However, if a specific area is not listed, the comptroller's published rate will apply. The president may, at his discretion, establish a lower rate. Travelers will be notified in advance of the effective date of any rate change.

Hotel taxes are not included in maximum lodging reimbursement rates. Local taxes on the allowable lodging cost will be reimbursed and should be recorded as lodging tax on the travel voucher. State tax on in-state lodging will not be reimbursed to state employees. Instead, state employees must submit a completed Texas Hotel Occupancy Tax Exemption Certificate (available online at the travel Web site) to commercial lodging establishments at check-in. Employees should also be prepared to show proof of state employment.



## Out-of-State

The Texas State Comptroller provides the maximum reimbursement rates for out-of-state lodging. A list of the rates, which is updated from time to time, is available online at the travel website. Within the continental United States, lodging reimbursement is limited to the locality-based allowance as stated on the Domestic Maximum Per Diem Rates published by the GSA. For cities and counties not included on the list, the allowance is the Continental US (CONUS) rate established for lodging in that state. Since employees are not exempt from any tax for out-of-state or international travel, they may be reimbursed for hotel occupancy taxes paid on the allowable lodging costs. Travelers to Alaska, Hawaii, or a foreign country may be reimbursed for actual, reasonable costs.

If the actual cost of lodging exceeds a locality's lodging allowance, an employee may reduce the maximum meal and incidental expenses (MIE) reimbursement rate for that locality and use the reduction to increase the lodging reimbursement rate for that locality. No such adjustment can be made to increase the maximum meal reimbursement rate.

## Shared Lodging

When two or more employees share lodging, each employee must pay and claim his prorated share of the cost. The university will reimburse each employee his share of the lodging expense, not to exceed the applicable maximum lodging reimbursement rate. A list of names of those sharing the same room must be attached to each travel voucher.

If only one of the individuals sharing lodging is an employee, then the amount that the employee may be reimbursed for lodging expenses is the lesser of the single occupancy room rate or the maximum lodging reimbursement rate.

## Reimbursement Rates - Meals

This section of the travel policy is inapplicable to road bus drivers. Normally, road bus drivers are not reimbursed for meals. Any reimbursement of meal expenditures for road bus drivers is subject to the discretion and approval of the director of the physical plant.

Meals are eligible for reimbursement if travel includes an overnight stay. The following table sets the per diem rate of reimbursement:

	IN-STATE	OUT-OF-STATE**
	With Overnight Stay	With Overnight Stay
Breakfast	\$6.50	17% of locality-based allowance
Lunch	\$11.50	33% of locality-based allowance

Dinner	\$18.00	50% of locality-based allowance
TOTAL	\$36.00	

\* Within the continental United States, meal and incidental expenses (MIE) reimbursement is limited to the federal Domestic Per Diem rates provided by the GSA. For cities and counties not included on the list, the allowance is the CONUS rate established in that state for meals and incidental expenses. Per the GSA's website, incidental expenses include tips and transportation between places of lodging or business and places where meals are taken. When using the MIE rate, these costs will not be separately reimbursed. Travelers to Alaska, Hawaii, or a foreign country may be reimbursed for actual, reasonable costs.

Meal per diems for initial day of travel and final day of travel will be based on the following schedule according to departure and arrival times.

Initial day of travel:

Breakfast – must depart no later than 6:00 AM

Lunch – must depart no later than 11:30 AM

Dinner – must depart no later than 6:00 PM

Final day of travel:

Breakfast – must return after 8:00 AM

Lunch – must return after 1:30 PM

Dinner – must return after 8:00 PM

No per diem meal reimbursement is allowed for trips not including an overnight stay.

The daily reimbursement rate for meals and incidental expenses is established by state and federal government regulation and is subject to change. The president, at his discretion, may establish a lower rate. Travelers will be notified in advance of the effective date of any rate change.

Some registration fees include meals. In this case, the registration fee is fully reimbursable but the employee must not claim per diem for the included meal, according to the applicable rates above.

Meals purchased for the traveler by another person or entity are not reimbursable. In this instance, the employee must not claim per diem for that meal, according to the applicable rates above.

In the case of employees traveling together, each must pay and claim his own expenses.

Receipts are not required for meal expenses except for group and foreign travel. (Refer to the Student and Group Travel section of this policy.)

### **Travel To/From the Duty Point; Travel Before/After Conducting Official Business**

Subject to the other provisions of this policy, meals and lodging expenses may be reimbursed for travel expenses to/from the duty point and prior to/after conducting official business. This is only as necessary, and generally limited to no more than one day before/after the business event, unless it is financially beneficial to the university (e.g., when discounted airfare requires Saturday night stay and the additional expenses incurred (hotel/meals/transportation) would not exceed the airfare savings). In these instances, the total net savings must be documented and attached to the travel voucher.

### **Reimbursement Rates - Mileage**

The number of reimbursable miles traveled by an employee may not exceed the number of miles of the most cost-effective route. The shortest route between points, including the use of all farm-to-market roads, is presumed to be the most cost-effective route between two duty points. Google Maps (available online at the travel website) calculates the mileage between two locations. When both locations are in the Google Maps database, the employee may be reimbursed for the number of miles calculated by the Google Maps website. A copy of the Google Map mileage calculation must be included with the travel voucher. When one or both locations are not in the Google Maps database, the number of reimbursable miles is calculated by the employee's odometer. Mileage determined by use of the employee's odometer must be itemized on a point-to-point basis on the travel voucher. Any vicinity mileage at the destination location must also be itemized separately on a point-to-point basis. For the purposes of this paragraph, "point" means a building, house, highway intersection, or other similarly localized spot. A Point- to-Point Odometer Log is available in the forms section of the travel website if needed.

The maximum reimbursement rate for use of an employee's personal vehicle is established by state and federal regulation, and is subject to change. The president, at his discretion, may establish a lower rate. Travelers will be notified in advance of the effective date of any rate change.

### **Four-Per-Car-Rule**

Coordination of travel must occur when two, three, or four employees travel on the same dates with the same itinerary to conduct the same official state business. When coordination of travel is required, only one employee may be reimbursed for mileage.

**Reimbursement Rates - When Representing the University President**

If the president is unable to attend a meeting or conference, the president may designate, on an individual trip basis, one employee as a representative to travel. Under this provision, the employee is reimbursed for actual expenses, not to exceed twice the maximum allowance rates for lodging and meals specified by this policy. The travel voucher must be accompanied by the original designating document from the president. Receipts are required as specified in this policy, and the employee may only claim his own expenses.

**Registration Fees**

The registration fee for attendance at a professional meeting is reimbursable if the fee was approved on the travel request. Following the trip the employee will be reimbursed for out-of-pocket costs for registration fees (not paid as a direct pay or with a p-card) when submitted on the travel voucher with the original receipt.

Attendance at in-town conferences does not require a travel request. Employees may be reimbursed for in-town registration fees by submitting an online purchase requisition and sending the original receipt to accounts payable. The description should indicate that the conference was in Nacogdoches.

Some registration fees include meals. In this case, the registration fee is fully reimbursable but no additional amount can be claimed for the included meals.

**Prepayment of Registration Fees by University**

When requested, the university will prepay the registration fee for official business conferences and seminars. If the meeting is held out-of-town, the employee must first obtain approval to travel by submitting a travel request showing the registration fee as a part of the estimated cost of the trip. Additionally, the completed registration form with the travel request number written on it must be submitted to the controller's office well in advance of the payment due date. Registration fees may not be paid more than six (6) weeks in advance of the seminar or conference unless the cost savings is considerable to the university (such as early-bird discounts) or if there is a limited capacity for attendance. Advance payment is allowed only when the voucher is payable to the organization sponsoring the conference.

The state-issued procurement card may also be used to prepay registration fees after a travel request has been approved.

**Airline Ticket Purchases**

Any airline ticket expense, whether to be prepaid or reimbursed, must be listed on the approved travel request.

The State Travel Management Program of the Texas Procurement and Support Service has contracted with several airlines to provide special airfare rates for certain flights. A listing of the flights and rates is available online at the travel website.

Employees are encouraged to make flight reservations at discounted fares. Often this requires that the ticket be purchased well in advance of the travel date. Upon approval of the travel request, employees may make the airfare purchase personally or have it charged to the university, using the following procedures:

After a travel request has been approved, an employee may personally pay for an airline ticket and receive funds from the Cash Advance Account by submitting an original receipt to the travel office. These funds will be treated as a cash advance requiring submission of a properly completed travel voucher within fifteen (15) days after the end of the trip, but will not be subject to the 50% limit. An employee wishing to charge an airline ticket directly to the university must submit an Airfare Billing Form (available from University Printing Services) to the controller's office. After approval, the employee must present the signed form to a local participating travel agency (list available online at the travel website). The travel agency will book the flight and charge the expense to the university rather than to the employee.

If it is necessary to change an airline ticket, the traveler may be reimbursed for the additional fee only if there is a valid reason for the change as outlined by TPASS. The reason must be documented in writing, and approved by the account manager. If the total cost of the trip, including the additional fee, exceeds the original approved request, a revised request must be submitted and approved at all levels.

A traveler will not be reimbursed for a second ticket to or from the same destination.

The university cannot reimburse an employee for the cost of air transportation by a non-commercial transportation company.

### **Use of Non-University Owned Vehicle While on Official Business**

An employee operating a personal vehicle must carry insurance as required by state law. An employee operating any non-university owned vehicle, including his own personal vehicle or a personally rented vehicle, does so at his own risk. The university accepts no responsibility for vehicle or other damage, personal injury, claims filing, vehicle repair, maintenance, insurance costs, towing or citations.

### **Motor Vehicle Rentals**

If approved on the travel request, most expenses of renting a motor vehicle are reimbursable. The daily rate, applicable taxes, and other mandatory charges are reimbursable. An additional driver charge is reimbursable if it is incurred for an official state business reason. Also, collision damage waiver and loss damage waiver expenses are reimbursable if they are not already included in the contracted rate (see next paragraph). The following expenses are not reimbursable: liability insurance supplement; personal accident insurance; safe trip insurance; personal effects insurance.

The Texas Travel Management Program has contracted with several vehicle rental agencies to provide special rental rates. Most rates include unlimited free mileage, free loss damage waiver, and free primary liability coverage. University employees traveling on official state business are encouraged to use these contracted rates when possible. A listing of the agencies and rates is available online at the travel website with detailed instructions for making your reservation at the state contracted rate.

A detailed receipt from the motor vehicle rental company, attached to the travel voucher, is required for reimbursement of motor vehicle rental expenses.

### **Incidental Expenses**

Expenses for ground transportation to and from the airport such as taxi, limousine, subway, bus and other modes of mass transit are reimbursable, subject to the provisions of this section. (Travel to and from restaurants at the destination are not reimbursed since the MIE rate includes these expenses.) All expenses must be listed on the approved travel request and travel voucher. Limousine expenses are reimbursable if it was the least costly transportation available considering all relevant circumstances. If two or more state employees share a taxi or limousine, it is allowable for one employee to pay and be reimbursed for that full expense. Other official business expenses (e.g., parking, telephone calls, and copy services) are also reimbursable.

Receipts are requested, but not required, for reimbursement of these incidental expenses. If receipts are not provided, an explanation of the reimbursable expenses must be detailed on the travel voucher (including type of expense, date, amount and location).

**The following are not reimbursable: expenses of a personal nature; expenses that would be incurred by the employee regardless of official state business travel; tips and gratuities.**

### **Student and Other Group Travel**

Employees traveling together are not considered group travel. Each employee must pay and claim his own expenses.

When a non-employee group, such as a student group, travels together, it may be more convenient for one person to pay and claim expenses of the entire group. In this case, the person paying the expenses will be responsible for submitting the travel request and the travel voucher. Receipts are required for all expenses of group travel, including meals. The students may be given funds for their meals by signing individually on a list of names (including their campus ID) of all travelers that they have received a certain sum of money for their meals (not to exceed university per diem rates per day). If the sponsor pays for meals, the itemized receipts must be attached to the travel voucher in order to be reimbursed. Additionally, the signed list of all travelers' names and campus IDs must be included on the travel request and attached to the travel voucher.

If the group sponsor/advisor is an employee, he may request advance travel funds (not subject to the 50% limit) to pay expenses for the group (refer to the Advance Travel Funds section of this policy for procedures). The sponsor/advisor will be solely responsible for claiming reimbursement on the travel voucher, and for repayment of the advance travel funds. Refer to the Group Travel Guidelines available online at the travel website.

No Educational and General Funds (fund 10755x or 12xxxx or 13xxxx funds) may be used to pay or reimburse travel expenses for students. All other provisions of this policy apply to student travel.

### **Prospective Employees**

All provisions of this policy apply to prospective employees. Additional methods of payment are available to pay expenses incurred during the interview process and are listed on the Travel Request-Prospective Employee form (available online at the travel website).

### **Non-Reimbursed Travel**

A travel request is required for any out-of-town university-related travel even if travel expenses are not reimbursed. Examples include travel:

- for which university funds are not approved;
- for which the traveler does not request or expect reimbursement; or
- which has been paid by another source.

In any event of absence from class, the instructor is not to dismiss class but is to arrange for an appropriate replacement. Moreover, only in extraordinary situations will travel be approved that will result in the instructor missing the same class more than twice in succession. Faculty members requesting to leave campus for travel that is not university-

related should notify their department chair and dean; if the absence will be for a day or longer, faculty should file a leave of absence request but do not need to file a travel request.

**Cross Reference:** Intercollegiate Athletics Policy Manual; Texas State Travel Management Program; Internal Revenue Service, Publication 463

**Responsible for Implementation:** Vice President for Finance and Administration

**Contact for Revision:** Controller

**Forms:** Travel Request, Travel Voucher, Texas Hotel Occupancy Tax Exemption Certificate, Point-to-Point Odometer Log, Purchase Voucher, Report of State Agency Travel to Washington, DC, Corporate Travel Charge Card Application, and Travel Request-Prospective Employee (all available online at the travel website); Airfare Billing Form (available from University Printing Services)

***Board Committee Assignment:*** Finance and Audit



## Turner Auditorium (B-28)

**Original Implementation:** May, 1987

**Last Revision:** ~~July 15, 2008~~ July 19, 2011

~~The provisions of university Policy B-1, Use of University Facilities, govern the use of all buildings, facilities, equipment and grounds, hereinafter referred to as facilities, under the control of Stephen F. Austin State University (SFA). That policy provides that the university may establish additional procedures for the reservation and use of specific facilities; therefore, the following provisions apply to Turner Auditorium.~~

~~W. M. Turner Auditorium is a part of the Griffith Fine Arts Center, an academic facility of SFA.~~

~~In addition to the Turner Auditorium, the facility contains the SFA Gallery, two lab theaters, technical shops, classrooms, design areas and the offices of the College of Fine Arts and the Department of Theatre.~~

~~Scheduling and use of the facility and its equipment are pursuant to university Policy B-1, Use of University Facilities. That document assigns responsibility for administrative control of the facility to the "dean of the college having jurisdiction over the space."~~

### Auditorium Operating Policy

~~The William M. Turner Auditorium~~ *Turner* ~~is an academic and performing arts facility of SFA. Scheduling and use of~~ *Turner Auditorium* ~~the facility and its equipment are pursuant to university Policy B-1, Use of University Facilities (B-1). The dean of the College of Fine Arts is the administrator of the facility and its operating policies. Nothing contained in this policy shall be construed to prohibit or hinder the operation of Turner Auditorium in pursuing the university's mission as a public institution of higher education. All activities associated with that mission shall have priority in the use of this facility.~~

### Priority of Users

~~Because Turner Auditorium is an academic and a performing arts facility, its use shall be restricted according to the following .The following priority~~ *prioritized categories:*

~~es for assignment of use shall be in effect:~~

Category I - Events sponsored by the Schools of Art, Music, ~~or~~ and Theatre; ~~Dance productions of the Department of Kinesiology and Health Science~~; and other performance activities that are a necessary adjunct to academic programs in the College of Fine Arts.

Category II - Events that are a part of the ~~university~~ *University* Series or the Children's Performing Arts Series (*CPAS*). ~~of the CFA @ SFA visual and performing arts programming.~~

Category III - Events sponsored by ~~any university departments~~ *academic units* or ~~registered student, faculty, and staff organizations. of both an academic and nonacademic nature.~~

Category IV - Events sponsored ~~jointly by official university departments or agencies with non-university groups~~ subject to the regulations described herein.

### **Reservations Procedures**

Reservations for all functions in Turner Auditorium are made through the office of the dean of the College of Fine Arts. *The dean will act as arbitrator in circumstances where scheduling conflicts cannot be resolved.* Scheduling priorities will be given in accordance with the following procedures:

Category I - Events requiring the use of the auditorium for five days or longer have priority for reserving dates until October 15 of the previous academic year. Events requiring the use of the auditorium for fewer than five days have priority for reserving dates through ~~December 15~~ *October 31* of the previous academic year.

Category II - Events in this category have priority for reserving dates after ~~October 15~~ *November 1* and prior to ~~March 15~~ *January 1* of the previous academic year.

Category III and IV - Events in these categories may reserve available dates after May 1 of the previous academic year.

~~The office of the dean of the College of Fine Arts will produce and distribute to all Category I and II auditorium users a working calendar on October 15 and December 15 of the previous academic year. Attempts will be made to resolve any conflicts. The dean~~

of Fine Arts will act as arbitrator in circumstances where scheduling conflicts cannot be resolved.

### Procedures for Reserving Facility

The following reservation procedures apply to requests to use Turner Auditorium:

#### Category I, II

1. — The office of the dean of the College of Fine Arts will distribute an invitation to Category I and II users of Turner Auditorium to make their initial date requests according to the reservation procedures.
2. — Once conflicts are resolved, each scheduled user will receive forms ("William M. Turner Auditorium Reservation Request") to complete and return to the office of the dean of the College of Fine Arts. Formal confirmation of a requested date will be issued upon receipt of a completed form.
3. — The office of the dean of the College of Fine Arts will notify users at the appropriate times regarding technical needs, publicity, house management, etc.

#### Category III, IV

1. — Obtain a reservation packet from the office of the dean of the College of Fine Arts. The Auditorium should be reserved as far in advance as possible (suggested minimal time: 12 weeks prior to the event) since there is great demand for the facility and insufficient staff to easily accommodate all requests. Alternate dates should also be selected in the event that the date of first choice is not available.
2. — For all non-College of Fine Arts users, if a date is confirmed, a meeting with the Turner facilities manager will be scheduled to formalize equipment and personnel needs (suggested minimal time: 5 weeks prior to the event). At the time of the signing of a rental contract, the user will pay a deposit of 20% of the estimated rental, personnel, and equipment fees as indicated on the contract addendum. For College of Fine Arts users, standard Arts Information Office procedures will be utilized.
3. — Meet with the Turner facilities manager and staff two weeks before the event to finalize plans. Additional meetings may be required at the discretion of the dean and/or the Turner facilities manager.

### Schedule of Fees

#### Category I

1. — Rental Fees: None charged.

2. ~~Equipment/Personnel Fees: During the academic year, equipment fees general are not charged to Category I users, except in those instances where the use of equipment results in an unusual expense to Turner Auditorium (i.e., piano tuning, purchase of special gels, etc.). Personnel fees may be charged per number of hours worked times the minimum wage. A minimum of two hours per worker per rehearsal or performance is charged. For the summer months, Category I users may be required to cover personnel costs on a per-use basis (summer fees will be based upon budgetary allocations to the College of Fine Arts).~~

## Category II

1. ~~Rental Fees: None charged.~~
2. ~~Equipment/Personnel Fees: During the academic year, equipment fees general are not charged to Category I users, except in those instances where the use of equipment results in an unusual expense to Turner Auditorium (i.e., piano tuning, purchase of special gels, etc.). Personnel fees may be charged per number of hours worked times the minimum wage. A minimum of two hours per worker per rehearsal or performance is charged. For the summer months, Category I users may be required to cover personnel costs on a per-use basis (summer fees will be based upon budgetary allocations to the College of Fine Arts).~~

## Category III

1. ~~Rental Fees:~~
  - i. ~~First Hour of Use — \$150~~
  - ii. ~~Second Hour of Use — \$100~~
  - iii. ~~Third and All Succeeding Hours of Use — \$25 (This charge applies to hours contracted for over several days.)~~

~~Hours are determined according to the production plan and are continuous. Accordingly, a Category III event with eight rehearsal hours and a performance of three hours would cost \$150 plus 100 plus 9 times \$25 for a total \$475. Gaps of unscheduled stage time (periods between rehearsals) may be used for certain events (i.e., speaker) even though the stage is taken with sets or other equipment.~~

2. ~~Personnel/Equipment Fees:~~

~~The minimum personnel requirement for any rehearsal or performance (whether or not admission is charged) is one each:~~

- a. ~~Stage technician — two hours times minimum wage~~

- b. ~~House manager—two hours time minimum wage (when audience is present)~~
- e. ~~(Turner Auditorium personnel are hired from a list of trained stage assistants familiar with apparatus and equipment of Turner stage and employed only through the office of dean of the College of Fine Arts.)~~

~~Personnel needs are determined during the planning conferences with Turner staff. Follow spot operators, lighting technicians, sound technicians, and miscellaneous stagehands may be needed. These workers will be employed by the dean of the College of Fine Arts and supervised by the stage technician. The cost of the workers will be charged to the user.~~

~~A schedule of equipment rental charges is available separately from the office of the dean of the College of Fine Arts. The need for House Personnel (ushers, ticket takers, house manager, box office staff) will be determined at the planning conference. A member of the Turner Auditorium staff will provide the user with an estimate of total costs associated with the use of the auditorium.~~

#### ~~Category IV~~

##### ~~1. Rental Fees:~~

- a. ~~First Hour of Use—\$200~~
- b. ~~Second Hour of Use—\$150~~
- c. ~~Third and All Succeeding Hours of Use—\$75 (applies to hours contracted for over several days).~~

~~Hours are determined according to the production plan and are continuous. Accordingly, an event with eight rehearsal hours and a performance of three hours would cost \$200 plus \$150 plus nine times \$75 for a total of \$1,025. Gaps of unscheduled stage time (periods between rehearsals) may be used for certain events (i.e., speaker) even though the stage is taken with sets or other equipment.~~

##### ~~2. Personnel/Equipment Fees: Same as Category III~~

#### Events with Admission Charges

~~Category I and -II events users:~~ If an event has an admission charge, the user of the facility *Fine Arts Box Office* must deposit the all proceeds *infrom* ticket sales to a university account *according to business office procedures*.

- 1. ~~Users scheduling events with admission charges must conform to university Business Office ticket procedures.~~

2. ~~Ticket prices and ticket availability notices may not be published until Turner Auditorium staff certifies that the event has received adequate planning and all necessary approvals.~~

~~Category III and IV events~~ *Category III, IV users: Admission pricing and procedures may be established by individual users for their events. Users are free to set admission prices and handle admissions as they see fit. Notwithstanding this general statement, Services of the Fine Arts Box Office are not available; nevertheless, university academic units/departments must deposit funds in a university account and conform with to university business practices and policies.*

### **Jointly Sponsored Events**

Jointly sponsored events (i.e., events where official university *academic units/departments* and *organizations/agencies* jointly sponsor an event with a non-university group) may be scheduled only in accordance with the provisions of Use of University Facilities (B-1). Jointly sponsored events in Turner Auditorium are subject to the following regulations:

1. ~~Only official university departments and agencies~~ *entities of SFA -the university (colleges, academic units-departments, auxiliary offices)* may jointly sponsor an event with a non-university group.
2. A jointly sponsored event must have approval from an *academic unit -department chair/director*, dean or vice president and have *relevant self-evident educational objectives.* ~~implications.~~
3. A written agreement between the university ~~department/agency~~ *entity* and the non-university group must be prepared *in after*-consultation with the Office of the Dean of the College of Fine Arts and the Turner ~~facilities manager~~ *facilities manager*. This agreement must be signed by the appropriate ~~dean or vice president~~ *authorities.* ~~y.~~
4. The university ~~department/agency~~ *entity* acting as sponsor *shall* ~~agrees to~~ assume full responsibility for the event and ~~all charges for damages related~~ *all related charges, to that event, including costs for damages.*
5. The Turner staff will work directly with the ~~sponsoring~~ university ~~department/agency~~ *sponsor* ~~entity~~ rather than the non-university group. The university ~~agency~~ *sponsor* ~~entity~~ will be considered the producer of the event.
6. All advertising, promotion, and announcements of the event must include the name of SFA, ~~and~~ be approved by the university ~~joint~~ sponsor *and conform to University Publications (D-39).*
7. The university ~~agency~~ *sponsoring* ~~shall an event assumes responsibility to assure~~ that the use of Turner Auditorium does not result in private gain for the non-university group.

### **General Operating Regulations**

### ~~Regulations Applying to All Turner Auditorium Users:~~

1. ~~Signs and displays:~~ No signs, messages or other materials may be posted, displayed, distributed, or announced in, on, or adjacent to Turner Auditorium by the user ~~of or~~ sponsor without prior written approval by the dean of the College of Fine Arts. Such materials may not be fastened to any part of the facility except in spaces provided for ~~that~~ purpose and may not be permitted to interfere with crowd movement and safety.
2. Advertising: All news releases, handbills, advertisements, television and radio announcements or other media utilized to inform the public of a non-university event to be held in Turner Auditorium must be approved by the public affairs office and also must carry a disclaimer, approved by the university general counsel, to the effect that use of Turner Auditorium does not imply endorsement of the event by the sponsoring organization or the university.
3. ~~3. Safety:~~ Safety regulations, as determined by the Turner Auditorium staff and the university safety officer, will govern all areas of Turner Auditorium and the Griffith Fine Arts Building.
4. ~~Conduct:~~ The user organization is responsible for the conduct of its representatives, members, and guests *of the event* while in the Griffith Fine Arts Building. Organizations with a history of conduct violations during previous use of ~~the~~ Turner Auditorium may be denied subsequent use.
5. ~~Smoking: Griffith Fine Arts Building is designated as a no smoking facility. That means there shall be no smoking in the building!~~ *In accordance with Smoking and Use of Tobacco Products (D-35.5), Griffith Fine Arts Building is a non-smoking facility and smoking is prohibited within 20 feet of any entrance/exit.*
6. ~~Photographs and recordings:~~ Each user is advised to make its policies regarding the taking of photographs and/or recordings clear to the audience.
7. ~~Broadcasts:~~ Users must have prior written permission from ~~the~~ Turner Auditorium staff to make any broadcasts, telecasts, master recordings, films, ~~or and~~ transcripts of performances. If consent is given, the user organization will furnish and install all ~~necessary~~ *necessary* equipment ~~necessary~~ other than *that provided by the Turner staff*.
8. ~~Turner equipment furnished and contracted for by the user organization.~~
- 9.8. ~~Hours:~~ The *user* must specify ~~daily clock~~ hours of occupancy and may not ~~carry out~~ *have* activities in the facility other than at those times. The Turner staff will be in attendance and ~~will~~ *may* be paid for by the user during all specified hours, *according to a schedule of fees kept in the dean's office.*
- 10.9. ~~Personnel:~~ Turner Auditorium ~~Turner operating personnel~~ *staff* needed shall be determined by the Office of the Dean of the College of Fine Arts and the Turner facilities manager. A ~~minimal crew (Turner Auditorium~~ *Turner* technical crew for all events ~~and ;h~~ *House* management when an audience is present) ~~are~~ *is* required. Any additional ~~required technical and house~~ *personnel (ticket sellers/takers, ushers,*

*etc.)—required as determined by the office of the dean of the College of Fine Arts shall be provided by the user, at the user's expense.*

~~11.10. User Staff: Organizations~~*Users may wish to use their own crews for tasks more appropriately understood by their personnel (music stand and chair setup, prop arrangements, etc.). These arrangements must be approved in advance by the Office of the Dean of the College of Fine Arts and Turner facilities manager in advance. Such arrangements does not, however, release the user from the basic personnel charges identified in other sections of this document-policy.*

~~12.11. Services: Technical and house needs and functions.~~*Services for an event performed by the Turner Auditorium Turner staff on behalf of the user outside scheduled occupancy shall be paid for by the user. All university equipment will be operated by trained personnel employed by the university and/or approved by the Turner facilities manager.*

~~13. Operating Code: Any user whose technical or house crew fails to operate and maintain the facility according to the stated Operating Regulations shall be required to use Turner staff for future events. Users who fail to abide by the Operating Regulations may forfeit future use.~~

~~14.12. Payment for damages: All users and sponsors shall be responsible for payment for damages to the facility, its fixtures and equipment, whether caused by the user, sponsor, or its patrons, with the exception of ordinary wear and tear excepted.~~

~~13. Pianos: Pianos owned by SFA may be provided, for use on the stage according to the schedule of fees.~~

~~15. Any tuning requested by the user organization may be billed at cost to the user. The dean of the College of Fine Arts will designate the piano to be used and the tuner employed~~

~~16.14. Stage work: All stage work shall be done at the user's expense under the supervision of the Turner facilities manager. A Prior approval must be secured as indicated above if for user organizations wish to employ their own personnel.~~

~~17.15. House equipment: Users must A request equipment that may be deemed non-standard to use Turner Auditorium equipment by the Turner facilities manager prior to signing the contract.~~

~~16. User must obtain approval from the Turner facilities manager before placing any equipment on the stage. All decorations shall be installed without defacing the building and shall be subject to the supervision and approval of the Turner facilities manager.~~

~~18. must be made at the pre-event conferences and involve individuals who have been designated as competent and qualified by the Turner facilities manager meeting.~~

~~17. Cleared stage: The user organization shall leave the stage and stage areas, including dressing rooms and access areas, clean and clear after the final performance. Any exception to this must be approved by the Turner facilities manager. , unless~~



~~permission is given for a longer storage period. Such permission is granted by Turner facilities manager. If the stage is not cleared within the designated period, the Turner staff will employ a cleanup crew for which the user will pay. This purpose and assign charges to the user organization. A user will be released from further clean-up responsibility only after inspection by the Turner facilities manager. Staff reveals the facility to be in satisfactory condition.~~

~~19.18. Additional charges will apply for custodial services required outside regularly scheduled housekeeping hours.~~

~~20.19. Concessions: The user organization shall not allow tobacco products, beverages, food, gum, or refreshments of any kind to be sold, brought into, or served in Griffith Fine Arts Building on the premises. No refreshments shall be taken onto the stage, into the backstage areas, or into the auditorium at any time. Exceptions must be approved by the Turner facilities manager.~~

~~21. Prior approval: The user organization will acquire written approval from the Turner facilities manager before placing any equipment on the stage. The user organization will acquire written approval from the Turner facilities manager before a) erecting or operating any machinery or equipment run by electricity or other power, or by b) installing any wires, electrical installations or other appliances. All decorations shall be installed without defacing the building and shall be subject to the supervision and approval of the Turner facilities manager. The use of tape, nails, adhesives, tacks, screws, or similar articles on wall, floors, or plaster surfaces is not allowed.~~

~~20. Cancellation: In most cases, Should an event be canceled more than two three weeks before the scheduled performance date, no financial obligation will accrue to the user organization. Should an event be canceled within three weeks before the scheduled performance, a cancellation fee will be charged to the user according the schedule of fees.~~

~~22. Should an event be canceled within two weeks of performance, however, appropriate charges will be made.~~

~~23. Curtain time: House dDoors ordinarily open thirty (30) minutes before curtain time. The house manager starts the performance. Normally, evening performances begin at 7:30 p.m.~~

~~21.~~

~~24.22. Any user whose technical or house crew fails to operate and maintain the facility according to the stated operating regulations shall be required to employ Turner staff for future events, or may forfeit future use.~~

~~25. Rental Payments: When applicable, payments for use of Turner Auditorium will be made within thirty (30) days of the event.~~

**Cross Reference:** Use of University Facilities (B-1); University Publications (D-39); Smoking and Use of Tobacco Products (D-35.5)

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

**Contact for Revision:** Dean of the College of Fine Arts

**Forms:** ~~None~~ *Reservation Form, Schedule of Fees*

**Board Committee Assignment:** *Building and Grounds*

## Use of Amplified Sound on Campus Grounds (D-21)

**Original Implementation:** September 17, 1982

**Last Revision:** ~~April 21, 2009~~ July 19, 2011

Application to use amplified sound on campus shall be made to the Office of Student Activities at least 24 hours in advance of the proposed use. *In general* Ordinarily, amplified sound equipment ~~will~~ may not be *approved for use* ~~outside~~ on campus grounds if such use would be disruptive *to the learning and work environment*. *Amplified sound will not be approved before 8:00 p.m. or after 11:00 p.m. Monday – Friday, or anytime classes are in session, unless approved by the dean of student affairs.:*

This rule does not apply to the university and its agents, servants, or employees, acting in the course and scope of their agency or employment; nor does it apply to the Stephen F. Austin State University Alumni Association or the Stephen F. Austin State University Foundation.

**Cross Reference:** SFA Web pages

**Responsible for Implementation:** Vice President for University Affairs

**Contact for Revision:** Dean of Student Affairs

**Forms:** Reservation for Campus Grounds

**Board Committee Assignment:** *Building and Grounds*

## ***Vacation/Sick Leave/Compensatory Time Reporting – Faculty and Exempt Staff Employees (E-54)***

**Original Implementation:** Unpublished

**Last Revision:** ~~April 20, 2010~~ July 19, 2011

*This policy pertains to the requesting and reporting of leave earned and taken by faculty and exempt staff employees. Exempt refers to employees who are exempt from the provisions of the Fair Labor Standards Act.*

*Official leave records are to be maintained for faculty employees and exempt employees. It is the supervisor's responsibility to instruct the employee on how and when to request and report leave. It is the employee's responsibility to request leave and to accurately*  
~~At the beginning of each month, a "Vacation/Sick Leave/Compensatory Time Report" is sent to each department from the Payroll Office. Each employee eligible for vacation and/or sick leave and/or compensatory time must report any leave, earned or taken during the month as per the supervisor's instructions. An employee who fails to report leave taken is subject to disciplinary action.~~

*Employees requesting leave should submit a written request to the supervisor in the format designated by the supervisor. The supervisor shall approve or disapprove the request. This form must be kept on file by each department and is backup to the on-line leave activity and balances.*

*Time taken cannot exceed the available balance. It is the* ~~Employees requesting leave should complete a Vacation/Comp Time/Sick Leave Request form and have it approved by their supervisor. This form is required to be kept on file by each department and is the back-up for the monthly Vacation/Sick Leave/Compensatory Time Report submitted to the Payroll Office. The department head's (or assigned designee's) responsibility to verify leave taken is entered in the online system and to verify/certify through the approval process that entries accurately reflect leave taken for the applicable period. All entries and approvals must be completed by the due dates established by the Payroll Department. should sign the completed monthly report and return it to the Payroll Office by the due date specified on the report.~~

*Vacation and sick leave earned will automatically be added to leave balances without any action by the employee or the department. Compensatory time earned and used must be submitted to the Payroll Department in the format and by the due dates established by the Payroll Department.*

*Employees can view their leave earned, used, and cumulative balances in Self-Service Banner through mySFA. Any*~~Any discrepancies in the cumulative total of vacation/sick leave hours for each employee shown in the departmental records and the total shown on the monthly report should be resolved~~*should be resolved with the Payroll Office Department immediately.*

**Cross Reference:** None

**Responsible for Implementation:** Vice President for Finance and Administration

**Contact For Revision:** Controller

**Forms:** *Varies by department*~~Vacation/Sick Leave/Compensatory Time Report, available from the Payroll Office; Vacation/ Comp Time/ Sick Leave Request (available online at [http://jack.sfasu.edu:7778/wf/wf\\_hr.sickVacCreditialForm](http://jack.sfasu.edu:7778/wf/wf_hr.sickVacCreditialForm))~~

**Board Committee Assignment:** *Academic and Student Affairs*

## Year-end Purchasing (C-40)

**Original Implementation:** April 5, 1984

**Last Revision:** ~~July 15, 2008~~ July 19, 2011

The state fiscal year is September 1 through August 31 and the following rules and regulations apply to year-end transaction processing.

**Consumable/expendable supply items** are to be charged to the fiscal year in which they are delivered. The cost of consumable supplies ordered in one fiscal year and delivered in the next fiscal year may be charged to the prior year only if the following conditions exist:

1. delay causing delivery in the later fiscal period was beyond control of the agency;
2. delivery could have reasonably been expected to occur during the fiscal year in which the order was placed; and
3. the quantity ordered could have been consumed during the fiscal year in which it was ordered had delivery occurred as originally anticipated.

**Services** are to be charged to the fiscal year in which they are delivered.

**Capital equipment purchases (non-consumable with a useful life of more than one~~1~~ year)** are to be charged to the fiscal year in which they are ordered, except that capital purchases may be charged to the year of delivery as long as the appropriation for the year in which delivery will occur exists, (General Appropriations Act has been signed by the governor) and payment is not made prior to September 1 of the new fiscal year. Payments under a lease-purchase agreement are to be charged to the fiscal year in which the payment is made.

**Internet connections, Ssubscriptions, maintenance contracts, post office box rental, insurance and surety or honesty bonds** are chargeable to the fiscal year in which they begin and may be paid in full from that fiscal year regardless of whether the purchase covers more than one fiscal year. This rule supersedes other rules relating to consumable items, services, or capital equipment.

**Seminar and conference expenses** related to conducting or attending the same are to be paid from the fiscal year in which the seminar or conference occurs, unless it is determined to be cost-effective to use current fiscal year funds to pay for conducting or attending a seminar or conference that will occur partly or entirely during a different fiscal year. This rule supersedes other rules relating to consumable items, services, or capital equipment.

**Utility services** are to be charged to the fiscal year in which the service is provided except that a prior fiscal year may be used to pay for September services of the next fiscal year. This rule supersedes other rules relating to consumable items, services, or capital equipment. Utility service is defined in the state comptroller's *eXpendit*~~Purchase Policies and Procedures Guide~~.

**A combined purchase** of at least two consumable items, services and capital assets should follow the year-end rules according to the dominant purpose of the contract.

**A purchase option** that is contractually exercised to purchase a consumable item, service, or capital equipment should follow the year-end rules according to the good or service for which the option is exercised.

### **Department notification**

Each spring, the purchasing department establishes and notifies departments of deadlines for receipt of approved requisitions for the current fiscal year to comply with state guidelines and allow adequate order processing time for current year orders.

Requisitions received prior to the established deadline dates will be processed on current fiscal year funds unless properly identified as a next fiscal year requisition following the instructions provided through the ~~P~~purchasing ~~L~~istserv. Requisitions received after the established deadline dates will be processed on next fiscal year funds.

### **Exceptions**

Exceptions to the established deadline dates will be made if necessary to comply with year end guidelines established by the state comptroller or for emergency reasons. The director of ~~procurement~~~~purchasing~~ may use discretion in the best interest of the university when applying or exempting the established deadlines or above rules when using non-appropriated funds.

**Cross Reference:** ~~34 TAC, Part 1, Chapter 5, Subchapter E, Rule 5.56~~*34 Tex. Admin. Code § 5.56*; State Comptroller ~~Purchase Policies and Procedures Guide~~*eXpendit*

**Responsible for Implementation:** Vice President for Finance and Administration

**Contact for Revision:** Director of *Procurement & Property Services*~~Purchasing and Inventory~~/HUB Coordinator

**Forms:** None

**Board Committee Assignment:** *Finance and Audit*