

**University of Oklahoma**

**Board of Regents**

**Policy Manual**

**CU / RSU**

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## **PREFACE**

For purposes of this Manual, references to “University” shall refer to both Cameron University and Rogers State University, unless the context clearly indicates otherwise. References to “President” shall refer to the presidents of both Cameron University and Rogers State University, unless the context clearly indicates otherwise.

## **EQUAL OPPORTUNITY STATEMENT**

The Board of Regents of the University of Oklahoma, in compliance with all applicable federal and state laws and regulations, does not discriminate on the basis of race, color, national origin, sex, age, religion, disability, political beliefs, or status as a veteran in any of its policies, practices, or procedures. This includes without limitation to admissions, employment, financial aid, and educational services.

This Policy Manual of the Board of Regents of the University of Oklahoma is a reference source for Cameron University and Rogers State University employees of policies that have been approved by the Board of Regents. The Board of Regents reserves the right to change its policies at any time in its sole discretion. Accordingly, the information in the Manual is current at the time of publication, but the policies may change from time to time by action of the Board of Regents. Many pronouncements of policy in this Manual will be set forth in greater detail in the Faculty and Staff Handbooks, student handbooks, and other campus policy documents.

The Board of Regents of the University of Oklahoma is an at-will employer; that is, the employment relationship may be ended at the will of the employee or by the Board of Regents or its designees. While policies and procedures have been established to provide guidance for administrators and employees, they should not be construed to limit or abrogate the rights of employees or the Board of Regents under the employment-at-will relationship.

## SECTION 1—ADMINISTRATION

The Board of Regents is vested with the governance of the University. Within its authority is the governance of the administration and management of the University, including without limitation, powers and duties of the Board of Regents, Presidential succession, and administrative searches. Specific provisions pertaining to the management of the University and related matters may be set forth in the Faculty and Staff Handbooks, student handbooks, and/or other official policy documents of the University. Any modification to a Board of Regents policy in the policy documents referred to above or elsewhere must be made through action of the Board of Regents.

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### 1.1—FUNCTIONS OF THE UNIVERSITY

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The broad functions of the University as assigned by the Oklahoma State Regents for Higher Education, include:

- a) Both lower and upper-division undergraduate study in several fields leading to the associate degree and the bachelor's degree;
- b) A limited number of programs leading toward the first-professional degree when appropriate to an institution's strengths and the needs of the state;
- c) Graduate study below the doctoral level, primarily in teacher education but moving toward limited comprehensiveness in fields related to Oklahoma's manpower needs;
- d) Extension and public service responsibilities in the geographic regions in which they are located;
- e) Responsibility for institutional and applied research in those areas related closely to their program assignments; and
- f) Responsibility for regional programs of economic development.

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### 1.2—BOARD OF REGENTS

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#### 1.2.1—ADMINISTRATION

As provided by law, the Board of Regents of The University of Oklahoma, (hereafter "The Board of Regents" or "Regents" as the context permits) shall adopt such rules and regulations, as it deems necessary, to govern its proceedings and the conduct of its business. It shall annually elect a Chair, a Vice Chair, and an Executive Secretary, each of whom shall serve a term of one year and until a successor is elected and qualified, and who shall have such powers and duties as may be prescribed by the Board of Regents. The Executive Secretary of the Board of Regents,

who need not be a member of the Board of Regents, shall keep a record of all transactions of the Board of Regents. The Board of Regents shall adopt an official seal.

### 1.2.2—AGENDA FOR MEETINGS

The Chair of the Board of Regents will prepare and approve all items to be placed on the agenda for the Board of Regents' meetings, which authority may be delegated to the Presidents of the Universities and the Executive Secretary of the Board of Regents for preliminary preparation. Other items requested by any three Regents will be placed on the agenda. ~~(RM, 3-19-87, p. 19506; 1-16-89, p. 20835; 3-21-95, p. 24290)~~

### 1.2.3—REGENTS' EDUCATION PROGRAM

Unless otherwise prohibited by law, each person appointed as a member of the Board of Regents shall be required to attend a minimum of fifteen clock hours of continuing education during the first two years of the term of office of the member. At least two of the fifteen hours must be in ethics. The continuing education requirement shall be governed by the Oklahoma State Regents for Higher Education. ~~The Attorney General shall advise the Oklahoma State Regents for Higher Education on the selection of continuing education courses.~~

The State Regents' Education Program is mandated by state law. The failure by a member of the Board of Regents to satisfy the continuing education requirements may disqualify such member from being reappointed to the Board of Regents or from being appointed to the membership of any other board of regents of any institution or group of institutions within the Oklahoma State System of Higher Education.

### 1.2.4—ESTABLISHMENT

- a) The Board of Regents, provided for by Article XIII, Section 8, ~~Article XIII~~, Oklahoma Constitution, shall constitute a body corporate by the name of Regents of the University of Oklahoma and shall be the government of ~~the~~ the University of Oklahoma, Cameron University, and Rogers State University. The Board of Regents shall consist of seven members to be appointed by the Governor by and with the advice and consent of the Senate.
- b) Appointments shall be to numbered positions on the Board of Regents.
- c) No member of the Board of Regents shall be employed upon any work to be performed in connection with the University of Oklahoma, Cameron University, or Rogers State University, nor shall any member of said Board of Regents enter into any contract or business transaction involving a financial consideration with ~~the~~ the University of Oklahoma, Cameron University, or Rogers State University.
- d) Members of the Board of Regents shall be subject to removal from office as provided by law for the removal of elective officers not liable to impeachment.
- e) Vacancies on the Board of Regents shall be filled by the Governor, for the unexpired term, by and with the advice and consent of the Senate.

- f) Each member of the Board of Regents shall take and subscribe to the oaths required of State officials, as provided by law.

### 1.2.5—OFFICIAL COMMUNICATIONS

- a) The proper channel through which recommendations concerning the policies and/or administration of its governed entities, as a whole or in any of its parts, should be communicated to the Legislature or other State officials are the Presidents of the Universities and the Board of Regents. Further, any official statement made on behalf of the Board of Regents to the public through the press or otherwise, shall be made only by the Chair of the Board of Regents; provided, the Presidents of the Universities or ~~their~~ his or her designees may publicly explain prior Board of Regents' action as deemed necessary and proper.
- b) Nothing in the preceding subsection ~~a)~~ is intended to or should be construed to abridge the rights and privileges of individual Regents to publicly express their personal opinions on any matter or to abridge constitutional rights of employees to comment on matters of public concern or to prohibit any other rights of communication established by law. ~~(RM, 12-7-36, p. 661; 12-17-45, p. 1951; 3-9-49, p. 3054; 10-13-88, p. 20595; 3-21-95, p. 24290; 3-29-00, p. 26909; 1-27-2004, p. 28900, 28911)~~

### 1.2.6—POWERS AND DUTIES

The Board of Regents shall have the supervision, management and control of the University and shall have the following additional powers and duties:

- a) Adopt such rules and regulations, as it deems necessary, to govern the University.
- b) Employ and fix the compensation and duties of such personnel, as it deems necessary, including architects, attorneys, engineers and other professional and technical persons, for its operation and for the operation of the University. Any of such personnel having custody of public funds or other public property may be required to furnish corporate surety bonds in such amounts as may be deemed necessary by the Board of Regents, payable to the ~~State of Oklahoma~~ Board of Regents and conditioned upon a faithful accounting of all such funds and property.
- c) Enter into contracts; purchase supplies, material and equipment; and incur such other expenses as may be necessary to make any of its powers effective.
- d) Authorize officials of the University to act in its behalf in the making of contracts or in carrying out the powers conferred upon it.
- e) Receive and make disposition of moneys, grants, and property from federal agencies, and administer the same in accordance with federal requirements.
- f) Accept gifts of real and personal property, money, and other things, and use or dispose of the same in accordance with the directions of the donors or grantors thereof.

- g) Direct the disposition of all moneys appropriated by the Legislature or by the Congress or derived from the sale of bonds or received from any other source by the University.
- h) Acquire and take title to real and personal property in its name, on behalf of the University and convey, exchange or dispose of, or otherwise manage or control, such property in the interest of the University including the granting of leases, permits, easements and licenses over or upon any such real property. The Board of Regents shall have the power to institute legal action in the name of the Board of Regents before any court having jurisdiction of such actions. The Board of Regents shall have the custody and control of abstracts of title and instruments affecting the ownership of or title to real property belonging to the Board of Regents, and being held by the Board on behalf of the University.
- i) Have supervision and charge of the construction of all buildings at the University.
- j) Determine the need for and cause to be constructed, residence halls and other buildings, on a self-liquidating basis, at the University.
- k) Establish and maintain plans for tenure and retirement of employees of the Board of Regents, and the University and for payment of deferred compensation of such employees; and make available health, vision, dental, life, and accidental death and disability benefits for such employees and their dependents. The Board of Regents may pay for all or a part of the cost thereof for employees, with funds available for the operation of the University. Amounts payable by an employee for such insurance or annuity contracts may, with the consent of the employee, be deducted from payroll.
- l) Audit all accounts against the funds appropriated for the use and maintenance of the University; ~~and~~ ~~†~~ The State Treasurer shall issue warrants for the amount of all accounts, including salaries and expenses of said Board of Regents, which shall have been audited and allowed by the Board of Regents and attested by the Secretary of the Board; and the President.
- m) Provide penalties and forfeitures by way of damages and otherwise for the violation of rules and regulations of the Board of Regents, which may be sued for and collected in the name of the Board of Regents before any court having jurisdiction in such actions.
- n) Do all things necessary and convenient to carry out the powers expressly granted to it by the Constitution and the laws of the State, or to make ~~†~~ the University ~~of Oklahoma, Cameron University, and Rogers State University~~ effective for the purpose for which ~~it is~~ ~~they are~~ maintained and operated. ~~And~~ ~~†~~ The enumeration herein of certain powers and immunities of the Board of Regents shall not be construed as in derogation or as a limitation of the powers and immunities properly belonging to the Board of Regents in the government of ~~†~~ the University of Oklahoma, Cameron University, and Rogers State University by virtue of Article XIII, Section 8 of the Oklahoma Constitution or the laws of the state.

### 1.2.7—TRAVEL EXPENSES

Members of the Board of Regents shall be allowed necessary travel expenses as may be approved by the Board of Regents and as are reasonably incurred in the discharge of their obligations on behalf of any governed entity and will be reimbursed in accordance with the applicable State Travel Reimbursement Act. ~~(RM, 3-21-95, p. 24290; 5-9-85, pp. 18382-3)~~

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## 1.3—ACTING PRESIDENT

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On occasion the President ~~of the University~~, on account of official business, vacation, illness, or other unavoidable cause, ~~is~~ ~~are~~ absent from ~~their~~ ~~this or her~~ respective campuses. During such absences, it is essential that provision be made so that official business may proceed. Therefore, in the temporary absence of the President, the order of succession for the University will be as follows:

CAMERON UNIVERSITY

ROGERS STATE UNIVERSITY

~~Provost~~ Vice President for Academic Affairs

Vice President for Academic Affairs

Vice President for Business and Finance

Vice President for Business Affairs

In the event any of the above named positions are filled by persons in an acting or interim capacity, the line of succession shall automatically be directed to the next position.

In the event ~~any of the Presidents of the universities~~ shall resign, be incapacitated, be on an extended leave of absence, or otherwise be unable to perform the duties of President for a period in excess of 30 days, an Acting or Interim President shall be designated by the Board of Regents. The Acting or Interim President shall have all powers, duties and responsibilities normally held by the President ~~of the University~~. ~~(RM, 2-8-79, pp. 15373-74; 3-21-95, p. 24290; 1-27-2004, p. 28900, 28911)~~

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## 1.4—ADMINISTRATIVE SEARCH COMMITTEES

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The selection of the Presidents and other administrators is the responsibility of the Board of Regents, and any process leading to that selection is the prerogative of the particular Board of Regents in office at the time the selection process is to be initiated. It is suggested that administrative search committees make nominations and recommendations concerning candidates and that the President, ~~if applicable, s of the universities~~ and the Board of Regents be guided by them in most instances, but it is understood that the Presidents ~~of the Universities~~ and the Board of Regents shall not be bound by nor limited to nominations and recommendations of administrative search committees.

### 1.4.1—PRESIDENTS OF THE UNIVERSITY~~IES~~

It is recommended that presidential search committees have representation by faculty, student(s), and staff. The Board of Regents appoints these members from nominees selected by

the official faculty and student governance organizations on each campus. Staff nominees will be selected by the senior academic officer of the University. Faculty members shall constitute a majority of search committee members chosen from the faculty, staff, and students.

There shall be twice as many nominees as there are positions. The Board of Regents may designate other members as deemed appropriate.

### **PROVOSTS, 1.4.2—VICE PRESIDENTS**

The committee shall have faculty, student, and staff representation. The Presidents ~~of the Universities~~ shall appoint these members from nominees selected by the official faculty and student governance organizations on each campus. Staff nominees will be selected by the President in consultation with the Vice Presidents ~~and Provost~~. There shall be twice as many nominees as there are positions. The Presidents ~~of the Universities~~ may designate other members as deemed appropriate.

### **1.4.3—DEANS**

The ~~D~~deans search committee shall have faculty, student, and staff representation. The President ~~s of the Universities~~ shall appoint these members from nominees selected by the official faculty and student governance organizations on each campus. Staff nominees will be selected by the President in consultation with the ~~Provost~~ Vice President for Academic Affairs. Upon requesting nominations by faculty members, the Presidents ~~of the Universities~~ shall designate the number of positions to be filled from (1) the general faculty of the particular school or unit involved and (2) the University faculty at large. There shall be at least one position filled from the University faculty at large from nominations made by the ~~Faculty Senate~~ official faculty governance organization. In all cases, there shall be twice as many nominees as there are positions. The Presidents ~~of the Universities~~ shall make all appointments.

~~(RM, 5-12-83, pp. 17493-95; 3-21-95, p. 24290; 3-29-00, p. 26909; 1-27-2004, p. 28900, 28911)~~

## **1.5—COMPLIANCE CERTIFICATION**

The Presidents ~~of the Universities~~ or the President's<sup>2</sup> authorized designees are authorized to sign assurances of compliance with regulations of such federal agencies as may be required.

~~(RM, 2-11-65, p. 8067, edited; amended 3-20-75, p. 13382; 3-21-95, p. 24290; 12-2-2003, p. 28868; 1-27-2004, p. 28900, 28911)~~

## **1.6—INTERIM OFFICERS**

At the time of appointment to the position of Interim President, ~~Interim Provost~~, Interim Vice President, or Interim Academic Dean, the Board of Regents will state whether the appointee is eligible to be a candidate for the permanent position. ~~(RM, 1-20-86, p. 18820; 3-21-95, p. 24290; 1-27-2004, p. 28900, 28911)~~

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## 1.7—PRESIDENTIAL AUTHORITY

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The Presidents and ~~the~~his or her administrators have broad authority to develop policies and procedures for the conduct of internal affairs of the University not specifically addressed by and not inconsistent with Board of Regents' policy. ~~(RM, 1-27-2004, p. 28900, 28911)~~

## SECTION 2—~~GENERAL~~ ACADEMIC POLICIES

The Board of Regents is vested with the governance of the University. Within its authority is the governance of all faculty personnel matters, including without limitation, appointments, evaluations, academic misconduct, grievances, and academic appeals. Specific provisions pertaining to faculty personnel policies and related matters may be set forth in the Faculty and Staff Handbooks, student handbooks, and/or other official policy documents of the University. Any modification to a Board of Regents' policy in the policy documents referred to above or elsewhere must be made through action of the Board of Regents.

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### 2.1—FACULTY PERSONNEL POLICIES

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It is the policy of the University to recognize and implement the functions assigned to it by the Oklahoma State Regents for Higher Education. These functions ~~include~~ are teaching; research and creative/scholarly activity; and professional and University service and public outreach. The responsibility for carrying out this policy is shared by the Board of Regents, administrative officers, and the regular faculty.

#### 2.1.1—THE REGULAR FACULTY

The Regular Faculty of the University is composed of all faculty members with regular appointments including non-tenure track, tenure track, and tenured, ~~and consecutive term/renewable term~~ appointments at the ranks of instructor, assistant professor, associate professor, and professor.

Additional policies related to the Regular Faculty and the Faculty Senate are contained in the Faculty Handbook of the University.

#### 2.1.2—ACADEMIC FREEDOM AND RESPONSIBILITY

##### 2.1.2.1—INSTITUTIONAL ACADEMIC FREEDOM

The accumulation and exchange of knowledge is among the preeminent purposes of the University, and the acknowledgement of individual academic freedom is one of the cornerstones to ensure such purposes are achieved. Equally important in meeting these goals is the recognition of the right inherent in the responsibility of the Board of Regents to govern the University. “[I]t is the business of a university to provide that atmosphere which is most conducive to speculation, experiment ation and creation. It is an atmosphere in which there prevail ‘the four essential freedoms’ of a university – to determine for itself on academic grounds who may teach, what may be taught, how it shall be taught, and who may be admitted to study.” *Sweezy v. New Hampshire*, 354 U.S. 234, 263.; 77 S.Ct. 1203; 1 L.Ed.2d 1311 (1957).

2.1.2.2—ACADEMIC FREEDOM

The 1940 Statement of Principles on Academic Freedom and Tenure, with 1970 Interpretive Comments, of the American Association of University Professors has long been recognized as providing valuable and authoritative guidelines for policy and practice in American colleges and universities. The section on academic freedom below is essentially a restatement of these principles, with some modification ~~and extension consistent with their intent and with later declarations by the Association~~. In the formulation that follows, these principles have been adopted as policy by the Board of Regents.

- a) Faculty members are entitled to full freedom in research and publication, subject to any restrictions set by law or by applicable codes of professional ethics, and subject to adequate performance of their other academic duties and to stated University policy on outside employment; but, except under conditions of national emergency, a faculty member should not undertake to do research on University time or using University facilities or funds under any agreement which would (except for a definitely and reasonably limited time) prohibit open communication of the results.
- b) Faculty members are entitled to freedom in the classroom in discussing their subject, but it is inappropriate for a teacher persistently to intrude material, which has no relation to the subject of instruction.
- c) As members of the community, university teachers have the rights and obligations of any citizen. They measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. In speaking or acting as private persons, faculty members avoid creating the impression of speaking or acting for their college or university. As a citizen engaged in a profession that depends upon freedom for its health and integrity, the university teacher has a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.
- d) As citizens, university teachers should be free to engage in political activities consistent with their obligations as teachers and scholars and with University policy.
- e) Freedom of access to recorded knowledge being essential to learning and research in a democracy, the right and the obligation of the university to provide a full range of materials on any subject, even though some views might be currently unpopular or controversial, or appear incorrect, shall not be infringed. The principles of academic freedom shall apply to the presence of materials and also to those who provide and those who use them.

- f) The University endorses the 1957 declaration of the American Association of University Professors which "...asserts the right of college and university students to listen to anyone whom they wish to hear...affirms its own belief that it is educationally desirable that students be confronted with diverse opinions of all kinds, (and) therefore, holds that any person who is presented by a recognized student or faculty organization should be allowed to speak on a college or university campus." Duly constituted organizations at Cameron University and Rogers State University may invite speakers without fear of sanctions. However, in the exercise of these rights, it is clearly recognized that:

Membership in the academic community imposes on students, faculty members, administrators, and trustees an obligation to respect the dignity of others, to acknowledge their right to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off the campus. The expression of dissent and the attempt to produce change, therefore, may not be carried out in ways which injure individuals or damage institutional facilities or disrupt the classes of one's teachers or colleagues. Speakers on campus must not only be protected from violence but must be given an opportunity to be heard. Those who seek to call attention to grievances must not do so in ways that significantly impede the functions of the institution. (1970 declaration of the AAUP Council)

### 2.1.2.3—ACADEMIC RESPONSIBILITY

The concept of academic freedom shall be accompanied by an equally demanding concept of academic responsibility. ~~This statement is derived in substantial measure from the AAUP 1966 Statement on Professional Ethics.~~ The Board of Regents endorse (adopt) the AAUP 1987 Statement on Professional Ethics.

#### 2.1.2.3.1—INTRODUCTION

From its inception, the American Association of University Professors has recognized that membership in the academic profession carries with it special responsibilities. The Association has consistently affirmed these responsibilities in major policy statements, providing guidance to professors in such matters as their utterances as citizens, the exercise of their responsibilities to students and colleagues, and their conduct when resigning from an institution or when undertaking sponsored research. The *Statement on Professional Ethics* that follows sets forth those general standards that serve as a reminder of the variety of responsibilities assumed by all members of the profession.

In the enforcement of ethical standards, the academic profession differs from those of law and medicine, whose associations act to ensure the integrity of members engaged in private practice. In the academic profession the individual institution of higher learning provides this assurance and so should normally handle questions concerning propriety of conduct within its own framework by reference to a faculty group. The Association supports such local action and stands ready, through the general secretary and the Committee on Professional Ethics, to counsel with members of the academic community concerning questions of professional ethics and to inquire into complaints when local consideration is impossible or inappropriate. If the alleged offense is deemed sufficiently serious to raise the possibility of adverse action, the procedures should be in accordance with the 1940 *Statement of Principles on Academic Freedom and Tenure*, the 1958 *Statement on Procedural Standards in Faculty Dismissal Proceedings*, or the

applicable provisions of the Association's *Recommended Institutional Regulations on Academic Freedom and Tenure*.

#### 2.1.2.3.2—THE STATEMENT

1. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

2. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

3. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

4. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

5. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

~~Faculty members have responsibilities to their students. They shall encourage in students the free pursuit of learning and independence of mind, while holding before them the highest scholarly and professional standards. Faculty members shall show respect for the student as an individual and adhere to their proper role as intellectual guides and counselors. They shall endeavor to define the objectives of their courses and to devote their teaching to the realization of those objectives; this requires judicious use of controversial material and an avoidance of material, which has no relationship to the objectives of a course.~~

~~Faculty members shall make every reasonable effort to foster honest academic conduct and to assure that their evaluations reflect, as nearly as possible, the true merit of the performance of their students, regardless of their race, creed, sex or political beliefs. Faculty members shall avoid any exploitation of students for private advantage and acknowledge significant assistance from them.~~

~~Faculty members have responsibilities to their colleagues, deriving from common membership in a community of scholars. They shall respect and defend the free inquiry of their associates. In the exchange of criticism and ideas, they should show due respect for the opinions of others. They shall acknowledge their academic debts and strive to be objective in the professional judgment of their colleagues. Although service must be voluntary, faculty members should accept a reasonable share of the responsibility for the governance of their institution. If driven by his or her conscience into dissent, the faculty member shall take care that this dissent does not interfere with the rights of colleagues and students to study, research, and teach.~~

~~Faculty members have responsibilities to their discipline and to the advancement of knowledge generally. Their primary obligation in this respect is to seek and to state the truth as they see it. To this end, they shall devote their energies to developing and improving their scholarly competence. They shall exercise critical self-discipline and judgment in using, extending, and transmitting knowledge, and they shall practice intellectual honesty.~~

~~Faculty members have responsibilities to the educational institution in which they work. While maintaining their right to criticize and to seek revisions, they shall observe the stated regulations of the institution, provided these do not contravene academic freedom. Faculty members shall determine the amount and character of the work they do outside their institution with due regard to their paramount responsibilities within it. When considering the interruption or termination of his or her service, the faculty member recognizes the effect of such a decision upon the program of the institution and gives due notice of the decision.~~

### 2.1.3—FACULTY ACCOUNTABILITY

A faculty member is held accountable for his or her performance in fulfilling faculty duties and in meeting the requirements of academic responsibility and University policies. Persons who accept full-time employment at the University owe their first duty and first loyalty to the University. Any other employment or enterprise in which they engage for income must be secondary to their University duties. The most immediate agents of faculty accountability are the chairs, who should maintain close and regular communication with the faculty member. Among the various mechanisms for ensuring faculty accountability, the most important include annual performance evaluations, and such periodic evaluations as those for advancement in rank. These processes have the primary function of identifying meritorious performance to be rewarded, but they also provide a means by which the University may strengthen itself, by identifying needs for improved performance.

Meritorious and responsible faculty performance is first and foremost an individual professional obligation. But it is also the product of a cooperative effort by faculty members and administrative officers assisting one another, informing one another, and jointly seeking to assure that each faculty member's capabilities are developed fully and creatively. Performance that is lacking in merit or responsibility, when identified, is a challenge both to the individual and to the academic unit and its leaders, in their exercise of the unit's career development responsibilities. Just as faculty members are held accountable for their performance, administrators of academic units are held accountable for their leadership in the career development of the faculty in their units.

For those cases where they are needed, the University has at its disposal the more drastic measures of severe sanctions.~~2.1.4—FISCAL RESPONSIBILITY~~

~~—In each case where tenure is awarded, there must be assurance that continuing financial support can reasonably be anticipated. The President shall determine whether funds are sufficiently secure to support the awarding of tenure.~~

### **2.1.45—PROFESSIONAL ACTIVITIES OF THE FACULTY**

Above all else, the University exists for learning and scholarship of a breadth and depth that result in excellence in ~~all of the University's major functions:~~ teaching, research and creative/scholarly activity; and professional and University service and public outreach. Each academic unit has an obligation to contribute to each of these ~~three functions of the University.~~ Faculty members play a central role in the realization of ~~these functions and fulfill~~ the obligations of the academic unit by contributing their unique expertise and competence. Decisions regarding tenure, promotions, and salary increases are based upon an assessment of the faculty member's performance and contributions to the total mission of the University.

~~(RM, 1-27-2004, p. 28900, 28911)~~

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## **2.2—FACULTY APPOINTMENTS**

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### **2.2.1—RESERVE OFFICERS' TRAINING CORPS PERSONNEL**

The senior line officer of each department (Army, Naval, and Air Force) shall be given the rank of Professor; the executive officer (next senior officer) shall be given the rank of Associate Professor; the other officers shall be given the rank of Assistant Professor or Instructor. Officers who arrive for duty and who are interested in undertaking graduate work may be designated as Special Instructors instead of Assistant Professors so they will not be precluded from receiving a graduate degree which, under regulations of the Graduate College and the University, cannot be conferred on faculty members with an academic rank higher than Instructor; non-commissioned officers and petty officers shall be given the title of Instructor.

An academic rank, once assigned to an officer, shall be retained by him or her during the entire tenure with the University unless he or she is promoted to a higher faculty position, even though a more senior line officer becomes either the commanding officer or executive officer, except when regulations of a branch of the Defense Department provide that only one officer may be designated as Professor and Associate Professor on a campus.

### **2.2.2—REAPPOINTMENT AND NON-REAPPOINTMENT**

Action on the reappointment of ~~non-tenure track and~~ tenure-track regular faculty ~~and renewable term/consecutive term appointees~~ is initiated by the academic department chair/head through the respective dean to the ~~Provost/Vice President for Academic Affairs,~~ President, and Board of Regents. Any final decision not to reappoint a faculty member shall be determined by the Board of Regents.

~~2.2.2.1—NOTIFICATIONS OF NON-REAPPOINTMENT OF NON-TENURE TRACK OR TENURE-TRACK REGULAR FACULTY OR RENEWABLE TERM/CONSECUTIVE TERM CONTRACT~~

- a) A non-tenured faculty member with a regular appointment who is not to be reappointed must be so notified no later than March 1.; ~~or, if the first year of appointment terminates at a time other than the end of the academic year, not less than three months before the end of the appointment period.~~
- b) All notifications of non-reappointment shall be given in writing by the ~~Provost~~/Vice President for Academic Affairs. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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## 2.3—FACULTY EVALUATION

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### 2.3.1—FACULTY EVALUATION, ADVANCEMENT IN SALARY, AND PROMOTION IN RANK

Faculty evaluation is a continuous process, both prior to and following the granting of tenure. An annual review of each faculty member's performance is the responsibility of the academic deans and the specific academic department chair/head. A systematic procedure for accomplishing such evaluations shall be developed in each academic unit, with the participation and approval of the dean and the Vice President for Academic Affairs/~~Provost~~. The criteria for evaluation shall be carefully and clearly stated. Specific faculty assignments within an academic unit and the specific mission of a particular academic unit may have different percentages of effort distributed across the areas of professional activity (teaching; research and creative/scholarly activity; and professional and University service; and public outreach) if, in consultation with the dean and Vice President for Academic Affairs/~~Provost~~, this is determined to assist the entire University in best meeting its mission.

Specific provisions prescribing faculty evaluation, advancement in salary, tenure, and promotion in rank are set forth in the Faculty Handbook of the respective University.

### 2.3.2—FACULTY TENURE

Tenure implies a mutual responsibility on the part of the University and the tenured faculty member. In granting tenure to a faculty member, the University makes a commitment to the faculty member's continued employment, subject to certain qualifications. The University expects that tenured faculty members will maintain the level of performance by which they initially earned tenure. In those exceptional cases when it is recommended that a faculty member be permitted to reduce his or her employment to less than full-time and maintain a tenured status, specific Regential approval must be granted.

Faculty members accorded tenure will normally commence their tenure appointments in the academic year immediately following the Board of Regents' action.

In each case where tenure is awarded, there must be assurance that continuing financial support can reasonably be anticipated. The President shall determine whether funds are sufficiently secure to support the awarding of tenure.

Specific tenure policies and procedures are set forth in the Faculty Handbooks of the ~~respective~~ University.

### 2.3.3—POST-TENURE REVIEW

Post-tenure review at the University is a periodic peer-based evaluation of tenured faculty for the purpose of guiding career development and, when judged necessary, improving faculty performance. The post-tenure review process is based on and extends the annual evaluation of faculty through two processes:

- 1) A retrospective review of faculty performance in teaching; research and creative/scholarly activity; and professional and University service and public outreach over the three years preceding the review, and
- 2) A formative evaluation for future professional growth.

For all faculty, post-tenure review provides a formal opportunity for self-assessment and discussion with peers about professional development. For those faculty whose performance is judged to be below expectations, the evaluation leads to the formulation of a professional development plan, the purpose of which is to assist the faculty member to raise his or her level of performance to meet or exceed the expectations for tenured faculty.

Post-tenure review is mandatory for all tenured faculty.

Bearing in mind the value and importance of academic freedom and procedural due process to the well-being and success of the academic community, the University acknowledges and supports in principle the policies and procedures set forth in the AAUP's *Standards for Good Practice in Post-Tenure Review*. Post-tenure review is not a re-evaluation of a faculty member's tenure status, nor is it intended as means to effect programmatic change. The post-tenure review process will be carried out in a manner that is consistent with the University's policies on academic freedom and responsibility and on faculty evaluation. Post-tenure review will be based on the criteria for annual review established by the faculty of the unit and approved by the administration.

Specific provisions prescribing post tenure reviews are set forth in the Faculty Handbook of the University and include, but are not limited to, sections detailing procedures for normal and early review and the development of a professional development plan for faculty needing assistance.

### 2.3.4—SEVERE SANCTIONS

The University strives to exercise great care in selecting faculty appointees and to confer tenure upon only those faculty members who have demonstrated their merit for tenured appointment. For that reason, severe sanctions such as dismissal of a tenured faculty member (abrogation of tenure) or of a regular faculty member during a non-tenure track or tenure-track appointment ~~or of a renewable term/consecutive term faculty member~~ should be an exceptional event. It is also recognized, however, that a few faculty members may, from time to time, engage in improper conduct which requires severe sanctions short of dismissal. Such sanctions may include but are not limited to loss of prospective privileges for a stated period; restitution; a fine; a reduction in salary; or suspension from service for a stated period, without other prejudice. As in the case of dismissal, the imposition of severe sanctions short of dismissal

should be viewed as a serious and infrequent step usually undertaken only after administrative remedies and minor sanctions have failed.

While extreme action will be required infrequently, the University must be prepared for such an eventuality, so that both the integrity of the University and the rights of the faculty member may be preserved. Toward this end, the faculty must be willing to recommend severe sanctions upon or dismissal of a colleague when necessary. By the same token, the President and the Board of Regents shall give all reasonable consideration to faculty recommendations.

Only the Board of Regents has the power to impose severe sanctions. The Board of Regents shall exercise this power only in cases where it determines that there exists sufficient cause for such action.

#### 2.3.4.1—GROUNDS FOR ABROGATION OF TENURE, DISMISSAL, AND OTHER SEVERE SANCTIONS

A faculty member against whom the imposition of a severe sanction is to be brought, or whose dismissal is to be requested, must have given such cause for the action as relates directly and substantially to his or her professional capabilities or performance. It is not possible to specify all proper grounds for these drastic measures. Proper reasons for dismissal of a regular faculty member who has tenure or whose tenure-track-~~or renewable term/consecutive term~~ appointment has not expired include, but are not necessarily limited to, the following:

- a) Professional incompetence or dishonesty, including but not limited to academic dishonesty, or misuse of University property or resources;
- b) Substantial, manifest, or repeated failure to fulfill professional duties or responsibilities;
- c) Personal behavior preventing the faculty member from satisfactory fulfillment of professional duties or responsibilities, including but not limited to deliberate and grave violations of the rights and freedoms of fellow faculty members, administrators, or students.
- d) Serious violations of law which are admitted or proved before a court of competent jurisdiction or the administrative body established to hear such matters, preventing the faculty member from satisfactory fulfillment of professional duties or responsibilities, or violations of a court order, when such order relates to the faculty member's proper performance of professional responsibilities;
- e) Changes in the University's educational function through action of the Board of Regents ~~of the University~~ and/or the Oklahoma State Regents for Higher Education, which result in the elimination of an academic unit. In such instances the University will make every reasonable effort to reassign affected faculty members to positions for which they are properly qualified before dismissal results from such elimination-;
- f) Financial Emergency; ~~\*xigency~~
- g) Action(s) involving moral turpitude.

\*Although not considered severe sanctions, (e) and (f) are proper reasons for dismissal of a faculty member who has tenure or whose tenure-track or non-tenure track term has not expired.

### 2.3.4.2—GROUNDS FOR SUMMARY SUSPENSION

Suspension of a faculty member or assignment to other duties in lieu of suspension is justified only if immediate harm to the faculty member or to others is threatened by that person's continued performance of regular duties. The faculty member may, on request and at the convenience of the department, be relieved of some professional duties if this is necessary to provide time for the preparation of a defense. Summary suspension does not remove from the University the obligation to provide due process within a reasonable period of time following action. (~~RM, 1-27-2004, p. 28900, 28911~~)

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## **2.4—FACULTY APPEALS & GRIEVANCES**

### ~~2.4.1 WHO MAY USE PROCEDURE~~

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Grievance procedures shall be available to any aggrieved party who is a member of the ~~Regular~~ ~~Faculty~~ of the University. Violations covered by this procedure include but are not limited to academic freedom and academic due process violations. Such violations may occur in the course of performing professional duties or in the process of being considered or evaluated for salary increase, promotion, tenure, or other personnel decisions in which the faculty member believes there has been unjust discrimination, harassment, violation of due process or academic freedom, or other grievance.

Specific provisions prescribing faculty appeals and grievances are set forth in the Faculty Handbook of the University. (~~RM, 1-27-2004, p. 28900, 28911~~)

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## **2.5—FACULTY HONORS**

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### **2.5.1—ENDOWED CHAIRS AND PROFESSORSHIPS**

Faculty may be appointed to endowed chairs and professorships.

#### 2.5.1.1—CRITERIA FOR SELECTION

Specific criteria for the selection of occupants may be established for particular chairs as appropriate. To qualify for an endowed chair or professorship, a faculty member must be distinguished within a particular academic field or an interdisciplinary program.

#### 2.5.1.2—SEARCH COMMITTEE

The President, with advice and counsel of the Vice President for Academic Affairs/~~Provost~~, the dean, and the department head, will appoint the Search Committee. Search Committees for occupants of endowed chairs and professorships shall be composed of:

- 1) Two faculty members from the academic unit concerned,
- 2) Two outside individuals distinguished within the relevant area and appointed by the President, and
- 3) The dean of the relevant school.

At least one member will be from outside the University and at least one member from another school. The President and the Vice President for Academic Affairs/~~Provost~~ will meet with the Search Committee (and the dean and department head if appropriate) to hear their recommendations. The Vice President for Academic Affairs/~~Provost~~, after consultation, may make a recommendation to the President. The President may approve and forward the appointment to the Board of Regents or may reject it and request further searching.

See also section 7.3.4.

### 2.5.2—SABBATICAL LEAVE POLICY

#### **PURPOSE**

Sabbatical leaves of absence are among the most important means by which an institution's academic program is strengthened, a faculty member's teaching effectiveness enhanced, and scholarly usefulness enlarged. The major purpose is to provide opportunity for continued professional growth and new or renewed intellectual achievement through study, research, writing, and training.

However, a faculty member does not automatically earn a sabbatical leave. Instead, it is an investment by the University in the expectation that the sabbatical leave will significantly enhance the faculty member's ability to contribute to the objectives of the University. There should be a clear indication that the improvements sought during a sabbatical will benefit the work of the faculty member, department, school, and the University. Only sabbatical leave proposals that meet this criterion will be accepted and approved by the University. Sabbatical leaves are supported as an investment in the future of the faculty member and the future of the faculty member's students at the University.

The purposes for which a sabbatical leave may be granted may include:

- 1) Research on significant problems and issues.
- 2) Important creative or descriptive work in any means of expression; for example, writing or painting.
- 3) Postdoctoral study at another institution to update teaching skills.
- 4) Other projects satisfactory to the University.

It should be demonstrated that such work cannot occur as effectively during the regular work schedule of the faculty member.

Normally, the University will not grant a sabbatical for the purpose of pursuing work on the terminal degree in the faculty member's academic field.

Adherence to the plan submitted by the faculty member is expected. Within two months of returning from leave, the faculty member shall submit to the Vice President for Academic Affairs/~~Provost~~, through the chair and school dean, a report of activities undertaken, which will be used in evaluating future applications for sabbatical leaves.

A faculty member who is on sabbatical leave shall not be penalized on matters of salary consideration. The report on the sabbatical will be used in consideration for merit raises in subsequent years.

Specific provisions, if any, prescribing the policy and procedures for awarding related to sabbatical leaves are set forth in the Faculty Handbook of the University. (~~RM, 1-27-2004, p. 28900, 28911~~)

## 2.6—GENERAL ACADEMIC ISSUES

### 2.6.1—DENIAL OF ADMISSION

Any person who is otherwise academically qualified, meets all University admission requirements, and is denied admission for any reason may appeal that denial by requesting a hearing before the ~~appropriate~~ University committee charged with hearing appeals of admission denial within 15 days of receipt of denial. The committee shall proceed as quickly as possible to hear the matter so that one who has been wrongfully denied admission will not be prejudiced in ~~his~~ his or her ability to perform the academic work required of him or her in that semester.

### 2.6.2—ACADEMIC APPEALS PROCESS

In each University, there shall be established an Academic Appeals committee consisting of both students and faculty. Faculty members of the committee will be chosen by the faculty for a term determined by the faculty. Student members of the committee will be appointed for a term of one year by the chief ~~S~~student ~~A~~affairs officer upon recommendations from the Student Government Association ~~P~~resident.

The responsibility for academic evaluations of students rests with the faculty. If a student feels wrongfully and unfairly treated by an instructor and if he or she is unable to resolve the matter in conference with the instructor or the departmental chair/head of the academic unit, an appeal may be made.

Specific provisions prescribing academic appeals are set forth in the University's Student Handbook.

### 2.6.3—ACADEMIC MISCONDUCT

#### 2.6.3.1—BASIC PRINCIPLE OF HONESTY

Honesty is a fundamental precept in all academic activities, and those privileged to be members of a university community have a special obligation to observe the highest standards of honesty and a right to expect the same standards of all others. Academic misconduct in any form

is inimical to the purposes and functions of the University and therefore is unacceptable and rigorously proscribed.

### 2.6.3.2—DEFINITION OF ACADEMIC MISCONDUCT

Academic misconduct includes:

- a) Cheating (using unauthorized materials, information, or study aids in any academic exercise or on national board examination), plagiarism, falsification of records, unauthorized possession of examinations, intimidation, and any and all other actions that may improperly affect the evaluation of a student's academic performance or achievement;
- b) Assisting others in any such act; or
- c) Attempting to engage in such acts.

Specific provisions of the Academic Misconduct Code are set forth in University publications, such as the University's Student Handbook and Faculty Handbook.

## **2.6.4—DEGREES GRANTED BY OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION**

Pursuant to the Oklahoma State Constitution, the Oklahoma State Regents for Higher Education shall grant degrees and other forms of academic recognition for completion of the prescribed courses in all state educational institutions.

### 2.6.4.1—CERTIFICATES AND DIPLOMAS

~~All certificates may bear the Seal or Coat of Arms of the University, and a~~ All diplomas awarded on the achievement of a degree shall bear the seal of the University and of the Oklahoma State Regents for Higher Education. In issuing diplomas ~~or certificates~~ for whatever purpose, the University and all of its divisions shall conform to the specifications, stipulated by the Oklahoma State Regents for Higher Education, and endorsed by the Board of Regents.

#### DIPLOMAS

The diplomas of the University, for any and all degrees, may be changed only on recommendation of the President and with the approval of the Board of Regents and the Oklahoma State Regents for Higher Education.

Specific provisions prescribing the issuing of diplomas ~~and credit certificates~~ are set forth in the General Catalog of the University.

### 2.6.4.2—CERTIFICATES

Certificates bearing the name and the ~~s~~Seal or ~~e~~Coat of ~~a~~Arms of the University may be issued only by the University, pursuant to the applicable legislation in each instance as created by the President and Board of Regents and/or the State as represented by the Oklahoma State Regents for Higher Education or the Governor or legislature of the State of Oklahoma.

Academic colleges, schools, departments, and other subdivisions of the University do not have such authority. (OSRHE policy, II-2-41, 6)

#### 2.6.4.2.1—CREDIT CERTIFICATES

The Office of Admissions and Records is charged with the responsibility of administering the regulations governing the issuance of certificates. No certificates intended as an extension or elaboration of the curricular requirements for a degree shall be issued by the University or any subdivision thereof, nor shall certificates be issued for courses, programs of study, or stages required by the University in the fulfillment of the prescriptions for a degree.

Curricular programs based upon University policy and/or State legislation, for which University credit is allowed but for which no degrees are granted (as, for example, the program in Office Administration), may be recognized by certificates. Certificates for other forms of professional proficiency than those herein before described may be issued only if programs for the achievement of such proficiency have been approved by the Board of Regents and/or the Oklahoma State Regents for Higher Education and are incorporated in the official publications of the University describing its curricular requirements. Nothing in this section shall be construed to contravene the requirements of the Oklahoma State Regents for Higher Education.

#### 2.6.4.2.2—NONCREDIT CERTIFICATES

Noncredit certificates (e.g., certificates of participation, certificates of completion, certificates of achievement) may be issued recognizing achievement of proficiency in some designated area through successful completion of either single or multiple course, credit-free, University-sponsored continuing education activities (e.g., short courses, conferences, workshops, professional development, and training). Such activities may be conducted in association with recognized professional associations, business groups, government agencies, and/or other academic units of the University, and the certificate may so state.

#### 2.6.4.3—AWARDING HONORARY DEGREES

The University is authorized to confer honorary degrees. (OSRHE Policy II-2-39 (I-4))

The University will award honorary degrees only in recognition of extraordinary achievement or in recognition of outstanding contributions to the welfare and/or enrichment of the University, State, nation, or world. A recipient may be any individual who has made outstanding contributions to a field or profession represented at the University. (~~RM, 1-27-2004, p. 28900, 28911~~)

## SECTION 3 — GENERAL POLICIES

The Board of Regents is vested with the governance of the University. Within its authority is the governance of all general policy matters, including without limitation, personnel appointments, internal auditing, retirement, leaves of absence, outside employment, intellectual property, equal opportunity, and grievance procedures for discrimination and harassment. Specific provisions pertaining to general policies for the University may be set forth in the Faculty and Staff Handbooks, Personnel Manuals, student handbooks, and/or other official policy documents of the University. Any modification to a Board of Regents' policy in the policy documents referred to above or elsewhere must be made through action of the Board of Regents.

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### 3.1 — GENERAL PERSONNEL POLICIES

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#### 3.1.1—PERSONNEL ACTIONS

The President or the President's authorized designees are authorized to approve the appointment of and fix the salary and terms of office of the following categories of personnel within funds available in the budgets approved by the Board of Regents (including reserve for contingencies) or within grant funds received by the University.

- Appointments, salaries, and other changes for members of the faculty who are non-tenure track, not tenured, or not eligible for tenure ~~or consecutive term~~, whether part-time or full-time, unless full-time equivalent salary for the academic year will be \$60,000 or more.
- Part-time graduate assistants, teaching assistants, research assistants, and consultants.
- Appointments, salaries, and other changes, including leaves of absence, for all members of the faculty and staff for terms of three months or less.
- Changes in title for tenured or tenure-eligible members of the faculty not involving a change in rank or salary.
- Appointments of part-time instructors for terms of no more than one semester during the regular academic year.
- Personnel in the administrative staff, managerial staff, professional staff, administrative officer, and executive officer classifications unless the full-time equivalent annual salary will be \$60,000 or more. Mid-year salary increases, other than for a promotion or completion of a probationary period, for monthly salaried staff at any level are excluded from this authorization.
- Service and operations staff and supervisory staff.

### 3.1.2—CONTRIBUTIONS TO FRINGE BENEFITS PROGRAMS

Specific provisions pertaining to insurance and retirement benefits are set forth in the University's Faculty and/or Staff Handbook(s). ~~Faculty and Staff Handbooks of the University.~~

The University's contribution to the Oklahoma Teachers' Retirement System and/or other charges for any other fringe benefit program for those individuals paid from other than Educational and General sources shall be charged to the source or sources of pay on a pro rata basis except where expressly forbidden by the source.

### 3.1.3—PAYROLL DEDUCTIONS

The Board of Regents authorizes (1) current withholding from the compensation for an employee's services, with the consent of the employee, amounts necessary for participation in various programs and (2) the President to approve future deductions which appear to be in the best interests of the University and its employees.

### 3.1.4—EMPLOYMENT BENEFITS FOR PART-TIME EMPLOYEES

See the University's Personnel Policy Manual for a description of "Benefits for Part-Time Employees."

### 3.1.5—RESIGNATIONS

Resignations shall be effective on the last day of service of the employee, and an employee shall not be paid for a holiday if the last day of service was prior to the holiday period.

### 3.1.6—LEAVES OF ABSENCE

#### 3.1.6.1—ADMINISTRATIVE

An administrative leave with pay may be given when it is determined to be in the University's best interest that an employee not return to work for a specified period of time or for designated emergency closings of the ~~University~~. Recommendations for administrative leave must be submitted to the President or the President's designee for approval.

#### 3.1.6.2—MILITARY LEAVE

The University's policy on military leave of absence is administered in accordance with federal and state law.

#### 3.1.6.3—LEAVE OF ABSENCE WITHOUT PAY

For specific policies relating to "Leave of Absence without Pay," see the University's Faculty and/or Staff ~~Staff and/or Faculty~~ Handbook(s).

### **3.1.7—PAID LEAVE AND EXTENDED SICK LEAVE**

See the ~~University's~~ University's Faculty and/or Staff Handbook(s)~~Staff and/or Faculty Handbook(s)~~ for specific policies on Paid Leave and Extended Sick Leave.

### **3.1.8—CONFLICTS OF INTEREST**

#### **3.1.8.1—PURPOSE OF POLICY**

This policy addresses situations where there might be a potential financial conflict between a particular outside interest of a faculty or staff employee and the obligation that the employee owes to the University such that an employee's profit or advantage may come, or reasonably appear to come, at the expense of the well-being of the University.

The purpose of this policy is to aid in identifying apparent, actual, and potential conflicts of interest and assuring that such conflicts do not improperly affect the activities or professional conduct of the University or its employees. It is not the intent of this policy to restrict legitimate work appropriate to the employee's profession or discipline, but only to provide the University with authority to take action that is appropriate, proportionate, and focused on substantial conflicts of interest that compromise an employee's professional judgment.

#### **3.1.8.2—STATEMENT OF GENERAL POLICY**

The University is a public institution committed to the mission of teaching; research and creative/scholarly activity, and professional and University service and public outreach. To these ends, the University balances an assortment of principles: maintaining an atmosphere that promotes free and open scholarly inquiry; facilitating the transfer of information and technology for the benefit of the public; and serving as a prudent steward of public and private resources entrusted to it. Faculty and staff have a primary commitment to their basic University duties of teaching; research and creative/scholarly activity, and professional and University service and public outreach. These basic duties often limit outside activities. As a result, professional and personal activities may present conflict of interest situations, which should be evaluated under the auspices of this and other applicable policies.

Employee participation in outside professional, commercial, and *pro bono publico* activities can make important direct and indirect contributions to the strength and vitality of the University. Through participation in such activities, employees may add to knowledge and understanding that is relevant and useful to teaching and research within the University, develop sources of funding and support for activities carried out in the University, and establish relationships valuable to the University. Because of its value to the University, its rewards for an individual employee, and its contributions to the larger society of which the University is a part, the University recognizes that employee participation in outside professional, commercial, or *pro bono publico* activities is often appropriate.

Sound professional discretion is an integral part of the University's conflict of interest system. Any review of a potential conflict of interest will be undertaken in light of four general propositions.

First, conflicts of interest per se are inevitable and do not necessarily represent any impropriety by employees if disclosed in advance. Second, the failure to disclose a conflict of interest for administrative review and response would be a serious mistake for any employee and may be a breach of this policy. Third, there is a presumption in favor of allowing employees to

act in dual roles once the conflict of interest has been disclosed (prior written approval is required in cases of potential conflicts involving federal grants or contracts). Fourth, conflicts of interest may be so profound or substantial that it would be best for all concerned if the employee did not participate in a particular transaction.

It is not possible to completely eliminate the potential for conflicts of interest because there are certain rewards and incentives that are inherent or appropriate in the structure of a **U**niversity enterprise. Such conflicts become detrimental when the potential temptations, financial or otherwise, undermine reasonable objectivity in the design, interpretation, and publication of research; in setting **U**niversity policies; in managing contracts; in selecting equipment and supplies; in involving students in sponsored projects; or in performing other roles in University governance in which objectivity and integrity are paramount. Furthermore, since allegations of conflicts of interest based on appearances can undermine public trust in ways that may not be adequately restored even when mitigating facts are brought to light, apparent conflicts should be avoided, when feasible and appropriate.

Other sections of this policy notwithstanding, it is the ongoing responsibility of the employee to abide by the provisions of all other applicable federal and state laws, and the University's policies relating to conflicts of interest; to identify potential conflicts of interest; and to disclose and seek guidance on such matters from the appropriate vice president.

### **3.1.89—INTELLECTUAL PROPERTIES POLICY**

#### **PREAMBLE**

The people of the State of Oklahoma may reasonably expect that their investments in the University will create new industry and enhance existing industry within the State and Nation. Such new industry creates greater employment opportunities for citizens of the State and the Nation and an improvement in their standard of living.

The creation and development of intellectual property at the University encourages new business and is key to creating strong University and industry partnerships. It is the responsibility of University employees to disclose intellectual property and to foster an entrepreneurial attitude within the work force by involving students in the creation of intellectual property. Intellectual property development shall be pursued in concert with, but subject to, the University's principle responsibilities of education and knowledge creation.

Therefore, it is in the best interest of the University to adopt a policy that encourages disclosure of discoveries and inventions and rewards such creative activity. To do so, the University's policy must insure that creators of copyrightable works or trademarks and inventors share in any financial success enjoyed by the University through the creation and commercialization of intellectual property. The basic objectives of the University's policy concerning creative works, trademarks, discoveries, and inventions (i.e. intellectual property) include the following:

- 1) To maintain the University's academic policy of encouraging research, publication, and scholarship independent of potential gain from royalties or other income.
- 2) To make patented materials created pursuant to University objectives available in the public interest under conditions that will promote their effective utilization and commercialization.

- 3) To provide adequate incentive and recognition to faculty and staff through proceeds derived from their creative works, trademarks, discoveries, and inventions.

Specific provisions prescribing matters related to the intellectual properties policy are set forth in the [University's Faculty and/or in the Staff Handbook\(s\) of the University](#).

### **3.1.109—OUTSIDE EMPLOYMENT AND EXTRA COMPENSATION POLICY**

#### **3.1.10.1—FACULTY**

The missions of the [University](#) are teaching; research and creative/scholarly activity; and professional and University service and public outreach. As professionals, University faculty are individually and primarily responsible for arranging their time among such academic functions as teaching assignments, research, service, continuing education, and consultation. Such arrangements will be subject to evaluation and approval by appropriate authorities as part of a faculty member's total professional activity during the year with reference to department, school, and University criteria for merit salary increases, tenure, and promotion.

The professional expertise of the faculty is normally available to the state and its citizens for incidental and minor services without remuneration. When, however, the services desired from outside the University exceed a reasonable and mutually agreed limit, direct extra remuneration may be accepted, provided the extent of the involvement does not infringe on the faculty member's regular University duties.

A person who accepts full-time faculty employment at the University assumes a primary professional obligation to the University. Any other employment or enterprise in which he or she engages for income shall be secondary to his or her [University](#) work. In addition, the academic department head should be informed and approve of arrangements which are made to dismiss classes or provide substitute teachers for them when the faculty members are to be absent from these duties. All professional activities, whether within the University or without, whether for extra remuneration or for no remuneration of any kind, should contribute to the faculty member's professional growth or efficiency and to his or her teaching or scholarly competence.

After prior written arrangement, faculty members may engage in professional activities for extra remuneration (from within the University or from outside sources or in any combination of the two) to a maximum of 25% of their full-time professional effort. Faculty on twelve-month appointments may not receive extra compensation for teaching in the summer term or for performing sponsored research.

During any portion of the summer in which faculty members are not under appointment with the University, they may engage in outside employment without restriction.

Within the University, the time required for all extra compensation assignments during the entire year and for all professional assignments during the summer will be determined by those responsible for the various programs as an appropriate fraction of the faculty member's full-time professional effort and the University will pay the faculty member the corresponding fraction of his or her base salary rate. The time required for all professional activities for extra remuneration outside the University will be determined by the faculty member as an appropriate fraction of his or her full-time professional effort when approval for such activity is requested.

Approval of outside employment shall be requested on a form “Application for Permission to Engage in Outside Employment” available in the ~~O~~office of ~~H~~human ~~R~~resources. Such applications and arrangements must be submitted at the beginning of each contract year and is the responsibility of the faculty member. All activities performed inside the University for extra compensation must be arranged, as all in-load assignments are, with the agreement of the department head, dean, and ~~P~~rovo**st/Vice President for Academic Affairs.**

Faculty should avoid possible conflicts of interest with the University in all outside employment. Questions regarding potential conflicts of interest should be addressed to the ~~P~~rovo**st/Vice President for Academic Affairs who may wish to consult the University Legal Counsel.**

No faculty member may hold a split (joint) appointment, which reflects more than a total of 1.0 full-time equivalent.

### 3.1.10.2—STAFF

The policy for faculty shall apply to staff who are on the monthly payroll. Each Vice President may stipulate a more restrictive policy pertaining to staff within his or her administrative area.

With prior written approval, such individuals may engage in professional activities for extra remuneration (within the University or from outside sources or in any combination of the two) to a maximum of 25% of their twelve-month full-time professional effort, but they may not receive extra compensation for teaching in the summer term or for performing sponsored research.

Staff who are on the fixed payroll shall request approval of outside employment on a form, “Request for Permission to Engage in Outside Employment,” available from the ~~O~~office of ~~H~~human ~~R~~resources. All activities performed inside the University for extra compensation must be arranged, as regular assignments are, with the agreement of the appropriate department chair/head, dean where applicable, and Vice President/~~P~~rovo**st.**

### 3.1.10.3—HARDSHIP PROVISION~~GENERAL~~

If this policy creates a demonstrable hardship for a University program, exceptions may be granted by the President in response to a written request.

### **3.1.10.1—NEPOTISM**

Except as prohibited by the laws of the State of Oklahoma, relationship by consanguinity (blood) or by affinity (marriage) shall not, in itself, be a bar to appointment, employment, or advancement by the University or, (in the case of faculty members,) to eligibility for tenure. The University recognizes, however, that there is an inherent conflict of interest when an employee makes hiring, promotion, or salary decisions about a family member, although there may be extremely rare circumstances when the potential benefit to the University in having an employee supervise a family member outweighs the potential harm.

Therefore, no two persons who are related by affinity or consanguinity within the third degree shall be given positions in which either one is directly responsible for making recommendations regarding employment, promotions, salary, or tenure for the other; nor shall either of two persons so related who hold positions in the same budgetary unit be appointed to an executive or administrative position in that unit or to a position involving administrative

responsibility over it, as long as the other person remains in the unit, without first receiving a waiver that has been recommended by the Vice President for Academic Affairs/~~Provost~~, or the appropriate Vice President, and approved by the President and Board of Regents. In recommending the waiver, the Vice President for Academic Affairs/~~Provost~~ or the appropriate Vice President must make a written statement of the facts that have led him/her to conclude that the benefit to the University in granting the waiver outweighs the potential harm. In addition, the Vice President for Academic Affairs/~~Provost~~ or the appropriate Vice President must propose in writing a means by which a qualified, objective person, unrelated to the employee at issue, shall make performance evaluations and recommendations for compensation, promotion, and awards for that employee and state in writing how that means will avoid the conflict of interest. The statement and proposal for supervision shall be made part of the Board of Regents' agenda item. Further, a salary increase above the average increase granted to all University employees in similar positions will not be granted to an employee who has been granted a waiver under this policy unless it has been approved by the applicable Vice President for Academic Affairs/~~Provost~~ or appropriate Vice President and the President.

It is the responsibility of the head of the budget unit to seek a waiver before offering employment to any person whose employment would violate this policy, and the willful failure to follow this policy may result in disciplinary action against the head of the budget unit. Notwithstanding any other provision of this policy, a conditional hire, prior to approval of the Board of Regents, may be made pursuant to this policy if deemed necessary for legitimate academic or business reasons if justified in writing by the appropriate Vice President and approved by the President. At the next regular meeting of the Board of Regents, the written justification and the conditional hire will be considered by the Board of Regents.

Relatives that are within the third degree of relationship to an employee by consanguinity or affinity include the following: spouse, parent, parent of spouse, grandparent, grandparent of spouse, great-grandparent, great-grandparent of spouse, uncle or aunt, uncle or aunt of spouse, brother or sister, brother or sister of spouse, son or daughter, son-in-law or daughter-in-law, grandson or granddaughter, grandson's or granddaughter's spouse, great grandson or great granddaughter, and great grandson's or great granddaughter's spouse. For the purposes of this policy, step-and half relatives are considered to be related by affinity.

### **3.1.121—PREVENTION OF ALCOHOL ABUSE AND DRUG USE ON CAMPUS AND IN THE WORKPLACE**

The federal Drug-Free Workplace Act enacted into law in 1988 requires that any entity seeking to be considered to receive a grant from any federal agency, and any entity seeking to be awarded a contract for the procurement of any property or services of a value of \$25,000 or more from any federal agency, certify to the Federal granting or contracting agency that it will provide a drug-free workplace.

The University recognizes its responsibility as an educational and public service institution to promote a healthy and productive work environment. This responsibility demands implementation of programs and services which facilitate that effort. The University is committed to a program to prevent the abuse of alcohol and the illegal use of drugs and alcohol by its students and employees. The University's program includes this policy, which prohibits illegal use of drugs and alcohol in the workplace or as part of any University-sponsored activities. It shall be Board of Regents' policy that:

- 1) All students and employees shall abide by the terms of this policy as a condition of initial and continued enrollment/employment.

- 2) The illegal use of drugs and alcohol is in direct violation of local, state, and federal law, as well as University policies governing faculty, staff, and student conduct. This policy strictly prohibits the illegal use, possession, manufacture, dispensing, or distribution of alcohol, drugs, or controlled substances in the workplace, on its premises, or as a part of any University-sponsored activities.
- 3) Violating this policy shall be a major offense, which can result in a requirement for satisfactory participation in a drug or alcohol rehabilitation program, at the employee's expense, referral for criminal prosecution, and/or immediate disciplinary action up to and including termination from employment and suspension or expulsion from the University. A criminal conviction is not required for sanctions to be imposed upon an employee or student for violations of this policy.
- 4) Violations of applicable local, state, and federal laws may subject a student or employee to a variety of legal sanctions including, but not limited to, fines, incarceration, imprisonment, and/or community service requirements. Convictions become a part of an individual's criminal record and may prohibit a certain career and professional opportunities. A current listing of applicable local, state, and federal sanctions can be obtained through the Office of Student Affairs and Human Resources.
- 5) An employee shall notify his or her supervisor in writing of a criminal conviction for drug or alcohol-related offenses occurring in the workplace no later than five calendar days following the conviction.
- 6) The University provides access to information about the dangers of drug and alcohol abuse. Voluntary participation in or referral to these services is strictly confidential.
- 7) An employee shall not perform safety sensitive functions while a prohibited drug is in his or her system.
- 8) The University may require drug testing of safety sensitive employees (as defined by federal law) prior to employment, when there is reasonable cause, after an accident, on a random basis, and before allowing the employee or student to return to duty after refusing to take a drug test or after not passing a drug test.
- 9) The University shall distribute this policy to all staff, faculty, and students.

Health risks generally associated with alcohol and drug abuse can result in, but are not limited to: a lowered immune system, damage to critical nerve cells, physical dependency, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes, and thought disorders.

The ~~appropriate Vice President, Provost, or executive officer~~ chief fiscal officer is responsible for notifying ~~f~~ Federal funding agencies within ten calendar days whenever an employee is convicted of a drug-related crime which occurred in the workplace. Decisions under ~~†~~ this policy ~~is~~ are subject to the grievance procedures stated elsewhere in the Board of Regents' policy.

### 3.1.123—FIREARMS POLICY

Firearms and munitions of all types are prohibited on all property owned, leased, or occupied by the Board of Regents at all times except as specifically authorized below.

- A) For purposes of this policy, firearms include, but are not limited to, the following: conventional weapons, from which a projectile is discharged by an explosive propellant charge; antique, replica, and inert firearms; compressed gas weapons; and spring-propelled weapons. For purposes of this policy, munitions include, but are not limited to, any projectile which incorporates a propellant charge and/or explosive contents.
- B) Firearms are permitted on campus only under the following circumstances:
- 1) In the possession or control of sworn law enforcement officers or properly licensed armed security guards employed by the University who are performing their assigned duties. The Director of Campus Police must approve in advance the use or employment of armed private security providers.
  - 2) In the possession of personnel of active or reserve armed forces of the United States or the Oklahoma National Guard when in the performance of duties assigned by an authorized commander.
  - 3) In the possession of ROTC participants when under the supervision of authorized members of the regular armed services.
  - 4) As “starter pistols,” incapable of chambering or firing live projectile ammunition, for athletic events. Starter pistols and blank ammunition shall be secured at all times when not in use, and shall be under the supervision and control of appropriate staff or athletic officials when in use.
  - 5) As construction equipment employing blank ammunition as a propellant for setting fasteners when used by and under the supervision of authorized and trained personnel.
  - 6) For use as a teaching aid, subject to the following conditions:
    - a) Permission for such use must be granted by the academic ~~department chair/head~~ and prior written notice of the presence of the firearm on campus must be given to the Director of Campus Police.
    - b) Such firearms must be approved and secured by means acceptable to the Director of Campus Police.
    - c) Except for recognized University shooting ranges and while under authorized supervision, Mmunitions shall not be present with firearms when used in class.
  - 7) Any group desiring to use a firearm and/or munitions for ceremonial purposes on the campus will tender a request to the Director of Campus

Police. The Director will review the request and forward it to the chief fiscal officer, who will in turn forward to the Office of Legal Counsel with a recommendation for approval or disapproval based upon safety considerations. The Office of Legal Counsel will notify the ~~Director~~chief fiscal officer and any other appropriate officials of any approvals that are granted for the use of ceremonial firearms.

- 8) For use during a public performance, subject to the following conditions:
  - a) Firearms for use in public performances shall be rendered inoperable whenever discharge is not required as an integral part of the production.
  - b) When discharge is necessary as part of a performance, blank ammunition shall be used. Blank ammunition is not permitted in weapons pointed at performers at any time during the production.
  - c) Weapons present for a performance shall be kept secure or in the possession of a designated staff member at all times when not actively in use.
- 9) For display in support of the educational mission of the University. Such firearms must be inoperable and approved and secured by means acceptable by the Director of Campus Police.

10) The Rogers State University President has the authority to make exceptions to the above provisions when appropriate to further the University's mission.

For purposes of this policy, “inoperable” means physically rendered incapable of firing either by removal of critical parts or installation of a device to prevent operation, or both. Where firearms are required to be inoperable, the Director of Campus Police shall inspect and certify that the firearm is inoperable.

### **3.1.143—CANDIDATES FOR POLITICAL OFFICE**

Any employee of the University who becomes a candidate in any primary or general election for any county, state, or federal office, shall, prior to announcing his or her candidacy for any said office, first offer his or her resignation to the Board of Regents, without reservation.

In making the announcement of the adoption of the resolution, the Board of Regents stated that it did not want to be understood as offering discouragement to employees from becoming candidates for public office. Employees may regard it as their duty to become candidates.

### **3.1.154—POLITICAL CONTRIBUTIONS BY THE PRESIDENT**

While the President has significant political rights under applicable state and federal statutory and constitutional law, his or her political activities must not be represented or implied to represent that the President is speaking on behalf of the Board of Regents or the University. ~~RM, 1-27-2004, p. 28900, 28911)~~

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## **3.2 — OFFICE OF EQUAL OPPORTUNITY POLICIES**

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### **3.2.1—EQUAL OPPORTUNITY POLICY**

The University, in compliance with all applicable federal and state laws and regulations, does not discriminate on the basis of race, color, national origin, sex, age, religion, political beliefs, disability, or status as a veteran in any of its policies, practices, or procedures. This includes but is not limited to admissions, employment, financial aid, and education services.

### **3.2.2—AFFIRMATIVE ACTION PLAN**

The Affirmative Action Plan serves to supplement the Board of Regents' policy on equal opportunity, as it pertains to employment, and is an integral part of the employment policies of the University. The Plan is revised once each year to address the current requirements for affirmative action in employment. The principal objectives are:

- 1) To assure all persons equal opportunity for employment and advancement in employment regardless of race, color, national origin, sex, religion, age, disability, political beliefs, or status as a veteran.
- 2) To meet institutional responsibilities under the Civil Rights Act of 1964 and commitments as a federal contractor under Executive Order 11246 and Executive Order 11375.
- 3) To take positive actions in the recruitment, placement, development and advancement of women and racial minority members in University employment.

Each person having administrative or supervisory responsibilities is expected to provide leadership in applying the Affirmative Action Plan.

Coordination of the application of the Affirmative Action Plan is the responsibility of the Office of Human Resources.

### **3.2.3—RACIAL AND ETHNIC HARASSMENT POLICY**

#### **3.2.3.1—INTRODUCTION**

Diversity is one of the strengths of our society as well as one of the hallmarks of a great university. The University supports diversity and therefore is committed to maintaining employment and educational settings which are multicultural, multiethnic, and multiracial. Respecting cultural differences and promoting dignity among all members of the University community are responsibilities each of us must share.

Racial and ethnic harassment is a growing concern across American college campuses. It has taken various forms, from criminal acts (assault and battery, vandalism, destruction of property) to anonymous, malicious intimidation, most often directed toward persons whose race and ethnicity is readily identifiable. In employment, racial/ethnic harassment is race discrimination, which interferes with an employee's ability to perform his or her duties or creates a hostile or

intimidating work environment, prohibited by law under Title VII of the Civil Rights Act of 1964. In the educational context, racial/ethnic harassment is race discrimination, which interferes with the students' opportunities to enjoy the educational program offered by the University, prohibited by law under Title VI of the Civil Rights Act of 1964.

#### ~~III~~-3.2.3.2—POLICY STATEMENT

Principles of academic freedom and freedom of expression require tolerance of the expression of ideas and opinions, which may be offensive to some, and the University respects and upholds these principles. The University also adheres to the laws prohibiting discrimination in employment and education. The University recognizes that conduct which constitutes racial/ethnic harassment in employment or educational programs and activities shall be prohibited and is subject to remedial or corrective action as set forth in this policy. This policy is premised on the University's obligation to provide an environment free from unlawful discrimination. The University will vigorously exercise its authority to protect employees and students from harassment by agents or employees of the University, students, visitors, or guests.

Agents or employees of the University, acting within the scope of their official duties, shall not treat an individual differently on the basis of race, color, or national origin in the context of an employment or educational program or activity without a legitimate, nondiscriminatory reason.

The University shall not subject an individual to different treatment on the basis of race or ethnicity by effectively causing, encouraging, accepting, tolerating, or failing to correct a racially or ethnically hostile environment of which it has notice.

#### ~~III~~-3.2.3.3—CORRECTIVE ACTIONS

Violations of this policy shall result in corrective action(s) designed to reestablish an employment or educational environment which is conducive to work or learning. Corrective actions will include disciplinary action directed by the executive officer having responsibility for the offender, where appropriate. Corrective actions will be tailored to redress the specific problem and may range from apologies, mandatory attendance at specific training programs, reprimands, suspension, or demotion to expulsion or termination. Corrective actions shall be based upon the facts and circumstances of each case and shall be in accordance with the terms and guidelines of the applicable campus grievance procedures.

Violations of this policy by students will be considered as violations of the ~~s~~Student ~~e~~Code and will subject student offenders to the corrective action(s) provided by the ~~e~~Code.

#### ~~IV~~-3.2.3.4—ADMINISTRATIVE ACTION

The University recognizes its obligation to address incidents of racial/ethnic harassment on campus when it becomes aware of their existence, even if no complaints are filed; therefore, in such circumstances, the University reserves the right to take appropriate action unilaterally under this policy.

With respect to students, the University chief student affairs officer or other appropriate persons in authority may take immediate administrative or disciplinary action, which is deemed necessary for the welfare or safety of the University ~~e~~community. Any student so affected must be granted due process including a proper hearing. Any hearing involving disciplinary suspension or expulsion shall be conducted in accordance with the University's ~~s~~Student ~~e~~Code.

Lesser administrative or disciplinary action may be appealed to the University chief student affairs officer. Such requests must be in writing and filed within seven calendar days following summary action. The University chief student affairs officer will issue a written determination to the student within three working days following the date the request is received.

With respect to employees, upon a determination at any stage in the investigation or grievance procedure that the continued performance of either party's regular duties or University responsibilities would be inappropriate, the proper executive officer may suspend or reassign said duties or responsibilities or place the individual on leave of absence, with or without pay, as may be approved by the President, pending the completion of the investigation or grievance procedure.

#### ~~V.~~ 3.2.3.5—RETALIATION

Threats or other forms of intimidation or retaliation against complaining witnesses, other witnesses, any reviewing officer, or any review panel shall constitute a separate violation of this policy which may be subject to direct administrative action.

#### ~~VI.~~ 3.2.3.6—COMPLAINT PROCESS

The complaint procedures delineated herein apply to all students, faculty, staff, guests, or visitors. Complaints alleging violation of the racial and ethnic harassment policy will be reviewed and investigated by the appropriate University office. Complaints may be resolved informally or may proceed through the applicable formal complaint proceedings. Complaints may be filed in the following manner:

- 1) Complaints against students or student organizations, faculty or staff, or contractors working on University premises shall be filed with the Equal Opportunity Officer for review and investigation. The Equal Opportunity Officer, or his or her designee, may assist in the informal resolution of the complaint or in processing a complaint through the applicable University procedures.
- 2) Complaints against visitors or guests should be directed to the University Campus Police Department ~~on the campus where the incident occurred~~. The Campus Police will forward informational copies of all reports and inquiries dealing with discrimination, harassment, or hate crimes to the Equal Opportunity Officer.

#### ~~VII.~~ 3.2.3.7—RESPONSIBLE OFFICIAL

The Equal Opportunity Officer is charged with the responsibility for administering this policy. The Office of Equal Opportunity will serve as a repository for all records of complaints, investigative reports, and remedies/corrective actions in connection with this policy. The Equal Opportunity Officer is the overall coordinator of all University activities dealing with discrimination in employment or education.

To contact the Equal Opportunity Office:

Cameron University

Rogers State University

~~Office of Personnel Services~~OU Equal Opportunity Officer  
Benefits ~~Office of Human Resources~~

—Employment and

### **3.2.4—SEXUAL HARASSMENT/SEXUAL ASSAULT POLICY**

#### 3.2.4.1—STATEMENT

The Board of Regents explicitly condemns sexual harassment of students, staff, and faculty. Sexual harassment is unlawful and will subject those who engage in it to University sanctions as well as civil and criminal penalties.

When criminal action is pursued in addition to an administrative grievance under this policy, the Office of Equal Opportunity will coordinate its investigative actions with the University or local law enforcement authorities to ensure that criminal prosecution is not jeopardized. The University Equal Opportunity Officer may defer administrative action at the request of University or local law enforcement authorities pending completion of the criminal investigation. Where review by the University Equal Opportunity Officer or other University executive officer determines that immediate administrative action is necessary for the safety, health, and well-being of the University community, such action may be taken in advance of resolution of criminal charges.

Since some members of the University community hold positions of authority that may involve the legitimate exercise of power over others, it is their responsibility to be sensitive to that power. Faculty, and supervisors in particular, in their relationships with students and subordinates, need to be aware of potential conflicts of interest and the possible compromise of their evaluative capacity. Because there is an inherent power difference in these relationships, the potential exists for the less powerful person to perceive a coercive element in suggestions regarding activities outside those appropriate to the professional relationship. It is the responsibility of faculty and staff to behave in such a manner that their words or actions cannot reasonably be perceived as sexually coercive, abusive, or exploitive. Sexual harassment also can involve relationships among equals as when repeated advances, demeaning verbal behavior, or offensive physical contact interfere with an individual's ability to work or study productively.

The University is committed to providing an environment of study and work free from sexual harassment and to ensuring the accessibility of appropriate grievance procedures for addressing all complaints regarding sexual harassment. The University reserves the right, however, to deal administratively with sexual harassment issues whenever becoming aware of their existence. Records of all complaints, except for hearings before the Faculty Appeals Committee, shall be transmitted to and maintained by the University Equal Opportunity Officer as confidential records.

The University encourages victims to report instances of sexual assault or other sex offenses, either forcible or nonforcible. In addition to internal grievance procedures, victims are encouraged to file complaints or reports with Campus Police or local law enforcement agencies by telephoning 911 as soon as possible after the offense occurs in order to preserve evidence necessary to the proof of criminal offenses. The Campus Police Department is available to assist victims in filing reports with other area law enforcement agencies.

### 3.2.4.2—DEFINITION OF SEXUAL HARASSMENT

Sexual harassment shall be defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following context:

- 1) When submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing, or
- 2) When submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual, or
- 3) When such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or academic environment.

### 3.2.4.3—EXAMPLES OF PROHIBITED CONDUCT

Conduct prohibited by this policy may include, but is not limited to:

- Unwelcome sexual flirtation; advances or propositions for sexual activity.
- Continued or repeated verbal abuse of a sexual nature, such as suggestive comments and sexually explicit jokes.
- Sexually degrading language to describe an individual.
- Remarks of a sexual nature to describe a person's body or clothing.
- Display of sexually demeaning objects or pictures.
- Offensive physical contact, such as unwelcome touching, pinching, brushing against the body.
- Coerced sexual intercourse.
- Sexual assault.
- Rape, date or acquaintance rape, or other sex offenses, forcible or nonforcible.
- Actions indicating that benefits will be gained or lost based on response to ~~a~~ sexual advances.

### 3.2.4.4—RETALIATION

Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of sexual harassment will be treated as a separate and distinct violation of this policy.

### 3.2.4.5—SANCTIONS

Appropriate disciplinary action may include a range of actions up to and including dismissal and/or expulsion.

### 3.2.4.6—COMPLAINT PROCEDURE

Complaints alleging a violation of the Sexual Harassment/Sexual Assault Policy shall be handled in accordance with the Equal Opportunity Grievance Procedure.

## **3.2.5—DISCRIMINATION POLICY**

(For Other than Sexual or Racial/Ethnic Harassment)

The University has a policy of internal adjudication in matters relating to alleged discrimination. Any faculty member, staff member, or student, including without restriction, those on temporary or part-time status, who believes that he or she has been discriminated or retaliated against should file a complaint under the Equal Opportunity Grievance Procedure.

Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of discrimination and/or harassment will be treated as a separate and distinct violation of this policy.

## **3.2.6—CONSENSUAL SEXUAL RELATIONSHIPS POLICY ~~RATIONALE~~**

### 3.2.6.1—RATIONALE

The University's educational mission is promoted by professionalism in faculty, staff, and student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty, staff, and students that harm this atmosphere undermine professionalism and hinder fulfillment of the University's mission. Trust and respect are diminished when those in positions of authority abuse, or appear to abuse, their power. Those who abuse, or appear to abuse, their power in such a context violate their duty to the University.

University employees exercise power over subordinate employees and students, whether in giving them praise or criticism; evaluating them; making recommendations for promotion, further studies, or their future employment; or conferring any other benefits on them. Amorous relationships between employees and subordinate employees or subordinate students are wrong when the employee has professional responsibility for the subordinate employee or student. Such situations greatly increase the opportunities that a University employee may abuse his or her power and sexually exploit the subordinate employee or subordinate student. Voluntary consent in such a relationship is suspect, given the fundamentally asymmetric nature of the relationship. Moreover, other employees and students will likely be adversely affected by such unprofessional behavior because it places the employee in a position to favor or advance one individual's interests at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors. Therefore, the University will view it as unethical if staff or faculty members engage in amorous relations with subordinate employees or students enrolled in their classes or subject to their supervision, even when both parties appear to have consented to the relationship.

### 3.2.6.2—DEFINITIONS

As used in this policy, the term “employee” includes all employees, including but not limited to, academic and non-academic administrators, supervisory personnel, staff, faculty, graduate students with or without teaching responsibilities, student employees, and other instructional personnel. The term “consensual sexual relationship” may include amorous or romantic relationships and is intended to indicate conduct which goes beyond what a person of ordinary sensibilities would believe to be a collegial or professional relationship.

The term, “subordinate” as used here means an employee or student in a position of lesser power or authority than the other party to the amorous relationship; e.g., any employee or student who is beneath another in the employment chain of command or who relies upon the other for day-to-day directions would be “subordinate,” as would a project team member or housing resident with respect to the project director or resident advisor, respectively.

### 3.2.6.3—POLICY

#### A. Employee Relationships with Subordinate Students or Subordinate Employees

1. Instructional Context – It is considered a serious breach of professional ethics for an employee to initiate or acquiesce in a sexual relationship with a student who is enrolled in a course being taught by the employee or whose academic work (including work as a teaching assistant) is being supervised by the employee.
2. Other Contexts – Sexual relationships between employees and subordinate employees or subordinate students occurring outside the instructional context may also lead to difficulties, particularly when the employee and subordinate employee or subordinate student are in the same academic unit or in units that are closely allied. Relationships that the parties view as consensual may appear to others to be exploitative. Further, in such situations the employee may face serious conflicts of interest and must be careful to distance himself or herself from any decisions that may reward or penalize the subordinate employee or subordinate student involved. An employee who fails to withdraw from participation in activities or decisions that may reward or penalize such subordinates with whom the employee has or has had an amorous relationship will be deemed to have violated his or her ethical and professional obligations to the University.

#### B. Prohibitions

~~1~~Consensual sexual relationships between employees and subordinate employees or subordinate students are prohibited. Violations of this policy may lead to disciplinary action up to and including termination and/or expulsion.

### 3.2.6.4—COMPLAINT PROCEDURE

Complaints alleging a violation of the Consensual Sexual Relationships Policy shall be handled in accordance with the Office of Equal Opportunity Grievance Procedure.

To contact the University office of Equal Opportunity:

<p>Cameron University  <del>Office of Personnel Services</del>  <u>Office of Employment and Benefits</u></p>	<p>Rogers State University  <u>OU Equal Opportunity Officer</u>  <del>Office of Human Resources</del></p>
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### **3.2.7—EQUAL OPPORTUNITY GRIEVANCE PROCEDURE**

#### **A-3.2.7.1—WHO MAY USE PROCEDURE**

The grievance procedure embodied herein shall be available to any person who, at the time of the acts complained of, was employed by, was an applicant for employment with, or was enrolled as a student at the University.

#### **B-3.2.7.2—FILING OF COMPLAINT**

This procedure applies to persons who have complaints alleging discrimination based upon race, color, national origin, sex, age, religion, disability, political beliefs, or status as a veteran or complaints alleging sexual harassment, consensual sexual relationships, retaliation, or racial and ethnic discrimination, harassment, or retaliation. Such persons may file their complaints in writing with the University Equal Opportunity Officer.

Complainants who exercise their right to use this procedure agree to accept its conditions as outlined. Where multiple issues exist (e.g., sexual harassment and violation of due process or grade appeal), the complainant must specify all of the grounds of the grievance of which the complainant knows or should have reasonably known at the time of filing. A grievance filed under this procedure may normally not be filed under any other University grievance procedure. Depending on the nature of the issues involved, the complainant will be advised by the University Equal Opportunity Officer or his or her designee about the appropriate procedure(s) to utilize.

#### **C-3.2.7.3—TIMING OF COMPLAINT**

Any complaint must be filed with the University Equal Opportunity Officer within 180 calendar days of the act of alleged discrimination, harassment, or retaliation. The University Equal Opportunity Officer may reasonably extend all other time periods.

#### **D-3.2.7.4—ADMINISTRATIVE ACTION**

- 1) The University recognizes its obligation to address incidents of discrimination, harassment, or retaliation on campus when it becomes aware of their existence. Even if no complaints are filed, the University reserves the right to take appropriate action unilaterally under this procedure.
- 2) With respect to students, the University chief student affairs officer ~~Vice President for Student Affairs and/or Dean of Students~~ or other appropriate persons in authority may take immediate administrative or disciplinary action, which is deemed necessary for the welfare or safety of the University

- Community. Any student so affected must be granted appropriate due process.
- 3) With respect to employees, upon a determination at any stage in the investigation or grievance procedure that the continued performance of either party's regular duties or University responsibilities would be inappropriate, the proper executive officer may suspend or reassign said duties or responsibilities or place the individual on leave of absence pending the completion of the investigation or grievance procedure.

### 3.2.7.5—WITHDRAWAL OF COMPLAINT

The complainant may withdraw the complaint at any point prior to the adjournment of a formal hearing.

### 3.2.7.6—CONFIDENTIALITY OF PROCEEDINGS AND RECORDS

Investigators and members of the Hearing Panel reviewing the grievance are individually charged to preserve confidentiality with respect to any matter investigated or heard. A breach of the duty to preserve confidentiality is considered a serious offense and will subject the offender to appropriate disciplinary action. Parties and witnesses also are admonished to maintain confidentiality with regard to these proceedings.

All records, involving discrimination, harassment, or retaliation upon disposition of a complaint, shall be transmitted to and maintained by the University Equal Opportunity Officer as confidential records except to the extent disclosure is required by law.

### 3.2.7.7—PROCEEDINGS AND INVESTIGATION

#### **INVESTIGATION**

Upon receipt of a complaint, the University Equal Opportunity Officer is empowered to investigate the charge, to interview the parties and others, and to gather pertinent evidence. The investigation should be completed within 60 calendar days of receipt of the complaint, or as soon as practical. If a time period is extended for more than 10 calendar days, the University Equal Opportunity Officer will provide written or oral notice of reason for extension to all parties involved. The investigator shall prepare a record of the investigation.

In arriving at a determination of a policy violation at any stage of the proceedings, the evidence as a whole and the totality of the circumstances and the context in which the alleged incident(s) occurred shall be considered. The determination will be made from the facts on a case-by-case basis.

Upon completion of the investigation, the University Equal Opportunity Officer is authorized to take the following actions:

- a) Satisfactory Resolution—Resolve the matter to the satisfaction of the University and both the complainant and the respondent. If a resolution satisfactory to the University and both parties is reached through the efforts of the University Equal Opportunity Officer, he or she shall prepare

a written statement indicating the resolution. At that time, the investigation and the record thereof shall be closed.

- b) Dismissal—Find that no policy violation occurred and dismiss the complaint, giving written notice of said dismissal to each party involved. Within 15 calendar days of the date of the notice of dismissal, the complainant may appeal said dismissal in writing to the University Equal Opportunity Officer by requesting a hearing. If no appeal is filed within the 15 calendar day period, the case ~~is~~ shall be considered closed.
- c) Determination of Impropriety
  - 1) Make a finding of impropriety and notify the parties of the action to be taken. Either party has the right to appeal said determination in writing within 15 calendar days of the date of the notice of determination to the University Equal Opportunity Officer by requesting a hearing. If no appeal is filed within the 15 calendar day period, the case ~~is~~ shall be considered closed.
  - 2) In the case of a complaint against a faculty member, the administrative investigator may determine that the evidence is sufficiently clear and serious so as to warrant the immediate commencement of formal proceedings as provided in the Severe Sanctions sections of the Faculty Handbook. If the President concurs with the administrator's finding, the case may be removed at the option of the accused from the grievance proceedings contained herein, and further action in the case shall be governed by the Board of Regents' Severe Sanctions policies, sections in the Faculty Handbook. Otherwise, this policy and procedure shall apply.

Specific provisions related to Section 3.2.7 prescribing these policies and detailed procedures are set forth in the Faculty and Staff Handbooks of the University. (~~RM, 1-27-2004, p. 28900, 28911~~)

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### 3.3 — RETIREMENT POLICY

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For specific University retirement policies, see the University's Staff Handbook. (~~RM, 1-27-2004, p. 28900, 28911~~)

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## **3.4 — INTERNAL AUDITING CHARTER**

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### **3.4.1—INTERNAL AUDITING CHARTER**

#### **3.4.1—PURPOSE**

Internal auditing is an independent appraisal activity established within the University to examine and evaluate its activities. The objectives of internal auditing are to assist members of the organization in the effective discharge of their responsibilities by furnishing them with analysis, appraisals, recommendations, and pertinent comments concerning the activities reviewed. However, the internal audit review and appraisal of an area shall not in any way relieve management of its assigned responsibilities.

#### **3.4.2—AUTHORITY**

Oklahoma law provides that the Board of Regents shall establish an internal audit function that employs a sufficient number of internal auditors to meet the Board of Regents' fiduciary responsibilities. The internal audit function shall be responsible to the Board of Regents and the President and shall be conducted in accordance with "Standards for the Professional Practice of Internal Auditing." The President and all members of the Board of Regents shall receive copies of the audit reports, as will the State Auditor and Inspector. The Board of Regents shall, at least annually, review and prescribe the plan of work to be performed by the internal auditors.

The Internal Audit Director at the University is authorized by the Board of Regents to direct a broad, comprehensive program of internal auditing throughout the University. The University Internal Audit Department will evaluate the adequacy of the internal control structure. In order to accomplish these objectives, the Internal Audit Director and the Internal Audit staff are authorized by the President and the Board of Regents to have full, free, and unrestricted access to all University functions, records, property, and personnel. In the event any officer, agent, or employee of the University shall fail to cooperate fully with the Internal Audit Director or shall otherwise hinder or prevent or attempt to hinder or prevent any audit, the Internal Audit Director shall immediately and simultaneously report the same to the President and to the Board of Regents Finance and Audit Committee.

The position of Internal Audit Director is a staff position without authority or direct control over those units being reviewed. In this connection, the University Internal Audit staff will not install procedures, originate or approve entries, or otherwise engage in any activity that they will subsequently be expected to review or appraise.

The Internal Audit Director is responsible to the Board of Regents and the Presidents for all of the internal auditing efforts throughout the Universities. This includes those efforts on the Norman Campus, the Health Sciences Center Campus, the Norman and Health Sciences Center Campus functions in Tulsa, Cameron University, and Rogers State University, and any other location for which the Board of Regents has responsibility. With the advice of the Presidents, the Internal Audit Director shall be appointed and terminated by the Board of Regents.

### **3.4.3—RESPONSIBILITIES**

The Internal Audit Department shall execute a comprehensive program to ensure all activities of the organization are reviewed at appropriate intervals, as determined by the Internal Audit Director and the Board of Regents Finance and Audit Committee. An annual audit plan shall be prepared and submitted to the Board of Regents each year for review and approval.

The Internal Audit Department shall review and evaluate systems of control and the quality of ongoing operations, recommend action to correct any deficiencies, and follow-up on management's response to assure corrective action is taken on a timely basis. Annually, the Internal Audit Director shall report on the adequacy of the internal control structure for each university.

The Internal Audit Department shall appraise the quality of management performance in terms of compliance with policies, plans, procedures, laws, and regulations.

The Internal Audit Department shall identify operational opportunities for improvement in performance by appraising functional effectiveness against industry standards and sound business practices.

University employees have a duty to report suspected violations of law or regulation to their supervisor, or that person's supervisor if the immediate supervisor is involved, who will work with the Director of Compliance or the Internal Audit Department to investigate and rectify any issues. ~~instances of suspected fraud to the Internal Auditing Department.~~ The Internal Audit Department will coordinate internal investigations of suspected fraud with the appropriate University officials (e.g., Office of Legal Counsel, Campus Police, University officers, the Compliance Office, and/or departmental personnel).

The Internal Audit Department shall conduct special reviews and consulting services as directed by the Presidents and Board of Regents. Special reviews and consulting services requested by departmental management may be performed at the discretion of the Internal Audit Director. Care should be taken as to retain independence and avoid conflicts of interest when performing consulting services. Consulting services include, but are not limited to, assistance in the implementation of new computer systems and the compliance with new laws and regulations. As part of an implementation team, internal auditors may serve as non-voting members on related steering committees.

The Internal Audit Director shall ensure that written reports are prepared for each internal audit and that such reports are furnished to appropriate management personnel and the senior officer responsible for the audit activity. All completed internal audits shall be submitted to the applicable President and filed with the Vice President for University Governance as soon as completed and provided to all Regents. The Board of Regents shall have the opportunity to discuss any report with the Internal Audit Director.

The Internal Audit Department shall evaluate the adequacy of management's corrective action and perform necessary follow-up procedures to ensure that the corrective action has been implemented.

The Internal Audit Director shall report at each regular meeting of the Board of Regents on any condition that, in the judgment of the Director, could adversely affect the organization. Suspected theft, fraud, or misuse of funds will be reported to the Board of Regents Finance and Audit Committee.

The Internal Audit Department shall submit quarterly reports to the Board of Regents Finance and Audit Committee that summarize audit findings and trends.

The Internal Audit Department shall serve as facilitator and coordinator for all federal, state, and other external audit agencies. All external audit agencies shall contact the Internal Audit Director for all entrance and exit audit conferences.

The Internal Audit Director will have the responsibility for the direction, personnel, budget, and day-to-day operation of the internal audit function. (~~RM, 1-27-2004, p. 28900, 28911~~)

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### **3.5 — CONFIDENTIALITY OF LIBRARY RECORDS**

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The University adheres to Oklahoma and federal law with respect to confidentiality of library records. The records of library materials borrowed or used cannot be disclosed to anyone except:

- 1) Persons acting within the scope of their duties in the administration of the library;
- 2) Persons authorized to inspect such records, in writing, by the individual or group whose records are sought; or
- 3) As otherwise required by law. (~~RM, 1-27-2004, p. 28900, 28911~~)

## SECTION 4 — FINANCE & ADMINISTRATION

The Board of Regents is vested with the governance of the University. Within its authority is the governance of all finance and management matters, including without limitation, investment, collections, contractual authority, acquisition, development and disposition of property, financial aid, financial emergency, and buying and selling goods and services. Specific provisions pertaining to finance and management and related matters may be set forth in the Faculty and Staff Handbooks, student handbooks, and/or other official policy documents of the University. Any modification to a Board of Regents' policy in the policy documents referred to above or elsewhere must be made through action of the Board of Regents.

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### 4.1 — SHORT-TERM INVESTMENT POLICY

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The investment procedures described below are intended to govern the process of investing funds of the University under the statutory authority of the Board of Regents.

In order to maximize the return on investments, the Vice President for Business Affairs or his or her respective designees shall invest all allowable funds of the Universities that can be invested for and on behalf of the Board of Regents. Such funds include all monies on deposit in the Agency Special Accounts (including, but not limited to, payroll trust funds, funds transferred to construction accounts, and travel trust funds), Treasury Funds, and Agency Relationship accounts (including, but not limited to, funds which are advanced by granting agencies as directed by conditions required by the terms of the contract or grant or as required or permitted by terms of a bond resolution or donor requirement) that are not required to be invested by the State Treasurer.

The Vice President for Business Affairs or his or her respective designee shall establish procedures to sufficiently analyze the cash flow requirements of the University and determine the amount of funds to be invested and the time period of the investment(s). Allowable instruments shall include those permitted for investment of state monies, as provided by Oklahoma law. Allowable monies may be invested through the Office of the State Treasurer or, provided a higher return on the investment can be earned, with other financial institutions.

Interest income from investments made by the State Treasurer shall accrue to the University's Agency Special Fund or fund from which the investment was made, in accordance with the provisions of the Oklahoma Statutes. The Vice President for Business Affairs shall deposit all interest income into the original accounts generating the principal invested as required by the terms of the specific grants or contracts or as required by terms of bond resolutions, donor requirements, federal regulations or other Board of Regents' policy statements. Interest accrued by the investment of pooled funds shall be distributed in accordance with the needs determined by the President and reported to the Board of Regents annually. The University officials designated above shall ensure that required procedures and records are maintained and available for audit by internal, external, and State auditors. (~~RM, 1-27-2004, p. 28900, 28911~~)

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## 4.2 — DEBT POLICY

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The issuance of revenue bonds shall be in accordance with the Board of Regents' authority to issue said bonds pursuant to the provisions of Oklahoma law. All revenue bonds shall be secured in accordance with Oklahoma law and the administrative rules of the Council of Bond Oversight. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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## 4.3 — PUBLIC CONSTRUCTION AND IMPROVEMENT PROJECTS

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It is the intent of the Board of Regents to give every qualified bidder an equal opportunity to compete for construction contracts required at the University~~ies~~ and that such competition be fair and impartial. At the same time, it is the policy of the Board of Regents to assure the University's quality in workmanship and materials at the best possible cost to the University, and that all transactions in respect to public construction and improvement projects to be in compliance with Oklahoma law.

Before approval may be granted for any construction project, there must be sufficient existing funds to cover the entire costs of the project, or there must be sufficient pledges or other financial arrangements in existence to cover such costs. In approving such construction costs, the Board of Regents must identify the costs of the project, the estimated operating costs for the project, and the source of funds for all such costs. If any significant or material changes arise in such costs identified to the Board of Regents, the President shall notify the Board of Regents of such changes. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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## 4.4 — OBLIGATION AND COLLECTION OF STUDENT FEES

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Tuition and fees and other fees for special educational services are due prior to the first day of class. The University's administration shall establish and publish a deadline when tuition and fees are payable, after which the payment may be subject to a service/late payment charge.

### 4.4.1—ADD/DROP PERIOD

Changes of schedule may be made during the first two weeks of a regular semester~~term~~ and the first week of a summer term with appropriate charges and charge removals.

### 4.4.2—LATE PAYMENT

Late payment will require payment in full as well as and will be subject to a service/late payment charge in an amount determined and published by the University.

The following procedures modify and clarify existing practices of the University governing financial obligations incurred by students, including both initial payments and delinquent debts. These procedures may be categorized as:

- Obligation and collection of ~~registration~~ tuition and fees
- Obligation and payment of other charges and fees
- Insufficient funds checks
- Delinquent housing payments

#### 4.4.3—OBLIGATION AND COLLECTION OF TUITION AND FEES

- 1) A financial obligation is incurred at the time a student elects to register. Registration may be canceled without financial obligation at any time before the scheduled first day of classes or during the first two weeks of a regular semester or first week of a summer term.
- 2) Students may pay fees prior to the first day of classes. Monthly statements will be prepared and mailed prior to the fee payment deadline. Failure to receive a statement will not exempt a student from late penalties. It is the student's responsibility to determine his/her financial obligation and how it is to be met.
- 3) To avoid penalties and/or service charges, students are required to pay all tuition and fees in total prior to the date designated by the Business Office/Bursar as the last day to pay tuition and fees without penalty. At the time of enrollment, students will receive detailed information regarding tuition and fee payment.
- 4) Students may pay their tuition and fees in four payments during each fall and spring semester. These payments are subject to the service charge as defined in paragraph 6.
- 5) Students who do not pay their tuition and fees during the period noted above will be considered to have delinquent accounts. The Business Office/Bursar will send "Overdue Notices" directly to the students when their tuition and fees are not paid on time.
- 6) Students will be charged a payment plan fee and/or a monthly service charge on any unpaid balance on their student accounts receivable that is one billing cycle past due. The payment plan fee and/or a monthly service charge rate is published by the Business Office/Bursar each semester.

Service/Late Payment Charges may be waived if the University, through its action or inaction, has caused the payment for tuition and fees to be made beyond published deadlines or if there are extraordinary circumstances (e.g., death in family, serious illness, accident, ~~etc.~~) which result in the student's tuition and fees not being paid by the published deadlines. The extraordinary circumstances must be an event which the student could not reasonably control or foresee. Extraordinary circumstances do not include reasons such as failure to receive a bill, not having the funds to pay, car payment or other payments due, or other reasons which could be reasonably controlled or foreseen by the student. Students requesting a waiver of the Service/Late Payment Charges due to an extraordinary circumstance should submit a written request to the Business Office/Bursar fully describing the

- circumstances ~~and~~ including copies of supporting information. Requests for waivers should be submitted prior to the published deadline for tuition and fee payment whenever possible. The Business Office/Bursar shall review the request and supporting documentation and determine whether a Service/Late Payment Charges waiver is to be made. In addition, students requesting Service/Late Payment Charges waivers should contact the Office of Financial Aid to determine if the extraordinary circumstance makes them eligible for aid from any of the University's financial aid programs. Students paying tuition and fees with financial aid must obtain a Service/Late Payment Charges waiver from the Office of Financial Aid. Eligibility for this waiver will be determined by the Office of Financial Aid.
- 7) Students with outstanding tuition and fees not in conformance with items 3 or 4 above at the beginning of any enrollment period will not be permitted to enroll. The Business Office/Bursar will notify the Registrar of the names of those students with outstanding tuition and fees. Except for HOLDS on students' accounts that have been referred to Collections, the Business Office/Bursar or designee may remove enrollment HOLDS as an exception to this policy when, in the judgment of the Business Office/Bursar or his/her designee, there are extraordinary circumstances which prevented the student from paying outstanding tuition and fees.
  - 8) Until and including the last day of final examinations, students may pay their delinquent accounts by paying tuition and fees for all of their original enrollment plus the service charge noted in ~~paragraph item~~ 6 above. Students settling their delinquent accounts after the last day of final examinations will be charged an additional penalty over and above charges for delinquent accounts noted above. The amount of the additional late payment charge is published each semester.
  - 9) The Business Office/Bursar will notify the Registrar of the names of those students whose tuition and fees are not paid by the last day of classes. ~~so that~~ ~~†~~The Registrar may withhold the reporting of their final grades and will not release their transcript.
  - 10) Withdrawal from classes after the first two weeks of a fall ~~or~~ spring semester and first week of a summer term does not relieve students of their financial obligation to the University, and these students will be charged 100% of the tuition and fees due the University.
  - 11) Those students who wish to pay tuition and fees to reinstate for a semester or summer term after the last day of finals for that session must be referred to the ~~Provost or~~ Vice President for Academic Affairs. The basic posture is that retroactive reinstatement would be allowed only in cases where it can be established that the University somehow contributed to the student's late payment by some error on its part. Students requesting to be retroactively enrolled or added for prior semesters will be charged the tuition and fee rates in effect for the current semester plus applicable late fees and service charges.

Regardless of when a student pays tuition and fees, payment for the entire enrollment is required. Selective course payment ~~will~~is not ~~permitted~~be possible.

- 12) All payments for delinquent accounts must be paid in a manner acceptable to the ~~u~~University.

#### ~~4.4.4—OBLIGATION AND PAYMENT OF OTHER CHARGES AND FEES~~

- 1) Fines, charges, or other miscellaneous fees become a financial obligation of the student at the time they are ~~levied or~~ assessed.
- 2) These charges will be periodically added to the central student accounts receivable maintained by the Business Office/Bursar.
- 3) Payment or satisfactory adjudication of all existing charges may be made at any time. If not paid prior to payment of tuition and fees, all other charges and fees are immediately due, and payment must be made when tuition and fees are paid.
- 4) Miscellaneous charges incurred during the remainder of the semester will be billed to the student on a monthly basis.
- 5) Delinquent payment of charges will not constitute grounds for withdrawal. The charges will be carried forward to the next semester, at which time all fees and charges must be cleared prior to any new enrollment. Except for HOLDS on students' accounts that have been referred to the Collection Office, the Business Office/Bursar or designee may remove enrollment HOLDS as an exception to this policy when, in the judgment of the Business Office/Bursar or designee, there are extraordinary circumstances which prevented the students from paying outstanding fees and charges. Students leaving the University will find their official records and transcripts tagged, and these records will not be released to other persons, institutions, or agencies until all debts are paid.

#### 4.4.5—DELINQUENT HOUSING PAYMENTS

A financial and legal obligation is incurred when a student or the student's parent signs a housing contract. The contract specifies the payment procedures.

The University shall establish, publish, and maintain policies and procedures to ensure the collection of University Housing and Food Services obligations in accordance with housing and food service contracts. Said policies and procedures shall include the use of both internal and external collection offices and the University's Legal Counsel when appropriate.

The chief business officer or his ~~or her~~ designee will be responsible for the supervision and enforcement of the procedures set out herein.

All questions about financial obligations should be directed to the Business Office/Bursar. If the question concerns the student's enrollment, verification of registration records will be performed and, if ~~appropriate necessary~~, financial obligations adjusted. If the question concerns miscellaneous charges and fines or fees, satisfactory adjudication must be obtained from the charging department. If it is evident that a problem developed as a result of an error in the University administrative processes, payment and reinstatement will be permitted without additional late charges or penalties.

#### **4.4.6—LEGAL ACTION TO COLLECT ACCOUNTS**

The Board of Regents authorizes the Office of Legal Counsel to institute suit in the name of the Board of Regents to collect accounts due and owing to the University and to compromise or settle said suits upon such terms and conditions as the General Counsel believes to be in the best interest of the University.

The University Collection Division, under the authority of the Office of Legal Counsel, is responsible for recovery of delinquent student accounts receivable and student loans that require litigation. (RM, 1-27-2004, p. 28900, 28911)

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### **4.5 — TUITION AND FEE REFUND POLICY**

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The refund policy for tuition and fees (except for Title IV recipients) collected from students at the University shall be included in the published Class Schedule, program brochures, and relevant web sites. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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### **4.6 — SCHOLARSHIP AND FINANCIAL AID INFORMATION**

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To facilitate the responsibilities charged to the Financial Aid Services, all scholarship and financial aid information and resources awarded from any school, department, office, or other University-related entity are to be reported to the Office of Financial Aid Services in a complete and timely fashion. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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### **4.7 — AUXILIARY ENTERPRISES/ SERVICE UNITS**

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Auxiliary Enterprises and Service Units primarily exist to furnish goods and services to students, faculty, or staff, and charge a fee for the cost of the goods or services. To ensure that data regarding individual Auxiliary Enterprises are complete and adequate for management decisions, cost data should be prepared. Excess funds generated by Auxiliary Enterprises after applying full costing, may be utilized for any lawful purpose to enhance the quality of University life for the students, faculty, or staff, including, but not limited to, student scholarships or other student awards, improvements or additions to University plants, other capital needs, University development, and University promotion.

Each Auxiliary Enterprise and/or Service Unit is to develop, maintain, and implement prudent business practices including, but not limited to:

- A comprehensive procedure manual documenting applicable policies, procedures, standards, and other administrative and operating criteria;
- Formal procedures for outlining operating philosophy and pricing criteria. The underlying procedures must include the processes for evaluating costs and determining prices, fees, charges, etc;

- The development of budgets and operating plans;
- Transfers of excess funds from unrestricted auxiliary accounts to other auxiliary or general University accounts within a university to accomplish general management goals and meeting needs and priorities; and
- Periodic reporting of financial activities to the Vice President for Business Affairs, ~~the~~ President, and ~~the~~ Board of Regents.

Creation of Auxiliary Enterprises and Service Units shall be approved by the President or his/ ~~or~~ her designee. Deletion of any Auxiliary Enterprises and Service Units may be approved by the President or his/ ~~or~~ her designee. In those circumstances where creation or closure will result in significant financial or other institutional impact, Board of Regents' notification is also required.

The primary responsibility for managing each unit shall be with the operating manager of each Auxiliary Enterprise and Service Unit and their respective Dean/Director and ~~e~~Executive ~~o~~fficer.

#### 4.7.1—UNIVERSITY POLICE OFFICERS

In 1963 the Oklahoma Legislature passed a law that allows universities and colleges to commission their campus police officers. Under this law the police officers have all the power vested by law in peace officers, except the service of civil process, in the protection and guarding of grounds, buildings, persons, and equipment of the University, and the prevention of improper conduct and trespassing upon the grounds of the institution. The law also allows the commissioned campus police officers to make arrests and take into custody persons guilty of illegal conduct or trespassing.

All campus police officers of the University shall be commissioned by the Board of Regents.

The statute provides that the Board of Regents shall prescribe the duties, designate the uniform, fix the compensation, and provide a written commission for the police officers.

The following duties shall be given to the campus police officers:

- To enforce all University rules and regulations referred to them for enforcement.
- To enforce all state and federal criminal laws upon the property of the University.
- To protect and safeguard all students, employees, and visitors of the University.
- To protect and guard all of the grounds, buildings, and equipment of the University.
- To strive to prevent any improper conduct at the University.
- To prevent trespassing upon any property belonging to the University.
- When called upon, to aid any other law enforcement agency.

- To enforce traffic regulations.
- To make investigations and inquiries believed necessary to carry out all of the other duties.
- To make arrests and take into custody any person when such action is necessary to carry out the duties of the office.

The President or his/ ~~or~~ her designee shall approve the uniforms for police and other enforcement personnel for wear while on duty, or shall prescribe dress appropriate to the individual's assignment. Police uniforms shall clearly identify the wearer as a campus law enforcement officer, shall be distinguished from uniforms worn by other law enforcement agencies operating in the same geographic area, and shall represent the University in a positive and professional manner. (~~RM, 1-27-2004, p. 28900, 28911~~)

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## 4.8 — PARKING AND TRAFFIC REGULATIONS

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The Board of Regents has determined that it is in the best interests of the University that rules and regulations be promulgated and adopted governing the keeping and use of automobiles by University's employees and students, providing parking areas for the employees and students of the University, and providing a method of carrying such rules and regulations into effect and the enforcement thereof. The applicable portion of these regulations shall apply to every employee of the University, and the portions applicable to students shall be deemed a part of the established regulations of the University, ~~which that~~ govern every student.

The President may revise, alter, or amend these regulations when conditions warrant. Such amendments, revisions, or alterations shall, unless otherwise ruled by the Board of Regents, be effective and of the same dignity as if enacted or ordered by said Board of Regents.

Specific provisions of the University's parking and traffic regulations are prescribed in the University's parking and traffic regulations handbook. (~~RM, 1-27-2004, p. 28900, 28911~~)

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## 4.9 — AUTHORITY TO SIGN CONTRACTUAL DOCUMENTS

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The authority for any individual to sign contracts on behalf of the University originates with the Board of Regents. The Board of Regents ~~has granted grants~~ to the President the power to delegate such signature authority to appropriate University executives, officers, and directors. Unless the President specifically delegates this authority to an individual by formal written communication, that individual may not sign any document whatsoever that binds, or has the appearance of binding, the Board of Regents and/or any element thereof.

Such documents include, but are not limited to, purchase orders, grants, contracts, sub-contracts, licenses, leases, funding applications, extensions and renewals, letters and/or memoranda of understanding, sales orders, work orders, and the like. The common feature of such documents is the obligation it imposes on the University, the breach of which may ~~infract~~ impose legal liability on the University. Such documents may involve products and services that the University provides to other parties for compensation (revenue) and products

and services that the University acquires from other parties in exchange for payment. They may also involve mere agreements by which duties and responsibilities of the parties involved are formally delineated, even though monetary or other valuable consideration may not be involved.

The delegated authority to sign contractual documents does not carry with it any exemption from other policies and procedures that otherwise govern. The President shall designate the positions and names of the individuals who should be authorized to sign contractual documents. Each recommendation shall include the nature of the authority delegated, the areas of activity to which it is limited, and the upper limit of the authority in terms of dollars.

- The original letter of authorization shall be forwarded to the individual to whom the authority is delegated; and
- ~~One copy shall be retained in each of the offices of the Office of the Executive Secretary of the Board of Regents; and,~~
- ~~One copy shall be retained by~~ the chief business officer, and Legal Counsel, ~~offices.~~

All such authorizations, regardless of commencement date, shall expire upon termination from the position or revocation of authorization.

Except as otherwise may be authorized in writing by the University's Office of Legal Counsel, all contractual documents shall be processed through the University's Office of Legal Counsel to ensure that certain legal limitations are not waived, ignored, or otherwise abridged. The President may revoke the signature authority of any individual at any time and shall timely notify the appropriate University officers of such revocation. ~~(RM, 1-27-2004, p. 28900, 28911)~~

## 4.10 — BUYING AND SELLING GOODS AND SERVICES

### 4.10.1—POLICY

The University's legal capacity to acquire goods and services from others in exchange for payment, and to provide goods and services to others in exchange for revenue, originates with the Board of Regents. University funds are budgeted on an annual basis, and these budgets are approved by the Board of Regents. The Board of Regents recognizes that substantial authority must be delegated.

### 4.10.2—BUYING GOODS AND SERVICES

The University purchases a substantial volume of goods and services. Except in certain situations, University employees shall acquire these goods and services through an open and competitive process aimed at fairness to interested suppliers and best value for the University. Competition allows for the use of new technology in communications, telephone quotes, and prior competitive history. Existing contracts established by cooperative associations, educational purchasing consortium contracts, existing contracts awarded by a state college or university, and state and federal entities, which meet the criteria for formal competitive process may be considered competitively bid. University departments may request and receive assistance from the Purchasing Department for purchases, regardless of dollar amount.

#### 4.10.3—PURCHASES THAT REQUIRE FORMAL COMPETITION OR BIDS

Generally, the dollar amount of a purchase determines whether it must be competitively bid. The dollar limits are on a per-transaction basis and are not cumulative. Unless otherwise exempted, purchases exceeding \$50,000 must be formally bid. Splitting orders to avoid this dollar limit is prohibited.

Unless otherwise exempted, purchases above \$5,000 and not exceeding \$50,000 must be competitively bid. Splitting ~~of~~ orders to avoid this dollar limitation is prohibited. The competition may be conducted by the ordering department and the results submitted to the Purchasing Department, which may rely on such results; or conduct further competition.

#### 4.10.4—PURCHASES THAT DO NOT REQUIRE FORMAL COMPETITION OR BIDS

Because of their unique or peculiar nature, the following types of purchases do not require formal competition or bids. The dollar limits are on a per-transaction basis and are not cumulative.

- Purchases up to \$50,000 by University departments from University auxiliary enterprises, service units, or other University units engaged in the resale of products or services in accordance with their mission.
- Purchases of products, services, or utilities for resale, including minor operating supplies consumed in the resale process, by University auxiliary enterprises, service units, or other University units engaged in the resale of products or services in accordance with their mission.
- Purchases up to \$50,000 of legal, medical, accounting, consulting, architectural, engineering, interior design, appraisal, landscape design, real estate agency, or similar professional services, only when such services are ordered by the President or his or her designee pursuant to University-wide matters of importance, and only when such services represent discrete short-term engagements with specific terminal objectives. Purchases of legal services shall be coordinated through the Office of Legal Counsel.
- Purchases up to \$50,000 against University-wide contracts with suppliers that have been arrived at competitively and for which exclusive usage by University departments has been mandated by the Board of Regents or the President.
- Purchases of professional dues, memberships, and similar products or services that are otherwise authorized, but which cannot reasonably be competitively bid.
- Purchases of property designated as surplus by federal agencies, state agencies, county governments, municipalities, school districts, other institutions of higher education, and similar bodies; provided, however, that evidence of reasonableness of price must be obtained and maintained.
- Payments to federal agencies, state agencies, county governments, municipalities, school districts, other institutions of higher education, and

similar bodies for products and services in situations that cannot reasonably be subjected to the competitive process.

Because they are covered by separate University policies and procedures, the following types of purchases do not typically require processing by the Purchasing Department. The dollar limitations are on a per-transaction basis and are not cumulative. However, the requirement for competition may still apply, and the requirement for processing by another University department may apply.

- Individual travel costs (air fare, hotel, ground transportation, conference registrations, etc.) by employees attending conferences, seminars, and the like pursuant to official University business (governed by policies on travel reimbursement).
- Architectural, engineering, construction, and construction management services related to major real property construction and renovation of University capital assets.
- Such other purchases as may be identified by the chief fiscal officer and approved by the President

#### **4.10.5—PURCHASES THAT DO NOT REQUIRE COMPETITION OR BIDS**

Unless they are otherwise governed, restricted, or addressed by University policy, purchases of \$5,000 or less do not require competition or bidding by the Purchasing Department, although competition is recommended. Splitting orders to take advantage of this dollar limit is prohibited. The ordering department shall ensure that such purchases meet all other requirements including, but not limited to, legality, availability of funding, and whether the purchase is allowable, as in the case of a sponsored grant or contract.

#### **4.10.6—PURCHASES THAT REQUIRE THE ASSISTANCE AND REVIEW OF THE PURCHASING DEPARTMENT**

To ensure effective and efficient mission accomplishment, the Purchasing Department, in meeting the requirement for a professional buyer to place an order, may establish for University departments orders that specify time frames, dollar limits, and product/service categories. Such orders may be established in response only to mission-critical needs that cannot be met timely or that cannot possibly otherwise benefit from the direct involvement of the Purchasing Department. Such orders permit University departments to place orders with vendors, up to the specified dollar limits. Departmental requests for such orders shall be communicated in writing and approved by an administrative officer of the department/school/ administrative office before being forwarded to the Purchasing Department. The Purchasing Department shall maintain a list of such orders and provide such list to the Vice Presidents for ~~B~~business ~~A~~affairs no less frequently than quarterly. The Purchasing Department shall continually review such orders for need and shall audit their usage for compliance with the principles of competition, fairness, and best value. The Purchasing Department may recommend to the Vice Presidents for ~~B~~business ~~A~~affairs termination of any such order when the need for it no longer exists, if there is evidence of noncompliance, or for similar reasons.

#### 4.10.7—PURCHASES FROM AUXILIARY ENTERPRISES AND SERVICE UNITS

University auxiliary enterprises and service units offer various products and services for sale, primarily to University departments, faculty, staff, and students. Examples are food services, printing services, and maintenance and repair of working spaces. Any excess of revenues over expenses generated by these entities is used to ensure future operations, renew and replace plant and equipment, and contribute back to the University's education and research missions through Presidential priorities. When a University department purchases such products or services, the University department must allow the related auxiliary enterprise or service unit first opportunity at the transaction. Such purchases may be awarded to outside vendors only upon sufficient justification or upon refusal by the auxiliary enterprise or service unit.

#### 4.10.8—SUBMITTING PURCHASES TO THE BOARD OF REGENTS FOR APPROVAL AND REPORTING OTHER PURCHASES

Separate and apart from the policies and procedures governing competition and processing by the Purchasing Department, the following conditions govern those purchases that must be submitted to the Board of Regents for prior approval, those purchases that must be reported to the Board of Regents at least quarterly, and those purchases that are exempt from either the approval or reporting requirements. The dollar limitations are on a per-transaction basis and are not cumulative.

- Purchases over ~~\$125~~50,000 must be submitted to the Board of Regents for prior approval; sole source purchases in this category must be identified as such; changes that would increase the financial obligation of the University ~~upwards~~ by more than 15% must be submitted to the Board for prior approval.
- Purchases above \$50,000 but not exceeding ~~\$125~~50,000 must be reported to the Board of Regents at least quarterly; sole source purchases in this category must be reported separately and identified as such.
- Purchases of air charter services must be reported to the Board of Regents at the meeting of next earliest opportunity.
- Purchases by University departments from University auxiliary enterprises or service units are exempt from the approval and reporting requirements.
- Purchases of products, services, and utilities for resale, including minor operating supplies consumed in the resale process, by University auxiliary enterprises, service units, or other University units engaged in the resale of products or services in accordance with their mission, are exempt from the approval and reporting requirements.
- Acquisition contracts, such as for office supplies University-wide or for materials for physical plant maintenance, arrived at through the competitive process, but which are indefinite as to quantity and delivery, are exempt from the approval and reporting requirements.
- Purchases of property designated as surplus by federal agencies, state agencies, county governments, municipalities, school districts, other institutions of higher education, and similar bodies are exempt from the approval and reporting requirements.

- Payments to federal agencies, state agencies, county governments, municipalities, school districts, other institutions of higher education, and similar bodies for products and services in situations that cannot reasonably be subjected to the competitive process are exempt from the approval and reporting requirements.

#### **4.10.9—SOLE SOURCE PURCHASES**

The following policy regarding sole source purchases explains why a particular action may not be subject to competition. However, it does not affect the criteria governing when a purchase must be processed through the Purchasing Department. Other than the requirement for competition, sole source purchases are subject to the same policies and procedures set forth above.

A sole source purchase is any which, by the specifications needed by the requestor or by the specific restrictions imposed by a funds provider, restricts the action to one supplier or to one brand name. The sole source determination and justification shall not be based upon personal or professional preference of the requestor. Justification shall be objective rather than subjective.

A major component of a sole source purchase is the determination of fairness of price. Even though a material, service or supplier may truly fit the conditions of sole source, the requestor shall demonstrate that the related price is fair and reasonable.

A sole source purchase is preferable to a formal competitive process in which specifications are written so narrowly that the outcome has no chance but to be the same as if a sole source was executed.

Any University employee involved in a potential sole source purchase shall weigh two risks. The first risk is conducting a sole source purchase when in fact a competitive situation exists. The second risk is conducting a competitive purchase when in fact a sole source situation exists. The first is the greater risk, but both shall be addressed.

Where a sole source purchase satisfies the criteria that it must be approved by or reported to the Board of Regents, the requestor shall defend the action, if necessary, before the Board of Regents. For every sole source purchase that has been executed, the requestor shall, if necessary, justify the action in cases of audit, protest, public inquiry, litigation, or similar circumstance.

Any requestor or buyer who knowingly executes a sole source purchase when, in fact, it is not one, may be subject to administrative action as otherwise provided for by Board of Regents policy.

The Purchasing Department is responsible for developing and maintaining the specific guidelines and forms necessary for requestors to document and justify proposed sole source purchases. The Vice Presidents for **B**usiness **A**ffairs has the authority to challenge and deny requested actions that lack sufficient justification. The completed and executed forms shall be an integral part of the procurement file, available for inspection and audit by appropriate authorities.

#### **4.10.10—INVENTORY CONTROL AND CAPITALIZATION OF CERTAIN PURCHASES, GIFTS, OR OTHER ACQUISITIONS**

In addition to the policies and procedures governing the acquisition of products and services, the following requirements apply to certain purchases, gifts, or other acquisitions.

Capital assets coming under the control of a University department, whether through purchase, gift, or otherwise, shall be recorded in the University's inventory system. Additionally, capital assets that are movable shall be tagged. If a movable capital asset is transferred from one location to another, the ~~recognizing~~ transferring department shall report such movement to the appropriate inventory control office, and the new location shall be recorded in the system.

For purposes of this policy, a capital asset is one that meets the federal useful life and cost criteria specified in the Office of Management and Budget Circular A-21, as may be amended or superseded.

The President or President's designee may impose inventory controls above and beyond those required in OMB Circular A-21, as may be amended or superseded.

#### 4.10.11—ACQUISITION OF SURPLUS PROPERTY

The following University officers are authorized to sign instruments and enter into negotiations as necessary in the acquisition of surplus property from federal agencies, state agencies, county governments, municipalities, school districts, other institutions of higher education, and similar bodies:

- President
- ~~Chief Fiscal Officer~~ Vice President for Business Affairs

#### 4.10.12—DEMONSTRABLE EMERGENCY

The President shall have authority to approve a financial decision up to \$325,000 in the case of a demonstrable emergency.

#### 4.10.13—PROVISION OF GOODS AND SERVICES

In accordance with its mission, the University may contract to provide services for compensation. Before signing, the University ~~Officer~~ officer responsible for signing such contractual documents shall ensure that all appropriate and required reviews and approvals of the arrangement and the contractual document have been completed. Only an individual to whom the President has delegated the appropriate authority (to sign contractual documents in the nature of the document in question) may sign the contractual document. Each such contractual document involving annual revenues of \$500,000 or more shall be reported to the Board of Regents ~~at the meeting.~~ (RM, 1-27-2004, p. 28900, 28911)

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### 4.11 — USE OF STUDENT ACTIVITIES FEES

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Student Activity ~~fees~~ fees and other funds generated by student activities may be utilized for any lawful purpose to enhance the quality of University life for the students, including, but not limited to, student scholarships or other student awards, operating costs for student activities, travel, entertainment, athletics, guest speakers, and student organizations.

### 4.11.1—STUDENT GROUP TRAVEL

The University utilizes student activity revenues in funding student-related trips. The University is authorized to advance these funds to a faculty sponsor or sponsoring coach. The funds must be used only for the students' travel, transportation, and/or other trip-related expenses in the exact amount of the actual and reasonable expenditures that were incurred. Separately itemized receipts and/or supporting documentation must be submitted by the sponsor for each of the trip's expenditures. The unused portion of the funds advanced for a trip must be returned to the University upon the trip's completion. A report of expenses incurred during the trip must be prepared by the sponsor within a reasonable time after the completion of the trip. The University's business office should develop the necessary forms and accountability and control procedures for processing the requests for advanced trip funds and the reports of trip expenses, which are prepared upon completion of the trips. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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## 4.12 — CRITERIA FOR TRANSFERRING EQUIPMENT AND/OR FUNDS

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The criteria for determination of transferability of equipment and/or funds to another institution at the request of faculty members terminating their faculty appointment here and transferring activities to another institution are as follows:

- 1) At no time will title to assets vested in the University be transferred directly to the terminating faculty member.
- 2) Transfer of equipment may be considered when:
  - It is or was the specific intent of the donor or granting agency that the equipment is or was to support the work of the terminating faculty member rather than a program of the University and that the equipment ownership should be transferred to the institution to which the faculty is moving.
  - The equipment was purchased from funds supporting an ongoing program which the donor or granting agency will continue at the new employing institution.
- 3) Funds may be considered for transfer to the departing faculty member's new institution only when it was the specific intent of the donor or granting agency that the funds were/are for the purpose of supporting the activity of the departing faculty member (rather than a program of the University). ~~which specifically is being transferred by intent to the new institution employing the departing faculty member.~~
- 4) Transfers of equipment and/or funds ~~will~~must be pre-authorized by the appropriate contracting official and approved by the appropriate dean/department chair and the Vice Presidents ~~s~~ for ~~B~~business ~~A~~affairs.
- 5) Funds shall not be transferred to another institution when residual funds remain following completion of the program or project for which the funds were provided. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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## 4.13 — ACQUISITION AND DISPOSITION OF REAL PROPERTY

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The Board of Regents will approve the acquisition or disposition of all real property as required to satisfy the mission of the University. The University administration will use the following guidelines in determining acquisition/disposition actions to be proposed to the Board of Regents.

### 4.13.1—ACQUISITION OF PROPERTY

- 1) Acquire property when it is needed for the future expansion of the University.
- 2) Acquire property needed to protect or secure the perimeter of the campus or other University facilities or land holdings.
- 3) Select property for acquisition that is located in primary expansion zones where the area is contiguous to the campus or in outlying areas when needed for specific purposes.
- 4) Purchase property in primary areas as it becomes available from willing sellers or in special cases when it is needed immediately to develop a new facility.
- 5) Have independent appraisals made before purchasing land and buildings.
- 6) Accept gifts of real estate away from campus when they are needed for University programs or if the property will be of financial benefit.

If acquired property is not required for immediate development, it will be maintained at a standard level of repair and appearance.

### 4.13.2—DISPOSITION OF PROPERTY

The Board of Regents ~~will generally~~ may dispose of property:

- 1) ~~F~~that is not required for University expansion or to protect other University lands and facilities;
- 2) ~~F~~that is not economical to operate and maintain and does not provide other benefits;
- 3) ~~F~~that is not in a primary expansion zone contiguous to the campus or other University land holdings and is not required for future development;
- 4) ~~F~~that is received from donors but not needed for University purposes; disposition will comply with all lawful terms and conditions of the gift;
- 5) ~~F~~that can be converted to more liquid assets for other immediate needs or long-term requirements. (~~RM, 1-27-2004, p. 28900, 28911~~)

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## **4.14 — SELECTION OF DESIGN CONSULTANTS AND CONSTRUCTION MANAGERS ARCHITECTS, ENGINEERS AND LAND SURVEYORS**

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An objective of the University is to develop the best possible campus environment, within the limits of available resources, to enhance ~~implementation of its mission of~~ teaching, research and creative/scholarly activity, and professional and University service and public outreach, ~~and service to the State of Oklahoma.~~ To this end, the Board of Regents hereby establishes this procedure to be followed in the selection of professional consultants, which shall supersede all previous policies in this area. The policy covers three areas of concern:

- Soliciting names and screening qualifications of interested design consultant or construction management firms or individuals.
- Interviewing, screening, and selecting firms or individuals identified during the solicitation process.
- Selecting ~~architects, engineers and other design~~ consultants and construction managers in an emergency.

### **4.14.1—SELECTION PROCESS**

When the President decides that the University requires the services of a licensed architectural, registered engineering, ~~or~~ registered land surveying firm, or construction manager, the provisions of this policy will be followed. The basic sequence of actions will be as follows:

- 1) The President shall request approval from the Board of Regents to initiate a selection process.
- 2) The President or his or her designee will forward a letter to the State Department of Central Services requesting the names of all firms who have established a consultant file with the State of Oklahoma. The letter will contain information which shall define the scope of the proposed project and identify or describe the various project components, phases, and timetables and sources of funds.
- 3) Upon receipt of the list of appropriate firms, the University will send letters of notification to all firms on the list. The letters will solicit a timely expression of interest in performing consultant services for the project and shall contain the following information: (a) description and scope of the project; (b) estimated construction cost; (c) time schedule for the project; (d) funds available, including, federal, state or other sources; (e) specification of the last date for submitting a notice of interest in performing the proposed services to the University; and (f) other pertinent data.
- 4) The University will advise the State Department of Central Services of the firms which responded within 20 days (or longer if allowed by the University) of the postmark date of the letter of notification, and request the State Department of Central Services to forward copies of the information that each consultant has on file there.

- 5) An interview committee will be established by the President to interview the responding firms. This committee will normally consist of the following persons:
- a) Representative of the ~~Provost~~/Vice President for Academic Affairs (if the project is for an academic use);
  - b) Representative of Physical Plant;
  - c) Other appointees as directed by the President.

Normally, the chair of the committee will be designated by the President, who may also augment the committee to permit comprehensive representation.

- 6) The interview committee shall review the consultant files forwarded and select a minimum of three and a maximum of five firms for more detailed consideration and interview. Where possible, the maximum should be selected. In making these selections, the committee shall consider, among other things: (a) factors of the Consultant Interview Evaluation form; (b) specialized experience in type of work proposed; (c) capacity of consultant to perform the services on time; (d) past performance by the consultant; and (e) consultant's principal place of business.
- 7) The interview committee will conduct interviews of the firms selected for more detailed consideration and develop a numerical rating of the qualifications of each firm. If out-of-state firms are under consideration, all in-~~S~~state firms will be given a five percent preference by multiplying their final numerical rating by a factor of 1.05. For the purpose of determining whether a firm or a team consisting of both in-state and out-of-state firms can be qualified as an in-state firm, the following criteria are to be used: (a) the firm with which the contract will be executed must have a principal place of business and a substantial continuing presence in Oklahoma, and (b) a majority of the work effort on the project must be accomplished by the in-state firm(s). A report of the results will be forwarded to the President for action by the Board of Regents to rank and select consultants.
- ~~8) Following action by the Board of Regents, a full report of the selection process will be forwarded by the Chairman of the Board of Regents to the Office of the Governor for review.~~
- 8) Normally, ~~following review by the Governor,~~ the President or his or her designee will negotiate a contract with the first choice consultant. However, if the University cannot reach agreement with the first choice consultant, negotiations shall be terminated and the University shall negotiate in a similar pattern with the remaining consultants in descending rank order until an agreement is reached. The President or his or her authorized designee may execute the consultant contract.

#### 4.14.2—EMERGENCIES

Where a sudden unexpected happening or unforeseen occurrence arises whereby it is impossible for the University to observe this policy because of the time factor and public health or safety is endangered or where a condition or situation arises which, if allowed to continue,

would lead to economic loss to the State or further damage to State property, the President may declare an emergency, giving reasons therefore and, upon notifying the Board of Regents, ~~and the Director of the State Department of Central Services,~~ enter into a consultant contract up to \$25,000.00. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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## 4.15 — PROJECT-RELATED UTILITY EASEMENTS

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The President or his or her designee is authorized to approve required utility easements for construction projects in those instances when the Board of Regents has authorized the entire project. It is the understanding of the Board of Regents that in order to facilitate the approval of these routine project-related utility easements, the following procedure will be followed:

- Each easement will be reviewed by University Legal Counsel and other appropriate members of the University staff.
- The President or his or her authorized designee may approve the easement on behalf of the Board of Regents.

Record copies of the easements will be on file in the office of the Vice President for Governance and in the Office of Legal Counsel. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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## 4.16 — FINANCIAL EMERGENCY POLICY

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While it is assumed that the administration of the University has a continuing responsibility for maintaining a sound budget and that through responsible financial management and appropriate retrenchment policies all approaches for averting a financial crisis will be utilized, it is possible that a financial emergency might become inevitable. The following statement outlines the administrative policies and the procedures for such an eventuality.

The Board of Regents has ultimate responsibility for the financial integrity of the University. Decisions resulting from these policies and procedures are subject to the approval of the Board of Regents, which may take into consideration such factors as it deems appropriate.

### 4.16.1—DEFINITION

A state of financial emergency will be declared whenever the Educational and General Part I budget allocation to the agency necessitates reductions in faculty or staff or reductions in operational budgets that would seriously erode program quality.

The President will decide and declare when the University is in a state of financial emergency. Based upon input received, the President will submit a plan of action to the Board of Regents for approval. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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## 4.17 — INITIATIVES TO IMPROVE EFFECTIVE USE OF FUNDS POLICY

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The University places a high priority on reducing administrative costs and directing money into teaching, libraries, and other academic programs. The University has realized significant success in these areas but is committed to continual progress. In some cases, the University can provide services at lower costs by adopting a single program for the University.

When a proposal for a contract, policy, or action that might apply to multiple campuses is brought to the Board of Regents, the item will include a report of an analysis of the applicability to all campuses. When the analysis indicates benefits for including two or more campuses, the [Board of Regents' action item](#) will include a plan for extending the action to multiple campuses in a thoughtful and timely manner. (~~RM, 1-27-2004, p. 28900, 28911~~)

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## 4.18 — OTHER UNIVERSITY POLICIES AND PROCEDURES

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In addition to the policies approved by the Board of Regents as expressed in the *Regents' Policy Manual*, the President and/or his or her designee and the Vice Presidents for ~~B~~business ~~A~~affairs and/or ~~his or her~~their designees are authorized to develop, disseminate, and implement other prudent financial and management procedures and policies that, in their judgment, facilitate the effective administration of the University. (~~RM, 1-27-2004, p. 28900, 28911~~)

## SECTION 5 — UNIVERSITY COMMUNITY

The Board of Regents is vested with the governance of the University. Within its authority is the governance of the campus communities, including without limitation, preserving a peaceful environment. Specific provisions pertaining to the governance of the campus communities and related matters may be set forth in the Faculty and Staff Handbooks, student handbooks, and/or other official policy documents of the University. Any modification to a Board of Regents' policy in the policy documents referred to above or elsewhere must be made through action of the Board of Regents.

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### 5.1—FRATERNITIES AND SORORITIES

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#### 5.1.1—MEMBERSHIP RECRUITMENT

**Panhellenic Association** - Formal membership recruitment for the organizations of the Panhellenic Association shall take place during the fall and/or spring semesters at the discretion of the Panhellenic Association. The Panhellenic Association shall follow the recruitment guidelines and “Unanimous Agreements” of the National Panhellenic Conference (NPC). Chapter size shall be based on the “Quota-Total” system recommended by NPC, and used in combination with the “Preferential Bidding System” and “Continuous Open Bidding.”

**Interfraternity Council** - Formal membership recruitment for the organizations of the Interfraternity Council shall take place during the fall and/or spring semesters at the discretion of the Interfraternity Council. Open membership recruitment may take place throughout the fall and spring semesters. (~~RM, 1-27-2004, p. 28900, 28911~~)

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### 5.2—PRESERVATION OF PEACEFUL ENVIRONMENT

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The President and other appropriate University officials are authorized to take whatever actions are reasonably necessary to preserve a peaceful and orderly environment on the campus and to protect the safety and welfare of members of the University community.

Campus police are hereby authorized to remove from campus persons who interfere with or enter the campus to interfere with the conduct of campus activities; provided, this authority does not apply to University employees or students, all of whom are covered under other University policies. Persons so removed may appeal in accordance with the Notice to Vacate. (~~RM, 1-27-2004, p. 28900, 28911~~)





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**5.3—~~CAMERON UNIVERSITY AND ROGERS STATE~~  
~~UNIVERSITY STUDENT GOVERNMENT ASSOCIATION~~  
CONSTITUTION**

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The Constitution of the University Student Government Association is available in the Office of the Vice President for Student Services at Cameron University and in the Office of the Dean of Student Affairs at Rogers State University. (~~RM, 1-27-2004, p. 28900, 28911~~)

## SECTION 6 — ATHLETICS

All policies contained in Section 6 apply only to Cameron University.

The Board of Regents is vested with the governance of the University. Within its authority is the governance of the administration and management of University Athletics, including without limitation, ~~establishment of an advisory committee~~ intercollegiate athletics committee, administration of the Athletics Department, post-season participation, and student-athlete regulations. Specific provisions pertaining to the administration and management of University Athletics and related matters may be set forth in the Faculty and Staff Handbooks, student handbooks, and/or other official policy documents of the University. Any modification to a Board of Regents' policy in the policy documents referred to above or elsewhere must be made through action of the Board of Regents.

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### 6.1 — INTERCOLLEGIATE ATHLETICS COMMITTEE

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The Intercollegiate Athletics Committee serves in an advisory capacity to the Director of Athletics and the President. On request, the Committee reviews, interprets, and recommends policies and regulations regarding the conduct of the intercollegiate athletics program.

#### Membership:

Three Faculty – One elected by and from the Faculty Senate; two elected at large by the faculty.

Two Students – Two recommended by the Student Government Association President and approved by the Vice President for Student Affairs.

Two Administrators – Faculty Athletics Representative; Director of Athletics (ex-officio, non-voting)

#### 6.1.1—BUSINESS MATTERS

Annual budgets of the Athletics Department shall be prepared with active participation of the Vice President for Business and Finance. This process shall include an annual review of major capital improvement needs as recommended by the Athletics Department, and recommendations shall be made to the President assigning priorities to such needs and, as appropriate, assigning resources. There shall be made available to the Intercollegiate Athletics Committee full information on annual income and expenses of the Athletics Department.

The Vice President for Development shall review the fund-raising policies of the Athletics Department for adequacy and to ensure that all such activities are consistent with University policy. Any fund-raising activities must be approved by the President.

The Vice President for Business and Finance annually will review Athletics Department financial operations. Findings, suggestions, and recommendations as appropriate will be made to the President and the Director of Athletics.

### 6.1.2—PERSONNEL MATTERS

The Director of Athletics shall advise on personnel policy relating to key administrators and head coaches, including policies for salaries, bonuses, terminations, hirings, and definition of duties. One or more members of the Athletics Committee will be included on any search or screening committee for a head coach.

### 6.1.3—NCAA AND LONE STAR CONFERENCE

The Faculty Athletics Representative and Director of Athletics shall review proposed and actual NCAA and Conference legislation and decisions that may affect athletic matters at ~~Cameron~~the University. The President shall be informed by the Faculty Athletics Representative of any pending legislation or decision that may affect athletics at ~~Cameron~~the University. For items of concern, the Faculty Athletics Representative and Director of Athletics will advise the President of their position.

### 6.1.4—ATHLETICS S COMPETITION

The Faculty Athletics Representative annually shall review intercollegiate sports competition and make suggestions or recommendations as appropriate on facilities, scheduling, recruiting, rule changes, or other matters.

### 6.1.5—STUDENT SERVICES

The Faculty Athletics Representative and Director of Athletics annually will review how the athletics program fits as part of the overall student activities program of the University and make suggestions and recommendations on how to better serve the needs and interests of the student body, the faculty, staff, alumni, and community. (~~RM, 1-27-2004, p. 28900, 28911~~)

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## 6.2 — ATHLETICS S DEPARTMENT

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All financial activities of the Athletics S Department, including ticket sales, accounting, budget preparations, purchasing, and payroll shall be under the management of the ~~Athletic~~-Director of Athletics. In addition, all financial areas of the business office and ticket office shall follow University policies and procedures.

The ~~Athletic~~-Director of Athletics shall be responsible to the President ~~of the University~~ for all phases of intercollegiate athletics, including business management.

### 6.2.1—CONCESSIONS

The ~~Athletic~~-Director of Athletics shall be responsible for operation of concessions and merchandise sales at all athletics S events and surrounding areas. The Athletics S Department in consultation with the Vice President for Business and Finance may contract for such services.

### 6.2.2—USE OF ATHLETICS FACILITIES

The Athletic-Director of Athletics may establish fees for use of University Athletics Department facilities. The President and Athletic-Director of Athletics are authorized to establish modest annual fees for use of athletics facilities by University employees.

### 6.2.3—TERMS OF APPOINTMENTS OF ASSISTANT COACHES

Any terms of appointments of an assistant coach shall automatically terminate upon the termination of the appointment of the head coach as the head coach of the sport.

### 6.2.4—SOLICITATIONS IN ATHLETICS VENUES

No solicitations of cash donations are permitted in athletics event venues.

### 6.2.5—ATHLETICS SCHEDULES

The Director of Athletics shall have authority to approve schedules for all athletics events.

### 6.2.6—POST-SEASON ATHLETICS CONTESTS

#### **GUIDELINES FOR POST-SEASON PARTICIPATION**

##### **PURPOSE**

The primary reason for participation in post-season competition shall be as a reward for the student-athlete and Athletics Department personnel at the conclusion of a successful regular season. Post-season participation is a means to further recognize and promote, through national exposure, Cameron the University and its athletics program. Post-season participation should involve as many alumni, fans, friends, and supporters as possible. The planning, execution, and follow-up of post-season activities shall be accomplished in a manner consistent with state law, Board of Regents' policy, eConference and NCAA rules, and prudent management. (~~RM, 1-27-2004, p. 28900, 28911~~)

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## 6.3 — ATHLETICS POLICIES

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### 6.3.1—PURPOSE OF INTERCOLLEGIATE ATHLETICS

Since it is a major purpose of the University to provide the opportunity for all students to develop to the fullest possible degree all desirable abilities and skills, it shall be the purpose of intercollegiate athletics to provide the opportunity for each student to attain proficiency in athletics endeavors. The program shall be conducted in the realization that athletics is not an end in itself, but merely one of the contributing factors in the total education of the student.

The responsibility for the program of intercollegiate athletics shall rest upon the President ~~of the University~~ with the same faculty participation in the formulation of athletics policies that exists in the formulation of policies in other fields.

The amateur status of intercollegiate sports shall be carefully maintained. To this end, every ~~student~~-athlete should be required, as a condition of eligibility, to proceed normally in academic work toward the attainment of a University degree. A policy of providing financial aid to students who participate in athletics, when carefully regulated and limited in extent, is approved.

The University shall promote and insist upon sportsmanlike conduct on the part of those who participate in its sports, as well as those of the student body ~~who support its teams~~. Any Athletics Department staff member who knowingly commits a major violation of an NCAA or Conference rules or who conceals or attempts to cover up the violation of an NCAA or Conference rule will be terminated immediately and all contract rights will be terminated. Athletics Department staff members ~~found in~~ who commit lesser violations of any NCAA or Conference rules shall be subject to disciplinary or corrective action set forth in NCAA and Conference enforcement procedures. This provision shall be included in all Athletics Department letters of employment.

Any student-athlete who is knowingly involved in a major NCAA or Conference rule violation will be subject to disciplinary, eligibility, or corrective action, as set forth in the provisions of the NCAA and Conference enforcement procedures.

The President will meet yearly with the Athletics Department staff to emphasize the importance of compliance with NCAA and Conference rules.

The University shall notify its alumni and other representatives of its athletics interests of the absolute necessity of complying with NCAA and Conference rules. ~~The University's Guide to Rules Compliance is~~ guidelines are distributed to active representatives of its athletics interests to aid in compliance with NCAA and Conference rules.

### 6.3.2—DIRECTOR OF ATHLETICS

Since the Director of Athletics reports directly to the President, he shall meet with the President's staff on a regular basis, so the Director can become familiar with the overall goals and priorities of the University and work with the rest of the executive officers in meeting those goals and priorities.

The Director of Athletics shall be responsible for the conduct of the athletics programs at ~~Cameron~~ the University.

The Director of Athletics shall be directly responsible for the implementation of all Athletics Department regulations and policies.

All head coaches shall report directly to the Director of Athletics. All communications from head coaches within the Athletics Department to the President or to the Board of Regents concerning the operations of the Athletics Department for a particular sport or department shall be made through the Director of Athletics.

### 6.3.3—GENERAL STUDENT ATHLETE REGULATIONS

A Student-Athlete Handbook shall set forth written procedures for the discipline of student-athletes for conduct both on and off the athletics field. The procedures shall carry the clear intent and expectation of a structured and consistent discipline plan for student-athletes, which will be demanded and enforced by the coaches or the Director of Athletics where appropriate.

Any student-athlete charged with a crime (except traffic offenses or offenses not involving moral turpitude) will not participate on an athletics team while the charges are pending. If there is any question as to whether a student should continue to participate in a sport, that decision shall be made by the President, upon the recommendation of the Director of Athletics. The student-athlete's scholarship will be continued unless it is determined ~~that the student-athlete should be suspended from the University~~ for ~~the its~~ immediate health and safety of the University that the student-athlete should be suspended from the University and/or it is otherwise revoked or non-renewed in accordance with University policy or NCAA rules and regulations. If an immediate suspension from the University is ordered, the student-athlete is entitled to a hearing within 15 days to determine if that administrative action was appropriate.

### 6.3.4—ACADEMIC STANDARDS

The academic plan for the Athletics Department is established to ensure the academic standards of the University are maintained by all Athletics Department personnel and all student-athletes to ensure the graduation rate for student-athletes shall continue to be equal to or better than the graduation rate for all other students at the University.

An individual academic plan for each student-athlete entering ~~Cameron~~the University shall be developed. Each student-athlete's progress in meeting that plan shall be monitored. Each academic plan should be devised so the student-athlete who enters as a freshman can anticipate graduation within a period of five years. Plans for transfer student-athletes should be devised so a student-athlete should graduate within an appropriate period of time after enrollment.

The grade performance of all student-athletes shall be monitored. A reporting system for class attendance shall be maintained. A report of the academic progress of all student-athletes, including graduation rates, shall be prepared each semester and delivered to the Director of Athletics and the Faculty Athletics Representative.

In advance of the signing of any letter of intent or the awarding of any scholarship in any sport, the Faculty Athletics Representative shall make a determination that the prospective student-athlete can meet the academic standards of the University. High school officials and counselors shall be consulted regarding the prospective student-athlete's potential for personal and academic success.

### 6.3.5—COMPLIANCE

Written policies shall assign specific responsibilities in areas of rules compliance. The President, through the Director of Athletics, has direct responsibility for rules compliance and the overall responsibility for the athletics program.

An instructional program for all coaches and other Athletics Department personnel shall be established and maintained so they are aware of NCAA and Conference rules.

An instructional program for all student-athletes and prospective student-athletes shall be established and maintained so they are aware of their responsibility to comply with NCAA and Conference rules.

An instructional program for all alumni and other supporters who participate with the Athletics Department in the recruiting of student-athletes shall be established and maintained. Such alumni and other supporters shall be provided a copy of the Conference and NCAA rules, where appropriate, or with the [University guidelines, Compliance Handbook](#).

Critical areas of University compliance include the regular participation of persons outside the Athletics Department including, without limitation, the Director of Financial Aid, the Director of Admissions, the Registrar, the Faculty Athletics Representative, University Legal Counsel, and others as appropriate.

The rules compliance program is the subject of annual evaluation by the [Intercollegiate Athletics Committee](#).

### **6.3.6—COACHES AND ATHLETICS DEPARTMENT PERSONNEL**

The annual evaluation of each coach to determine merit salary increases shall include not only the successes of the athletics team he or she coaches, but the academic performance of the student-athletes participating in the sport coached. The same rule shall apply to the Director of Athletics.

### **6.3.7—PRESIDENTIAL AUTHORITY TO MODIFY CERTAIN ATHLETICS POLICIES**

The President may approve changes in athletics policies and [shall](#) report any such changes to the Board of Regents. (~~RM, 1-27-2004, p. 28900, 28911~~)

## SECTION 7 — UNIVERSITY DEVELOPMENT

The Board of Regents is vested with the governance of the University. Within its authority is the governance of fundraising and development, including without limitation, gifts, naming opportunities, endowments, and fundraising. Specific provisions pertaining to fundraising, development, and related matters may be set forth in the Faculty and Staff Handbooks, student handbooks, and/or other official policy documents of the University. Any modification to a Board of Regents' policy in the policy documents referred to above or elsewhere must be made through action of the Board of Regents.

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### 7.1 — GIFTS RECOGNITION PROGRAM

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Annual gifts by alumni and friends of the University provide important enrichment funds to all programs of the University and assist in strengthening ties and communication between donors and the University. To acknowledge and show appreciation for this important source of continuing support, the University will recognize donors through events, activities, and publications. All requests for anonymity will be honored.

#### 7.1.1—GIFT RESTRICTIONS

Gifts may be unrestricted or restricted to the University, school, department, or program of the donor's choice.

#### 7.1.2—ANNUAL FUND YEAR

Credit toward gift recognition levels is awarded for gifts made during the annual fund year. The annual fund year begins July 1 and ends June 30.

#### 7.1.3—DONOR GIFT CREDIT

If requested, donor and spouse may be jointly listed with one gift. If a joint or preferred listing has not been indicated on the gift remittance form, only the individual receipted for the gift (check signer) will receive gift credit. If special public recognition is planned, through a publication, signage, or event, University Development will contact the donor to determine the donor's intention for gift recognition.

~~Individuals may be credited within the recognition levels listed previously.~~ Individual gifts paid with company or business checks will be credited to the individual(s) who received the original solicitation or the individual assigned to receive donor credit on the gift remittance form if requested.

### 7.1.4—GIFT CREDIT

Donors will receive credit for cumulative gifts made during the annual fund year. Individuals also will receive credit for the total value of gifts matched through corporate matching gift programs. Spouses making separate gifts will receive separate recognition unless they request to be jointly listed.

Pledges are not credited toward a specific gift recognition level until the paid portion or entire paid balance exceeds the minimum gift level requirement. If the Annual Fund year concludes before a pledge is fulfilled, credit will be given for the amount of the paid portion. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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## 7.2 — GIFTS TO THE UNIVERSITY

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The University actively encourages and appreciates gifts to the University that benefit students and the mission of the University. The purpose and conditions for gifts are expected to conform to the Board of Regents' policy, Oklahoma State Regents for Higher Education policy, and all applicable laws.

The President of the University will announce major gifts (over \$100,000) at meetings of the Board of Regents. Special action by the Board of Regents is required when gifts involve the naming of buildings and major facilities and the naming of University schools and major programs.

The Cameron University Foundation, Inc., and Rogers State University Foundation, Inc., are independent organizations with their own governing boards and their own policies on accepting gifts. In certain situations that require action by the University – for example, establishing and filling a chair – the Foundation asks the University to join with it in accepting a gift and the acceptance of such gifts is covered by this policy.

~~Normally, the~~ Board of Regents will ~~accept~~~~look favorably on~~ gifts to the University unless there are clear and compelling reasons to decline, ~~such as:~~ ~~Possible reasons to decline a gift include~~ (a) the funds were obtained from questionable sources or (b) the purpose for or conditions on the gift are illegal or not in accord with the mission and goals of the University or the policies of the Board of Regents. The Board of Regents reserves the right to decline gifts if, in its sole judgment, ~~not accepting the gift is in the best interests~~ of the University.

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## 7.3 — NAMES OF BUILDINGS AND OTHER GIFTS SELECTED BY DONORS

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The following policies and guidelines for endowed funds facilitate the processing of major gifts, which are to be used primarily for endowment purposes:

- 1) Donors, the University, and if applicable, the Foundation, must agree on terms before a gift is accepted, either as an endowment or an expendable account.

- 2) The Development Office should be notified immediately when a prospective donor inquires into establishing an endowment. The Development Office or designated development officer will work with the academic dean, department chair/head, and a representative of the Foundation, if applicable, in establishing the endowed fund and developing the terms of the agreement.
- 3) Each endowment will have specific guidelines that detail the purpose(s) of the endowment and provide a method for obtaining approval of changes in the endowment guidelines and procedures.
- 4) The University or the Foundation may seek changes through probate to any bequeathed endowment that has guidelines that are in violation of University policy and/or law.
- 5) Investment of endowment funds will be administered by the appropriate ~~officially designated~~ governing boards. Investment of endowment funds in the Cameron University Foundation, Inc.; and the Rogers State University Foundation, Inc., will be administered by the ~~respective~~ Trustees of the respective Foundation in compliance with the Foundation's investment policy.

A donor may express his/ or her preference for investment of assets, but final determination will be made by the appropriate governing board.

- 6) The principal may be deposited as the initial gift or accumulated over a period of time, determined at the time the gift is accepted.
- 7) Unless otherwise stipulated by the terms of the gift, earnings on the endowment fund shall be made available for expenditure in accordance with the spending policies of the appropriate board. Endowments in the Cameron University Foundation, Inc., and the Rogers State University Foundation, Inc., will be administered according to the guidelines adopted by the Trustees of the Foundations. It is the intent of the spending policies to maintain the purchasing power of endowment income and to protect the real value of the endowment for future generations.

### 7.3.1—ACADEMIC PROGRAMS

To name a school or department will require a significant endowment that will generate resources to strengthen and build excellence in academic and research programs. All naming requests require approval by the President and the Board of Regents.

### 7.3.2—BUILDINGS

Buildings included in the University's list of priority needs may be named in recognition of a major gift for construction. Generally a building may be named for one-half of the private funds required for the project or for one-half of the estimated cost of construction, unless otherwise stipulated as part of a University-approved fund-raising campaign with naming guidelines. New buildings to be constructed with a combination of private, state, and federal monies may suggest different naming requirements that will be established with approval by the President and Board of Regents.

Other new buildings may be named by a donor for the cost of construction.

Existing unnamed buildings on campus (i.e., buildings not named for an individual) may be named for a significant endowment that will generate sufficient resources to strengthen and enrich programs housed in the facility or that will provide for continued maintenance and operations of the building.

### ~~SPECIAL FACILITIES WITHIN BUILDINGS~~

Laboratories, auditoriums, classrooms, and other special rooms or facilities within existing or future buildings may be named for one-half of the estimated value of the facility or the full cost of renovation.

### 7.3.3—NAMED GARDEN OR LANDMARKS

Existing gardens or landscaped areas of campus may be named with the establishment of an endowment to support annual plantings and upkeep.

Creation of new gardens or campus landmarks may be named for the donor for the cost of construction and an arrangement for annual upkeep.

### 7.3.4—ENDOWED FACULTY POSITIONS

The establishment of endowed faculty positions is encouraged for the opportunities they provide to enrich and strengthen the teaching and research programs of the Universities in perpetuity.

An endowed chair or professorship enables the University to strengthen its academic programs by recruiting, recognizing, and retaining nationally renowned educators, scholars, and researchers and to provide the University with enrichment funds that support and strengthen academic activities. It is proposed, therefore, that each endowed faculty position will be supported in part by a state-funded faculty line.

Earnings from the endowed positions also may be used to support travel, equipment, supplies and staffing needs of the position. When the position is not filled, all or a part of the annual earnings will be returned to the principal. Earnings not returned to the principal may be encumbered to provide monies for recruiting, start-up funding, equipment, or supplies for the appointee.

Endowed faculty positions will be effective when the full donor-funding component is received.

**Named Endowed Chair** — Requires a minimum endowment of \$500,000, which can be provided entirely from private sources or through \$250,000 in private funding, matched by \$250,000 from the Oklahoma State Regents' Endowment Program.

**Named Endowed Professorship** — Requires a minimum endowment of \$250,000, which can be provided entirely from private sources or through \$125,000 in private funding matched by \$125,000 from the Oklahoma State Regents' Endowment Program.

**Named Endowed Lectureship** — Recommended endowment of \$50,000, which can be provided entirely from private sources or through \$25,000 in private funding matched by \$25,000 from the Oklahoma State Regents Endowment Program.

### 7.3.5—ENDOWED UNDERGRADUATE SCHOLARSHIPS

**Named Endowed Scholarship Funds** – May be established with a recommended endowment of \$10,000. This generally will support one scholarship on an annual basis. The amount of the scholarship will be limited by the annual earnings.

A constant effort will be made to keep scholarship guidelines flexible to alleviate any possible difficulties that would make it impossible to administer the scholarship in any one year.

Scholarship guidelines cannot exclude students on the basis of race, color, national origin, sex, age, religion, disability, political beliefs, or status as a veteran.

In compliance with the Internal Revenue Code, donors will not be permitted to select the recipients of the scholarships which they sponsor.

All criteria for endowed scholarships should be predetermined and outlined prior to approval and acceptance by the University and the University's Foundation.

Scholarship recipients should communicate annually, during the term of the scholarship, with the donors of the endowed scholarships. ~~(RM, 1-27-2004, p. 28900, 28911)~~

## 7.4 — NAMES OF CAMPUS FACILITIES

~~The Board of Regents will formally approve~~ The naming of major campus buildings or additions requires the approval of the Board of Regents. The Board of Regents also reserves the right to ~~approve or~~ deny the naming of any campus facility, other than that which designates the type of work done therein, as a way to ensure that no name is given to a campus facility that does not reflect the ideals of the University; as well as the right to rename campus buildings or additions. ~~and a~~ No facility shall ordinarily be named after individuals who are members of the active faculty or staff of the University. ~~(RM, 1-27-2004, p. 28900, 28911)~~

## 7.5 — PRIVATE FUND-RAISING

The President ~~of the University~~ is responsible to the Board of Regents for all private fund-raising for the University. The President may delegate responsibility for the function, but such delegation does not diminish his or her responsibility. This policy applies to all elements of the University and is designed to assist the President in coordinating and directing this ~~very important function in the operation of the~~ University function. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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## 7.6 — ALUMNI/DONOR RECORDS

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### 7.6.1—MAINTENANCE OF RECORDS

The University Development Office is committed to maintaining an updated, current listing of alumni and friends. Therefore, any information received by any campus division regarding name, address, family history, degree, etc., of any alumnus should be forwarded to the University Development Office. Although alternative or parallel databases may be created in other campus locations, these are to be considered ancillary, and any information regarding alumni records should be transferred to the University Development Office.

### 7.6.2—REQUESTS FOR INFORMATION

All requests for alumni information from any University division should be directed to the Vice President for Development. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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## 7.7 — APPROVAL OF ALL FUNDRAISING ACTIVITY

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~~The Vice President for Development has the authority in all policy matters regarding the raising of private funds at the University.~~ Any fundraising activity, whether on behalf of students, faculty/staff, schools, or programs, must be approved by the ~~President~~Vice President for Development. Any communication developed for potential donors, whether individuals, corporations, or foundations, must be approved by the Vice President for Development. This includes proposals, letters, brochures, and pledge or gift cards. This policy is designed to protect the University's friends and alumni from multiple solicitations by schools and programs. If multiple University divisions seek to solicit the same prospective donor, the President ~~of the University~~ may be asked to make the ultimate decision on which entity ~~might~~will move forward with a solicitation. ~~(RM, 1-27-2004, p. 28900, 28911)~~

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## 7.8 — ORGANIZATION OF UNIVERSITY DEVELOPMENT

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The Vice President of Development ~~will have sole authority to~~shall oversee all aspects of development and alumni affairs. The Vice President of Development will oversee management of the alumni association and assume responsibility for annual, major, corporate, and foundation giving. In addition, the Vice President of Development also will regulate fundraising efforts within all divisions of the University. ~~(RM, 1-27-2004, p. 28900, 28911)~~