

REGENTS' POLICY MANUAL FOR THE UNIVERSITY OF OKLAHOMA

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APPENDIX A -BY-LAWS OF THE BOARD OF REGENTS

SECTION 1—ADMINISTRATION

The Board of Regents is constitutionally 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 such as the Student Code of Responsibilities and Conduct for the Norman Campus, and/or other official policy documents of the respective campuses. 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.

1.1—FUNCTIONS OF THE UNIVERSITIES

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

FOR THE UNIVERSITY OF OKLAHOMA

- a) Both lower- and upper-division undergraduate study in a number of fields leading to the bachelor's or first professional degree;
- b) Graduate study in several fields of advanced learning leading to the master's degree;
- c) Graduate study in selected fields leading toward the doctoral degree;
- d) Organized basic and applied research;
- e) Statewide programs of extension study and public service;
- f) Statewide programs designed to promote the economic development of Oklahoma;
and
- g) To the extent resources are available, to carry out limited programs and projects on a national and international scale.

FOR CAMERON UNIVERSITY AND ROGERS STATE UNIVERSITY

- 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.

1.2—BOARD OF REGENTS

1.2.1—ADMINISTRATION

As provided by law, the Board of Regents of The University of Oklahoma (hereafter “Board of Regents” or “Board,” 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, 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 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—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 State Regents' Education Program is mandated by state law. 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 of the Oklahoma Constitution, shall constitute a body corporate by the name of Regents of The University of Oklahoma and shall be the government of The University of Oklahoma, Cameron University, and Rogers State University. The Board 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 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 channels 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 designees may publicly explain prior Board of Regents' action as deemed necessary and proper.
- b) Nothing in the preceding subsection 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; 12-2-2003, p. 28868)

1.2.6—POWERS AND DUTIES

The Board of Regents shall have the supervision, management, and control of The University of Oklahoma and all its integral parts, of Cameron University, and of Rogers State University and shall have the following additional powers and duties:

- a) Adopt such rules and regulations as it deems necessary to govern The University of Oklahoma, Cameron University, and Rogers State 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 of Oklahoma, Cameron University, and Rogers State 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 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 of Oklahoma, Cameron University, and Rogers State 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 of Oklahoma, Cameron University, and Rogers State University.
- h) Acquire and take title to real and personal property in its name, on behalf of The University of Oklahoma, Cameron University, and Rogers State University and convey, exchange, or dispose of, or otherwise manage or control, such property in the interest of The University of Oklahoma, Cameron University, and Rogers State 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 of Regents on behalf of The University of Oklahoma, Cameron University, and Rogers State University.
- i) Have supervision and charge of the construction of all buildings at The University of Oklahoma, Cameron University, and Rogers State University.
- j) Determine the need for and cause to be constructed, residence halls and other buildings, on a self-liquidating basis, at The University of Oklahoma, at Cameron University, and at Rogers State University.
- k) Establish and maintain plans for tenure and retirement of employees of the Board of Regents and of The University of Oklahoma, Cameron University, and Rogers State University, and for payment of deferred compensation of such employees; and provide health, 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 institution. 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 of Oklahoma, Cameron University, and Rogers State University. The State Treasurer shall issue a warrant 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 President and Secretary of The University of Oklahoma, the President of Cameron University, and the President of Rogers State University.
- 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 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)

1.3—ACTING PRESIDENT

On occasion, the President of The University of Oklahoma, the President of Cameron University, and/or the President of Rogers State University, on account of official business, vacation, illness, or other unavoidable cause, are absent from their 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 of Oklahoma, Cameron University, and Rogers State University will be as follows:

THE UNIVERSITY OF OKLAHOMA

Senior Vice President and Provost, Norman Campus

Senior Vice President and Provost, Health Sciences Center

Vice President and General Counsel

Vice President, Administration & Finance, Norman Campus

Vice President, Development

Vice President, Administration & Finance, Health Sciences Center

Vice President, Student Affairs

CAMERON UNIVERSITY

Provost

Vice President for Business and Finance

ROGERS STATE UNIVERSITY

Vice President, Academic Affairs

Vice President, 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.

(RM, 2-8-79, pp. 15373-74; 3-21-95, p. 24290; 12-2-2003, p. 28868)

1.4—ADMINISTRATIVE SEARCH COMMITTEES

The selection of the President 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 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 and the Board of Regents be guided by them in most instances, but it is understood that the President and the Board of Regents shall not be bound by nor limited to nominations and recommendations of administrative search committees.

PRESIDENT OF THE UNIVERSITY

It is recommended that presidential search committees shall have representation by faculty, student(s), and staff. The Board of Regents appoints these members from nominees selected by the official faculty, staff and student governance organizations on each campus. 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.

SENIOR VICE PRESIDENT AND PROVOSTS, VICE PRESIDENTS, AND VICE PROVOSTS

The senior executive search committee shall have faculty, student, and staff representation. The President shall appoint these members from nominees selected by the official faculty, staff, and student governance organizations on each campus. There shall be twice as many nominees as there are positions. The President may designate other members as deemed appropriate; provided, designees from outside the University shall be subject to the approval of the Board of Regents.

DEANS

The Dean search committee shall have faculty, student, and staff representation. The procedure for selecting student and staff representation shall be as outlined above. Upon requesting nominations by faculty members, the President shall designate the number of positions to be filled from (1) the general faculty of the particular college 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 official faculty governance organization. In all cases, there shall be twice as many nominees as there are positions. The President shall make all appointments.

(RM, 5-12-83, pp. 17493-95; 3-21-95, p. 24290; 3-29-00, p. 26909; 12-2-2003, p. 28868)

1.5—COMPLIANCE CERTIFICATION

The President or the President's authorized designees may 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; 12-2-2003, p. 28868)

1.6—INTERIM OFFICERS

At the time of appointment to the position of Interim President, Interim Senior Vice President and 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; 12-2-2003, p. 28868)

SECTION 2—GENERAL POLICIES

The Board of Regents is constitutionally vested with the governance of the University. Within its authority is the governance of all faculty personnel matters, including without limitation, academic freedom and responsibility, appointments, evaluations, academic misconduct, 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 such as the Student Code of Responsibilities and Conduct for the Norman Campus, and/or other official policy documents of the respective campuses. Any modifications 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.

2.1—FACULTY PERSONNEL POLICIES

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 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.

Since 1942, the Regular Faculty has actively participated in the origination, formulation, and implementation of University policies through a democratically-elected Faculty Senate. Today, there are two Senates, one for the Norman Campus and one for the Health Sciences Center Campus. The charters for these two Faculty Senates may be found in this Manual.

2.1.1—THE REGULAR FACULTY

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

Additional policies related to the Regular Faculty and the Faculty Senates are contained in the Charters of the Regular Faculty and Faculty Senates of the University.

2.1.2—ACADEMIC FREEDOM AND RESPONSIBILITY

INSTITUTIONAL ACADEMIC FREEDOM

The accumulation and exchange of knowledge are 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 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).

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 University 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 that 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. Subject to University policy, some activities, such as seeking election to an office for which extensive campaigning is not required, or service in a part-time political office, may be consistent with effective service as a member of the faculty.
- 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.

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

the 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).

ACADEMIC RESPONSIBILITY

The concept of academic freedom shall be accompanied by an equally demanding concept of academic responsibility. Nothing in the following statement is intended to abridge in any way the principles and procedures advanced in the 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments of the American Association of University Professors. This statement is derived in substantial measure from the AAUP 1966 Statement on Professional Ethics as revised in 1987.

1. Faculty members, 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 faculty members 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 faculty members may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
2. As teachers, faculty members encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Faculty members demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Faculty members 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 faculty member 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, faculty members have obligations that derive from common membership in the community of scholars. They do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas, faculty members show due respect for the opinions of others. They acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Faculty members accept their share of faculty responsibilities for the governance of their institution.

4. As members of an academic institution, faculty members seek above all to be effective teachers and scholars. Although faculty members observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. They 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, faculty members 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, faculty members have the rights and obligations of other citizens. 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. 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, faculty members have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

(RM, 6-23-04, p. 29151)

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 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 faculty member's chair or (for the Norman Campus) chair or director and Committee A, who should maintain close and regular communication with the faculty member. Among the various mechanisms for ensuring faculty accountability, the most important include annual evaluations for possible salary increases, annual progress towards tenure letters for tenure-track faculty on the Norman Campus, post-tenure reviews for tenured faculty on the Norman Campus, 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.

Counseling, career development support, and other kinds of administrative remedies are available to academic units in their normal operations, as a means of attempting to rectify poor professional performance or breaches of academic responsibility. If normal administrative remedies fail to correct a faculty member's poor professional performance or breach of academic responsibility, the President may

consider applying a minor sanction, such as a formal reprimand. Prior to any such action, the President shall have consulted fully with the appropriate academic administrative officers including the appropriate chair or director, dean, and Senior Vice President and Provost.

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

2.1.4—ATTENDANCE AT SUMMER INSTITUTES

Academic administrative officers on 12-month appointments and in direct charge of academic programs, upon proper prior application and recommendation, may be allowed to attend summer institutes designed to improve or maintain their scholarly qualifications for their University work, at no expense to the University other than the continuation of regular salary during the period of the institute, subject to the following conditions:

- 1) The applicant will be expected to count the time spent in the institute as vacation time.
- 2) A maximum of two weeks beyond the applicant's entitlement of vacation time may be spent in the institute without loss of salary.
- 3) The frequency of such an arrangement may not be greater than once in three summers.

Approval of such an arrangement in each individual case may be given by the President upon recommendation of the appropriate dean, as appropriate, and Senior Vice President and Provost, based upon the work load in the academic unit involved, the appropriateness of the institute to the applicant's work, and the ability to handle the applicant's work during his absence at no extra cost to the University.

(RM, 5-13-65, p. 8147; 1-27-2004, p. 28924; 6-23-04, p. 29151)

2.1.5—FISCAL RESPONSIBILITY

In each case where tenure is awarded, there must be assurance that continuing financial support can reasonably be anticipated. The Senior Vice President and Provost for each campus, in conjunction with the respective deans, shall determine whether funds are sufficiently secure to support the awarding of tenure.

(RM, 1-27-2004, p. 28924)

2.1.6—PROFESSIONAL ACTIVITIES OF THE FACULTY

Above all else, the University exists for learning and scholarship of a breadth and depth that results in excellence in all of the University's major missions: 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 the missions of the University. Faculty members play a central role in the realization of these missions 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.

TEACHING

Teaching, which is the transmission of knowledge and cultural values, focuses upon helping students learn. As a part of its mission, the University is dedicated to undergraduate, graduate, professional, and continuing education. Teaching includes, but is not restricted to, giving regularly scheduled instruction, directing graduate work, and counseling and advising students. This includes the direction or supervision of students in reading, research, clinical rotations, internships, residencies, or fellowships. Faculty supervision or guidance of students in recognized academic pursuits that confer no University credit also should be considered as teaching. Faculty performing non-administrative professional duties for which they are employed shall be regarded as engaged in teaching when the clear and direct purpose and function of these activities is academic instruction. Professional librarians in the discharge of their professional duties shall be regarded as engaged in teaching.

RESEARCH AND CREATIVE/SCHOLARLY ACTIVITY

Research, which is the development and validation of new knowledge, focuses upon faculty participation in the extension of knowledge and maintenance of professional development and vitality. Research means systematic, original investigation directed toward the enlargement of human knowledge or the solution of contemporary problems. Creative/scholarly activity is understood to mean significantly original or imaginative accomplishment in literature, the arts, or the professions. The criteria for judging the original or imaginative nature of research or creative/scholarly activity must be the generally accepted standards prevailing in the applicable discipline or professional area. To qualify as research or creative/scholarly activity, the results of the endeavor must be disseminated and subject to critical peer evaluation in a manner appropriate to the field in question.

Included as a meritorious type of scholarly achievement are technology transfer successes and patent awards.

PROFESSIONAL AND UNIVERSITY SERVICE AND PUBLIC OUTREACH

Professional and University service and public outreach is work done or duties performed by a faculty member to advance the interests and capabilities of various communities, either inside or outside of the University. These activities should stem from the faculty member's professional expertise (which is expertise deriving from the individual's professional activities in the categories of teaching; research and creative/scholarly activity; and professional and University service and public outreach; as described herein), and they should support and enhance the faculty member's scholarly stature. The evaluation of professional and University service and public outreach should be in terms of quality and effectiveness of performance and should take into account: (1) the relation of the service and public outreach to the general welfare and efficacy of the University's missions; (2) the relation to the welfare and furtherance of the faculty member's discipline; (3) the effect of the service and public outreach on development of a faculty member's value, professional competence, or professional skills; (4) the enhancement of the capabilities of University colleagues in their teaching; research and creative/scholarly activity; and professional and University service and public outreach.

2.1.7—SABBATICAL LEAVES 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, college 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:

- Research on significant problems and issues.
- Important creative or descriptive work in any means of expression; for example, writing or painting.
- Postdoctoral study at another institution to update teaching skills.
- 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 Senior Vice President and Provost, through the chair or director and college 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.

(a) Conditions of Award

Approval of a sabbatical leave of absence with full or partial pay depends on the ability of the faculty member's college to absorb the financial obligation and on the college's ability to provide teaching without loss of quality.

A faculty member applying for a sabbatical leave and receiving a stipend for the same period from another institution or agency may still receive a sabbatical provided that it appears to the Senior Vice President and Provost that it is in the best interest of the University and will be needed to prevent financial loss to the faculty member obtaining the sabbatical.

Normally, faculty on sabbatical leave at full pay may not receive additional compensation from within the University for teaching in Advanced Programs, Liberal Studies, Intersession, or other University programs, since such activities would diminish the sabbatical time for study and creative activity. However, the Senior Vice President and Provost may approve exceptions provided that it appears to be in the best interest of the University. Faculty on sabbatical shall resign from all councils, standing committees, and administrative advisory committees of the University, except graduate students' committees, in order to devote their full time to their projects. The obligation to supervise and advance the work of graduate students shall continue during the sabbatical leave.

As a condition of receiving approval of a sabbatical leave, the sabbatical recipient shall sign a statement of commitment to return to the University for one year following the sabbatical or to remit the salary and cost of benefits received from the University during the sabbatical leave, unless this requirement is waived by the President, in writing.

(b) Benefits Payable

Employment benefits for faculty members on full sabbatical with salary will continue at full benefits levels. Employment benefits for faculty members on sabbatical leave at less than full salary will be as follows:

Health, Accidental Death/Dismemberment and Dental insurance will continue at full benefit level. Social Security contributions will be based on the actual salary paid, and the normal Defined Contributions Plan will be computed by reducing the salary that is exempt (normally the first \$9,000) in the same proportion to the sabbatical FTE. For example, for a faculty member on sabbatical leave at half pay for a year, the exempt salary will be reduced to \$4,500.

(c) Eligibility

The semesters that are counted toward eligibility for sabbaticals are the fall and spring semesters only and do not include the summer term.

After six years of service, faculty on nine-month appointments may be granted a sabbatical leave at half pay for a period not to exceed two semesters or at full pay not to exceed one semester. After six years of service, faculty on 12-month appointments may be granted a sabbatical leave at half pay for a period not to exceed 12 months or at full pay for a period not to exceed six months. The term "six years of service" refers to full-time appointments in a regular faculty appointment at the University, but not counting leaves of absence without pay. The term "six years of service" also includes other full-time service at the University that has been included in the probationary period for tenure. Such service at other institutions of higher learning shall not be included.

A faculty member's eligibility to apply for subsequent sabbatical leaves is established by length of service following return from the previous sabbatical leave in accord with the schedule referred to above. Occasional exceptions to the rule may occur when a faculty member who is otherwise formally

determined to merit a sabbatical leave is obliged to postpone it for the convenience of the University. In exceptional cases, the President may determine the period of delay be considered as part of the period of service establishing eligibility to apply for the next sabbatical leave.

(d) Procedures

The procedure to be followed in applying for a sabbatical leave shall be as follows:

The faculty member shall apply to the department. After recommending approval or disapproval, the department chair or director shall submit the application to the college dean by February 1 for sabbaticals beginning in the following academic year or later and no later than July 15 for sabbaticals beginning the following spring semester. The dean will hold all applications for comparative review and recommend, by ranking in order of merit, to the appropriate Senior Vice President and Provost. The Senior Vice President and Provost may seek the advice of the Council on Faculty Awards and Honors. The Senior Vice President and Provost will recommend to the President, who will make recommendations to the Board of Regents for the April and September meetings respectively.

(RM, 5-11-78, p. 14960; amended, 9-9-82, p. 17181; 4-12-84, p. 17876; 1-17-85, p. 18239; 7-23-87, p. 19826; 1-24-95, p. 24220; 1-27-2004, p. 28924; 6-23-04, p. 29151)

2.2—FACULTY APPOINTMENTS

2.2.1—APPOINTMENTS

Norman Campus

Regular faculty appointment(s) to an academic position must be (a) tenure-track appointment (beginning and terminating at a specified date), (b) a tenured appointment (beginning with and following the granting of tenure) or (c) renewable term/ appointment (renewable annually for a fixed term); and must be at the rank of assistant professor, associate professor, or professor.

Appointment of New Faculty - In the appointment of new faculty, action is initiated by the academic unit through the respective dean to the Senior Vice President and Provost, President, and in accord with the prevailing policies of the Board of Regents. The University follows the law of the land regarding equal opportunity.

(a) Formal Offer - The formal offer of appointment must come from the Senior Vice President and Provost or the President and shall include supplemental information necessary to access an on-line copy of the Norman Campus Faculty Handbook, the Human Resources website regarding employee benefits, and the website for information regarding various compliance and intellectual property policies. For those whose full time equivalent salary is \$100,000 or more, the offer will include the statement that the appointment is contingent upon the approval of the Board of Regents.

(b) Contract – For those appointments that require Board of Regents' approval, if the appointment is approved by the Board of Regents, a Contract of Employment will be furnished to the applicant for signature if the formal offer is accepted. Included in this contract will be the approved rank and salary and a statement indicating that the applicant has read the faculty handbook along with the necessary additions to reflect policies current at the time of appointment and accepts appointment in accord with University policies, with the understanding that policies of the University are subject to change by the Board of Regents.

Appointment Period for the Norman Campus - Faculty appointments for the academic year are made for the period August 16 through May 15, though the instructional period may not correspond precisely to these dates. It is the responsibility of the appropriate chair or dean to notify each faculty member of the date the faculty member is expected to start work. The appointment period for the first semester ends December 31, even though the semester may end at a different time.

Some faculty members on the Norman Campus who have administrative responsibilities are appointed on a 12-month basis, for the period July 1 through June 30.

Summer term appointments for both campuses for the regular eight-week period are effective June 1 through July 31. Again, the appointment period does not coincide exactly with the instructional period.

Tenure-Track, Tenured, Renewable Term and Temporary Appointments - Faculty appointments may be tenure-track, tenured, renewable term, or temporary.

For simplicity, the term “regular faculty appointment” refers to those appointments that are tenure-track appointments, tenured appointments, or renewable term appointments at the academic ranks of assistant professor, associate professor, or professor.

(a) All other academic appointments are temporary (non-regular) and shall be indicated by such titles as instructor or lecturer or by the use of such adjectives as visiting, adjunct, affiliate, or acting. On the Norman Campus, temporary faculty may be appointed with either modified or unmodified titles as recommended by the academic unit in conformance with the Senior Vice President and Provost's Recommended Faculty Title Usage policy. Persons holding temporary appointments are not eligible for tenure and their contract shall so specify.

(b) Renewable term faculty with the rank of assistant professor, associate professor, or professor are regular faculty but are not are tenure-track or tenured. Any academic unit may request such faculty appointments, if the unit has dean and Senior Vice President and Provost approved requirements for evaluation and promotion of these faculty. Ranked (assistant, associate, professor) renewable term faculty participate fully in all aspects of faculty governance except deliberations regarding tenure.

At no time may the number of renewable term faculty exceed twenty percent of the number of regular faculty on the Norman Campus.

Split Appointments - Appointments between two or more academic units or colleges are not only possible but are encouraged when they benefit the University, provided they (a) do not total more than 1.0 Full-Time Equivalent (FTE) and (b) are approved by all the units and colleges involved. Such appointments must have the approval of the appropriate administrative officials of all units involved.

Before a faculty member receives a split appointment, the appropriate academic units must first mutually determine, record in writing, and secure administrative approval for all conditions of the appointment pertaining to such matters as probationary period, criteria for tenure and promotion, and procedures for recommending salary increases and reappointment or non-reappointment. The appointee shall receive a copy of this agreement.

In the case of faculty members holding a split appointment, it is expected that the chair/directors and Committees A from both units shall collaborate on one annual evaluation, one progress-towards-tenure letter, and one record for any other form of review and evaluation. In the case wherein there is disagreement between the academic units as to the appropriate evaluation, the next higher academic administrator shall resolve the conflict. For split appointments wherein both academic units are within the same college, this person shall be the academic dean of the college; for split appointments across two colleges or provost-direct academic units, this person shall be the Senior Vice President and Provost.

Part-Time Faculty Appointments - A part-time faculty appointment is one at less than 1.0 FTE. At the time of any part-time faculty appointment, the appointee and the University must reach a clear understanding of the terms of the appointment. This understanding shall be in writing and signed by the parties, and the appointee shall be given a copy.

A non-regular appointee shall have no voice or vote in faculty or department meetings and is not entitled to achievement of academic tenure within the department in which the appointee holds such appointment. The term of appointment shall be temporary.

(RM, 12-6-60, pp. 6704-05, edited; 3-29-00, p. 26909; 1-27-2004, p. 28924; 6-23-04, p. 29151; 9-17/18-09, p. 31815; 9-11-19, p. 36723; 1-28-2021, p. 37357)

Health Sciences Center

Faculty appointments may be tenure-track, tenured, consecutive term, temporary or volunteer. The type of appointment will be determined by the academic unit in consultation with the appointee and with the approval of the dean, the Senior Vice President and Provost and the University administration.

Full-time faculty appointments with unmodified academic titles (assistant professor, associate professor, and professor) shall be limited to those faculty who devote their full-time professional effort to direct University activities and who are compensated by the University or University-approved sources.

When service to the University is used as a basis for full-time academic appointment, teaching, research, clinical activities, and/or administration of academic units must constitute a major part of the faculty member's assigned duties. Exemption from this provision may be made with the consent of the academic unit, the Dean and the Senior Vice President and Provost.

Faculty who devote less than their full-time professional effort to direct University activities as defined above shall be eligible for faculty appointment with a modified academic title (visiting, adjunct, clinical, etc.).

Volunteer faculty appointments have a modified academic title, and are without remuneration.

(RM, 1-26-99, p. 26204; 12-3-02, p. 28355; 6-23-04, p. 29151)

Appointment of New Faculty

In the appointment of new faculty, action is initiated by the academic unit through the respective Dean to the Senior Vice President and Provost, and to the President, in accord with the prevailing policies of the Board of Regents.

Official Offer – The formal offer of appointment must come from the Senior Vice President and Provost or the President and will include the statement that the appointment is contingent upon the approval of the Board of Regents. The letter of offer will specify academic rank, appointment type (with tenure, tenure-track, consecutive term, or temporary), beginning date of employment, salary, full-time equivalent, the length of pretenure period if tenure-track and any special conditions pertaining to the appointment. Enclosed with the formal offer will be a copy of the Faculty Handbook, together with supplemental information on such matters as faculty benefits.

Initial assignments as set forth in the letter of offer may be changed and do not constitute an agreement that the assignments will remain the same throughout the faculty member's employment.

Contract – If the appointment is approved by the Board of Regents, faculty with regular (tenure-track, tenured, or consecutive term) appointments will be furnished a Contract of Employment for signature. Included in this contract will be the approved rank and salary. The Contract will contain a statement indicating that the applicant has read the Faculty Handbook and accepts appointment in accord with the policies specified, with the understanding that policies of the University are subject to change by the Board of Regents. Any exceptions to these policies must be described in the Contract.

In addition to the Contract for Employment, the appointee will receive a written statement provided by the department chair defining the appointee's initial teaching research, professional/clinical service and administrative responsibilities and other special conditions pertaining to the appointment. The department chair will also provide tenured, tenure-track and consecutive term appointees with copies of the department and college tenure and promotion criteria.

Compensation – The University recognizes that the professional effort of the faculty member may result in compensation in addition to the guaranteed base salary provided by the University. The conditions of such compensation are set out in each college's Professional Practice Plan and/or Faculty Compensation Plan.

(RM, 7-15-96, p. 25019; 12-3-02, p. 28355; 1-27-04, p. 28924)

Appointment Period

Most faculty appointments at the Health Sciences Center are 12-month appointments for the academic year, July 1 through June 30. However, the instructional periods may not correspond precisely to the faculty appointment dates. Some faculty members are appointed on a 9- or 10-month basis. The appointment period for the second semester begins January 1, even though the semester may begin at a different time. Summer session appointments for the regular eight-week period are effective June 1 through July 31.

It is the responsibility of the appropriate chair or dean to notify each faculty member of the date to start work.

(RM, 7-15-96, p. 25019; 1-27-04, p. 28924)

Tenure-Track, Tenured, Consecutive Term, and Temporary Appointments

(a) Full-time tenure-track or tenured appointments are regular appointments.

Consecutive term appointments are regular appointments. All consecutive term appointments are non-tenure-track. There are no restrictions placed on the number of renewable consecutive terms that may be served.

Eligibility for consecutive term appointments shall be determined by the academic unit, the dean, the Senior Vice President and Provost, and the University administration. This understanding shall be specified in the contract. The length of the consecutive term appointment shall end with the academic year.

No individual may be appointed to a regular faculty appointment until all Affirmative Action requirements have been completed.

(b) Temporary appointments begin and end at specified times, and do not extend beyond the end of each academic year. Temporary appointments do not require approval by the Board of Regents for salaries under \$60,000. No notice of non-reappointment is required for temporary appointees. Temporary faculty may not appeal non-reappointment to the Faculty Appeals Board. Except as noted in Section 3.3.7(c) all appointments less than 1.0 FTE are classified as temporary appointments.

Temporary appointments are indicated by titles such as instructor, lecturer, or associate, or are modified by such prefixes as visiting, adjunct, clinical, or acting. Other temporary titles are referred to in Section 3.2.1(b). Faculty on temporary appointments are not eligible for tenure and their letters of offer shall so specify.

Full-time faculty may serve a maximum of seven years in a temporary rank. Additional appointments must be regular (see 3.3.3(a)). The seven-year limitation on temporary appointments may be waived by the Senior Vice President and Provost, upon the application of the Dean and with the approval of the chair of the academic unit involved and the concurrence of the individual faculty member affected.

(RM, 7-15-96, p. 25019; 1-26-99, p. 26204; 12-3-02, p. 28355)

Joint and Secondary Appointments

- (a) Joint appointments – Joint appointments in two or more academic units or colleges are possible. Joint appointments consist of a primary appointment in two academic units or colleges, and cannot total more than 1.0 Full-Time Equivalent (FTE). Joint appointments must be approved by both academic units and colleges involved, the Senior Vice President and Provost, the President, and the Board of Regents consistent with the criteria below.

Before a faculty member receives a joint appointment, the appropriate academic units must mutually determine, record in writing, and secure administrative approval for the length of the pretenure period, and criteria for tenure, promotion, and reappointment or non-reappointment. The academic units must provide a written description of the faculty member's teaching, service, research and administrative responsibilities and other special conditions pertaining to the joint appointment. The faculty member shall receive a copy of this written statement.

(RM, 7-15-96, p. 25019; 12-3-02, p. 28355)

- (b) Secondary appointments – In recognition of teaching, research, or service contributions outside their primary department, faculty members may have one or more secondary appointments in other academic units. Secondary appointments are modified by such prefixes as adjunct or clinical. (RM, 12-3-02, p. 28355)

Part-Time Appointments

A part-time appointment is one at less than 1.0 Full-Time Equivalent (FTE), has a modified title, and is considered temporary (see 3.3.3 (d)). At the time of any part-time appointment, the faculty member and the University must reach a clear understanding of the terms of the part-time appointment. This understanding shall be in writing and the faculty member shall be given a copy.

(RM, 7-15-96, p. 25019; 12-3-02, p. 28355)

2.2.2—NON-ACADEMIC PERSONNEL

The President is authorized to recommend for the Board of Regents' approval certain non-academic personnel for designation to academic status.

(RM, 1-4-62, p. 6980, edited)

2.2.3—RESERVE OFFICERS' TRAINING CORPS PERSONNEL, NORMAN CAMPUS

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 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.

(RM, 2-13-52, p. 4254-55; 6-25-70, p. 10379; 1-27-2004, p. 28924)

2.2.4—RESEARCH FACULTY – NORMAN CAMPUS

The research faculty position is a non-tenure-track appointment at the rank of research assistant professor, research associate professor, or research professor and the compensation for such a position is generated by grants and/or contracts. This track is used to recruit and retain top research scholars to support and enhance the major research programs and initiatives at the University. Candidates for these positions must demonstrate significant capability or potential to conduct high quality research and to obtain external funds. The primary responsibilities of these faculty will be research-related including creative/scholarly activity and research-related activities such as proposal writing and project management; they may also do some teaching; and service and public outreach specifically linked to their research programs (for example, supervision of graduate students and service for professional organizations). Notwithstanding the term of the appointment, the existence of any research professor position is at all times subject to the availability of grant, contract, or bridge funding.

The Norman Campus Faculty Handbook includes policies on recruitment and appointment of research faculty; salary, bridge funding, promotion, and raises for research faculty; caps on research faculty appointments; and impact evaluation.

(RM, 5-7-99, p. 26381; 1-27-2004, p. 28924; 6-23-04, p. 29151; 6-26-12, p. 33195)

2.2.5—ENDOWED CHAIRS AND PROFESSORSHIPS

Faculty may be appointed to endowed chairs and professorships.

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.

SEARCH COMMITTEE

The President, with advice and counsel of the appropriate Senior Vice President and Provost, the appropriate dean, and appropriate chair/director, will appoint the Search Committee. Search Committees for occupants of endowed chairs and professorships shall be composed of two faculty members from the academic unit concerned, two outside individuals distinguished within the relevant area and appointed by the President, and either the dean of the relevant college or a faculty member appointed by that dean. (The Board of Regents prefers and expects the dean to serve.)

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

(RM, 1-27-2004, p. 28924; 6-23-04, p. 29151)

TERM OF THE AWARD

For endowed chairs only, the appointee must be a tenured faculty member or must receive tenure on appointment to an endowed chair in accord with the applicable Faculty Handbook. Endowed professorships do not carry such stipulations. To the extent the appointee's performance and conduct remain satisfactory to the University, the term of an endowed chair, unless the endowment contract provisions provide otherwise, is continuous until resignation, retirement, or the endowment is withdrawn.

(RM, 4-14-77, p. 14348; amended 6-15-78, p. 15036; 6-27-95, p. 24483; 1-27-2004, p. 28924; 6-23-04, p. 29151)

FUNDING ENDOWED CHAIRS FROM PROFESSIONAL PRACTICE PLAN FUNDS

At the Health Sciences Center Campus, the transfer of professional practice plan funds to the Regents' Fund for the purpose of establishing and funding endowed chairs for the College of Medicine is authorized.

(RM, 12-13-79, pp. 15796-97; 3-29-00, p. 26909; 1-27-2004, p. 28924)

2.2.6—REAPPOINTMENT AND NON-REAPPOINTMENT

Action on the reappointment of tenure-track and renewable term appointees is initiated by the academic unit through the respective dean to the Senior Vice President and Provost, President, and Board of Regents. Any final decision not to reappoint a faculty member shall be determined by the Board of Regents.

**NOTIFICATIONS OF NON-REAPPOINTMENT OF TENURE-TRACK OR RENEWABLE
TERM/CONSECUTIVE TERM CONTRACT**

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- a) A faculty member with a regular appointment who is not to be reappointed for a second year of service 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) A faculty member with a regular appointment who is not to be reappointed to a third year of service must be so notified no later than December 15 of the second year of appointment; or, if the second year of appointment terminates at a time other than the end of the academic year, not less than six months before the end of the appointment period.
- c) A faculty member with a regular appointment who is not to be reappointed to a fourth or subsequent year of service must be so notified no later than May 31 of the year preceding the final year of appointment; or, in the case of an appointment ending at a time other than the end of the academic year, not less than twelve months before the end of the appointment period.
- d) All notifications of non-reappointment shall be given in writing by the Senior Vice President and Provost.
- e) If the notification practices prescribed in the foregoing paragraphs of this section are not followed, the faculty member may appeal to the Faculty Appeals Board.

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Notifications of Non-Reappointment of Tenure-Track or Consecutive Term Appointment

Action on the non-reappointment of individuals having a tenure-track or consecutive term appointment is initiated by the chair of the academic unit through the respective dean to the Senior Vice President and Provost, President, and Board of Regents.

- (a) A faculty member with a tenure-track or consecutive term appointment who is not to be reappointed for a second year of service must be notified by March 1. If the first year appointment terminates at a time other than the end of the academic year, notice must be given at least three months before the end of the appointment period.
- (b) A faculty member with a tenure-track or consecutive term appointment who is not to be reappointed to a third year of service must be notified by December 15 of the second year of appointment. If the second year appointment terminates at a time other than the end of the academic year, notice must be given at least six months before the end of the appointment period.
- (c) A faculty member with a tenure-track or consecutive term appointment who is not to be reappointed to a fourth or subsequent year of service must be notified by May 31 of the year preceding the final year of appointment. If the appointment ends at a time other than the end of the academic year, notice must be given at least twelve months before the end of the appointment period.
- (d) All notifications of non-reappointment shall be given in writing by the Senior Vice President and Provost.

- (e) The faculty member may appeal non-renewal of appointment to the Faculty Appeals Board only if notification practices prescribed in the foregoing paragraphs of this section are not followed.

RESIGNATION

It is a professional expectation that a regular faculty member who elects to resign his or her appointment give written notice at the earliest possible opportunity to the chair or director of the academic unit. Timely notice of resignation is needed to allow sufficient time for the academic unit to seek appropriate personnel to cover the teaching assignments of the resigning faculty person and provide a smooth transition for students. A regular faculty member who elects to resign his or her appointment is obligated to give notice in writing at the earliest possible opportunity, but not later than May 15. A faculty member may request a waiver of this requirement.

(RM, 7-15-96, p. 25019; 1-26-99, p.26204; 12-3-02, p. 28355; 3-26/27-08, p. 31111)

2.3—FACULTY EVALUATION

2.3.1—FACULTY EVALUATION, ADJUSTMENT IN SALARY, AND ADVANCEMENT 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 units. A systematic procedure for accomplishing such evaluations shall be developed in each academic unit, with the participation and approval of the dean and the Senior Vice President and 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 Senior Vice President and Provost, this is determined to assist the entire University in best meeting its mission.

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All salary adjustments and promotions in rank shall be based on systematic evaluations of faculty performance.

Salary Adjustments

- (a) The most frequent reflection of a continuing faculty evaluation system is in the annual recommendations for merit salary increases. Deserving faculty should be rewarded, within the limits of the financial resources of the University, for meritorious performance.
- (b) Each academic unit, with the participation and approval of the dean and the Senior Vice President and Provost, shall establish and publish specific criteria for evaluating faculty performance in that unit, consistent with overall University evaluation procedures, so that any ensuing disagreements on salary recommendations will arise only through differences of opinion concerning evaluation and application of the criteria rather than over the criteria themselves. These criteria may be changed by the faculty of the unit from time to time with the approval of the dean and the Senior Vice President and Provost. The Senior Vice President and Provost's approval of the revised criteria shall indicate a date on which they become effective. The revised criteria for salary evaluation shall apply to all faculty beginning with the academic year following the effective date.
- (c) Under no circumstances will merit increases in salary be based upon race, color, national origin, sex, age, religion, disability, political beliefs, or status as a veteran.
- (d) At times when a faculty member is recognized with a special award designating a specific merit increase in salary to accompany the award, such special monetary award will be treated as additional to any increase recommended through normal procedures.
- (e) In certain circumstances, merit salary increases may cause the salary of a faculty member to equal or exceed the salary of faculty in higher ranks. Such a situation is perfectly acceptable provided the salary levels are fair reflections of the respective merits in effort and achievement of the faculty.

Procedures for Recommendations on Salary Adjustments

Procedural guidelines for salary recommendations are as follows:

- (a) The academic unit will annually collect (1) achievement data from all the academic unit's faculty and (2) evaluations of each faculty member's performance from those who are in supervisory positions and from other sources agreed upon as suitable in departmental policy.
- (b) For each faculty member, the chair (along with Committee A, where appropriate) will prepare a recommendation based upon a comparison of faculty performance with University and departmental criteria, and forward a documented recommendation to the dean.
- (c) The dean will review each recommendation and notify the chair of any changes or adjustments made.
- (d) The salary recommendations from the college will be forwarded from the dean to the Senior Vice President and Provost for additional discussion, further recommendations, and administrative action.
- (e) Each faculty member may request the reasons for the salary recommendation that was made. It is the duty of the chair to discuss such matters individually with the unit's faculty. These discussions should take place as soon as feasible following delivery of the official salary notifications.

Adjustments of Salary Inequities

Upon occasion, adjustments in salary may be needed to correct inequities caused by annual variations in available funds, changing conditions in the academic profession or in the economy, or other elements beyond the University's control. The responsibility for making adjustments, where needed, lies primarily with the dean, who, after consultation with the appropriate academic unit, recommends to the Senior Vice President and Provost specific salary adjustments to correct evident inequities. Such adjustments should be made as funds are available without causing disruption to the merit reward system.

Advancement in Rank

Advancement in rank is a major way in which the University recognizes a faculty member's achievements. A promotion is not a routine reward for satisfactory service but reflects a positive appraisal of high professional competence and accomplishment.

Criteria for Promotion

Decisions to promote a faculty member must be made in light of a thorough evaluation of his or her performance in all the areas of faculty activity.

The candidate's performance is judged by all recommending parties against the academic unit's written statement of criteria for promotion to the rank in question, the approved written assignment for the candidate, and any special conditions pertaining to the candidate's appointment.

Each academic unit, in concert with the dean and the Senior Vice President and Provost, shall establish and publish specific criteria for promotion in that unit. These criteria may be changed for promotion in that unit from time to time with the approval of the dean and the Senior Vice President and Provost. The

Provost's approval of the revised criteria shall indicate a date on which they become effective. The

revised criteria for promotion shall apply to all faculty in the unit beginning with the academic year following the effective date. These statements of criteria determine the emphasis placed on the various areas of faculty activity, subject to the following conditions:

- (a) Qualifications for promotion in all units should include attainment of high standards in teaching; research and creative/scholarly activity; and professional and University service and public outreach; and the evaluation should be substantially the same process as followed in tenure considerations.
- (b) Service in a given rank for any number of years is not in itself a sufficient reason for promotion.
- (c) Promotion should indicate that the faculty member is of comparable stature with others in his or her field at the same rank outside the University.

Procedures for Promotion Decisions

- (a) Recommendations regarding advancement in rank shall originate in the academic units, by procedures to be determined by the Senior Vice President and Provost.
- (b) The college dean or the Senior Vice President and Provost may, at his or her discretion, require an academic unit to initiate consideration of promotion for an individual faculty member. In such a case, the academic unit must forward a recommendation, whether or not it is favorable.
- (c) While primary responsibility for gathering complete information on professional activity rests with the individual faculty member, the chair should assume a share of this responsibility to be certain that all promotion recommendations are initiated on the basis of full documentation. All such documentation must be considered by any person or group making a recommendation.
- (d) All recommendations must be in writing and, with the exception of a recommendation based on any polling of the unit's faculty members, all must include a statement of reasons for the recommendation made. Notification of all such recommendations made above the level of the academic unit, up to and including the recommendation of the Senior Vice President and Provost, must be provided to the unit's chair.
- (e) In all recommendations that are to be forwarded, the chair and Committee A members shall provide their recommendations. Each member shall record an independent opinion, by name, without obligation to represent majority departmental opinion. Reasons must be given for all recommendations.
- (f) Whenever possible, a promotion should be accompanied by an appropriate increase in salary. If budgetary limitations make this impossible in any particular year, an adjustment should occur at the next budget period when funds are available. Promotions should not be delayed because of budgetary constraints. Conversely, promotions should be earned on their own right and not be used as substitutes for salary increases.

Procedures for Promotion Decisions for Non-Regular Faculty

- (a) **Eligibility:** Lecturers (Doctoral degree required) and instructors (Masters degree required) who have five continuous years of full-time employment at the University will be eligible for promotion in rank. After five years' experience as instructor/lecturer or equivalent, or earlier if initiated by chair/dean, a faculty member is eligible to be designated as Senior Instructor or Senior Lecturer. After ten years' experience as instructor/lecturer, or earlier if initiated by chair/dean, a faculty member is eligible to be designated as Distinguished Lecturer or Distinguished Instructor.
- (b) **Evaluation:** RT instructors and lecturers should be evaluated annually following the department or school/college faculty evaluation processes, using the Faculty Activity System. All evaluations should be based upon the appointee's teaching and service performance as defined by the academic programs.
- (c) **Promotion in Rank:** Any unit that hires renewable term lecturers and instructors must have policies on promotion in rank approved by the Office of the Senior Vice President and Provost.

(RM, 2-12-76, 10-6-77, 11-10-77, 2-16-78, 3-9-78, 6-15-78, 7-19-78, 12-14-78, 5-8-80, 3-18-81, 6-18-81, 7-22-81, 9-17-81, 9-9-82, 12-15-83, 3-8-84, 12-13-84, 12-12-85, 1-15-87, 7-23-87, 5-9-91, 6-13-91, 7-27-93, 6-27-95, 1-14-97, 3-29-00, 1-27-04; 1-28-2021)

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SALARY ADJUSTMENTS

- (a) The most frequent reflection of a continuing faculty evaluation system is in the annual recommendations for merit salary increases. Deserving faculty should be rewarded, within the limits of the financial resources of the University for meritorious performance as set out in the specific criteria for evaluation of faculty performance (Section 3.9.4).
- (b) Under no circumstances will merit increases in salary be based upon race, color, national origin, sex, age, religion, disability, or status as a veteran.
- (c) In certain circumstances, merit salary increases may cause the salary of a faculty member to equal or exceed the salary of faculty in higher ranks. Such a situation is perfectly acceptable, provided the salary levels are fair reflections of the respective merits in effort and achievement of the faculty.

Procedures for Recommendations on Salary Adjustments

Procedural guidelines for salary recommendations are as follows:

- (a) The chair of the academic unit will annually collect (1) achievement data from all academic units' faculty and (2) evaluations of each individual's performance from those who are in supervisory positions and from other sources agreed upon as suitable in departmental policy.
- (b) For each faculty member, the chair will prepare a recommendation based upon a comparison of faculty performance with University and departmental criteria and forward a documented recommendation to the dean.

- (c) The dean will review each recommendation and notify the chair of any changes or adjustments made.
- (d) The salary recommendations from the college will be forwarded from the dean to the Senior Vice President and Provost for additional discussion, further recommendations, and administrative action.
- (e) The chair will discuss with each faculty member the reasons for the salary recommendation that was made. It is the duty of the chair to discuss such matters individually with each faculty member in the unit. These discussions should take place as soon as feasible following approval of the budget by the Board of Regents.

Adjustments of Salary Inequities

Upon occasion, adjustments in salary may be needed to correct inequities caused by annual variations in available funds, changing conditions in the academic profession or in the economy, or other elements beyond the University's control. The responsibility for making adjustments, where needed, lies primarily with the dean. After consultation with the appropriate academic unit, the dean recommends to the Senior Vice President and Provost specific salary adjustments to correct evident inequities. Such adjustments should be made as funds are available, without causing disruption to the merit reward system.

(RM, 12-3-02, p. 28355)

ADVANCEMENT IN RANK

Advancement in rank is a major way in which the University recognizes a faculty member's achievements. A promotion is not a routine reward for satisfactory service but reflects a positive appraisal of high professional competence and accomplishment as judged and evaluated by individuals in the faculty member's profession, at the local regional and national or international level as appropriate to the rank being sought, and by individuals within the University. Promotion decisions are to be made independent from tenure decisions.

Criteria for Promotion

Decisions to promote a faculty member must be made in light of a thorough evaluation of his or her performance in all the areas of faculty activity as specified in the department and college promotion and tenure criteria and procedures. Promotion criteria for tenure-track faculty will mirror those criteria for tenure contained in Section 3.9.4.

Each college and department must have a document that sets forth the standards and procedures governing promotion and tenure of faculty within that college and department. The college and department documents may specify standards that are more specific than those of the University, provided they do not conflict with the standards of the University, and the procedures must be consistent with the procedures described herein. The document must be approved by the faculty of the college, by the dean, and the Senior Vice President and Provost. The document must be distributed to the faculty of the academic unit.

The candidate's performance should be measured against the following institutional criteria, in addition to the criteria defined in the college and department promotion documents:

Promotion to assistant professor is usually based on an advanced degree, and/or certifications(s) that are standard prerequisites for an academic appointment in their discipline, appropriate experience, and promise for academic accomplishment;

- (a) Promotion to associate professor usually is based on five (5) or more years as an assistant professor, a sustained record of academic accomplishment in teaching, research/scholarly achievement, and professional service, strong academic performance and promise. This record of accomplishment must document an emerging reputation of regional or national scope in the candidate's academic field. Professional publications will be an important element in assessing regional or national recognition, although other factors will also be considered.
- (b) Promotion to professor is a high honor, and usually is based on five (5) or more years as an associate professor and demonstration of superior achievements and continued excellence in their academic endeavors. Faculty at this rank should have fully achieved national or international recognition for work in their respective disciplines as evidenced by major contributions to teaching, research/scholarly achievement, and service.
- (c) Length of time in a given rank is not in itself a sufficient reason for promotion.
- (d) Promotion should indicate that the faculty member is of comparable stature with others in the same
- (e) rank and discipline at peer institutions.

Procedures for Promotion

- (a) The process regarding advancement in rank shall originate in the academic units, according to procedures determined by the Senior Vice President and Provost.
- (b) The college dean or the Senior Vice President and Provost may require the chair of an academic unit to initiate consideration of promotion for an individual faculty member. In such a case, the academic unit must forward a recommendation, to the dean or Senior Vice President and Provost whether or not it is favorable.
- (c) Primary responsibility for gathering complete information on professional activity rests with the individual faculty member. In general, documentation of the individual's academic accomplishments should include, but not be limited to the following:

Complete and up-to-date vita, including a summary of college and university degrees earned, all professional employment, all professional honors and awards, and an up-to-date list of books and journal publications by author in sequence. Manuscripts in press or submitted for publication and abstracts should be listed separately.

Letters of evaluation of academic performance in teaching, research/scholarly achievement, and service will be solicited by the chair after consulting with the candidate. Normally, there should be three (3) letters of evaluation from individuals outside The University of Oklahoma considered established authorities in the discipline who are in a position to evaluate the candidate's academic performance and suitability for promotion. These letters may be solicited from individuals who were not suggested by the candidate. There should be three (3) internal (or local) letters of evaluation particularly relevant to teaching and service.

Examples of documentation of teaching, research/scholarly achievement, and professional and university service and public outreach accomplishments are noted in Section 3.9.5 (c) (3)(4)(5). The candidate is entitled to review the information in his/her promotion file.

- (d) All faculty in the department who are of equal or higher rank to which the candidate is being considered shall meet for a discussion of the candidate's qualifications for promotion.

Formal consideration for promotion shall originate with the polling by secret ballot of all faculty of equal or higher rank to which the candidate is being considered in the candidate's academic unit, including when practical, those who are on leave of absence. The chair of the academic unit or other administrative personnel required to submit a separate promotion recommendation shall not participate in this vote.

- (e) All recommendations from the academic unit, chair, dean, Senior Vice President and Provost, and President must be in writing. Reasons must be given for all recommendations except for a recommendation based on any polling of the unit's faculty members. In all recommendations that are to be forwarded, the chair shall provide a separate recommendation with supporting reasons. Recommendations of the dean and Senior Vice President and Provost must be provided to the unit as well as to the candidate.
- (f) Whenever possible, a promotion should be accompanied by an appropriate increase in salary. Promotions should not be delayed because of budgetary constraints. Conversely, promotions should be earned on their own right and not be used as substitutes for salary increases.

(RM, 7-15-96, p. 25019; 1-26-99, p. 26204; 12-3-02, p. 28355; 6-23-04, p. 29151)

2.3.2—INSTRUCTIONAL EVALUATION - NORMAN CAMPUS

As recommended by the Norman Campus Faculty Senate, there shall be a program of continuing instructional evaluation on the Norman Campus that includes course evaluation by students. Each college or other Provost-direct unit offering instruction shall maintain a process of evaluation suitable to the college's or academic unit's instructional activities. This evaluation process shall 1) provide feedback to the instructor on his/her instruction and 2) provide information to chairs, directors, and Committee A in order to assess the quality of instruction within the academic unit and allow for appropriate recognition of excellent instruction.

(RM, 12-14-72, pp. 11873-74; 1-27-2004, p. 28868)

2.3.3—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 approval must be granted by the Board of Regents.

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

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Academic Tenure

Definitions

(a) The term "tenure" means continuous reappointment to an achieved academic rank in accordance with the 1947 action of the Board of Regents. It is hereinafter understood that tenure must be granted or denied by specific action of the Board of Regents. Tenure is designed as a means to protect the academic freedom of faculty members. This is to say, tenure is a means to assure unfettered, unbiased, unencumbered search, verification, and communication of truth by professional scholars and teachers. Tenure is designed to provide faculty members with freedom from political, doctrinaire, and other pressures, restraints, and reprisals which would otherwise inhibit the independent thought and actions in their professional responsibility of search, verification, and communication of truth.

(b) The term "probationary period" refers to the period of employment in an academic rank prior to the time tenure is granted for those faculty hired as tenure-track faculty. Notwithstanding different uses of the term elsewhere (as in some statements of the American Association of University Professors), the probationary period does not include any period of employment following the awarding of tenure.

(c) The term "prior service" means academic employment at an institution of higher education (including The University) before the first appointment in the effective probationary period as a tenure-track faculty member at the University.

Eligibility for Tenure

- (a) All tenure-track faculty of the University of assistant professor or above are eligible for tenure.
- (b) It is understood that a faculty member who has been granted tenure by the University, and thereafter accepts an administrative post within the University, retains tenured status as a member of the faculty.
- (c) When an initial appointment is made to a position which is primarily administrative but carries with it academic rank of assistant professor or above, specific understanding should be reached at the time of offer with the individual concerned and agreed to in writing by the Senior Vice President and Provost, the dean, the chair/director, and the faculty of the appropriate academic unit as to whether the individual will be reviewed for tenure at the proper time and what conditions must be met before there is tenure eligibility.

Whenever a tenure-track faculty member during the probationary period assumes primary administrative responsibilities, agreement should be reached in the same manner. Likewise, whenever an administrator is given academic rank at any time following the initial appointment, the same would apply.

- (d) It is understood that a faculty member who has been granted tenure by the University and thereafter changes from full-time appointment to a volunteer or part-time faculty appointment forfeits tenured status unless the change is temporary or results from the faculty member's being in phased retirement.

Probationary Periods

- (a) The "Contract of Employment" furnished to a candidate for appointment to a tenure-track faculty position shall specify, in addition to the rank and salary, the length of the probationary period entailed in the appointment and any special conditions pertaining to the appointment. All such conditions must be set forth in writing by the Senior Vice President and Provost whenever any faculty appointment is offered.
- (b) The probationary period for a faculty member whose effective date of appointment is later than the start of the academic year but no later than the first day of the second semester will be considered as dating from the beginning of the first semester, provided that the department or division in question and the Senior Vice President and Provost agree. If the effective date of appointment is later than the first day of the second semester, the probationary period shall begin with the first semester of the next academic year.
- (c) For a faculty member being appointed to a tenure-track position, whose initial appointment is at the rank of assistant professor or associate professor, the probationary period shall be six academic years, or twelve regular semesters, except in cases noted below.
- (d) Included in the probationary period is prior full-time service (up to a maximum of three years) in professorial ranks at other institutions of higher education unless the faculty member requests in writing at the time of the first regular appointment that such service should not be included and the academic unit, the dean, and the Senior Vice President and Provost approve. Included also is prior regular, full-time service (up to a maximum of three years) which the appointee may have performed in the past at the University in the rank of assistant professor or above unless the faculty member requests in writing at the time the faculty member is most recently appointed to a tenure-track position that such service should not be included and the academic unit, the dean, and the Senior Vice President and Provost approve.

Prior full-time service as assistant professor or in a comparable non-professorial rank at other institutions of higher education and prior full-time service on temporary appointments at the rank of assistant professor at the University may be counted as part of the probationary period if this arrangement is agreed upon in writing at the time of the first regular appointment. The parties to such an agreement are the appointee, the faculty and the chair/director of the appropriate academic unit, the dean, and the Senior Vice President and Provost.

(e) In certain extraordinary cases, tenure may be awarded to faculty members of exceptionally high merit prior to the end of the sixth probationary year. The chair/director of the academic unit must obtain approval from the dean and Senior Vice President and Provost prior to having a faculty member submit a dossier for review. Any academic unit's recommendation to award tenure before the end of the usual probationary period should be accompanied by an accounting of compelling reasons for this action. If the University's decision at that time is not to confer tenure, however, the faculty member in question may, subject to continuation or renewal of contract, continue to serve in the probationary period and be considered for tenure again without prejudice.

(f) A new faculty member appointed at the rank of professor or associate professor may be given tenure from the date of appointment, or the probationary period may be set at two, three, or four years when prior service in a professorial rank at another institution is less than three years. Persons with three or more years of such prior service may have a probationary period of no more than three years. The probationary period's length shall be set by the tenured members of the appointee's academic unit, subject to agreement by the dean and Senior Vice President and Provost, at the time of the formal offer of appointment. If the majority of the unit's tenured faculty members favor tenure upon appointment, the determination of tenure shall be made based on the candidate's application, letters of recommendation, and summary of the search committee recommendations and shall include a vote of the tenured faculty, a recommendation from Committee A, a recommendation from the chair-director, a recommendation from the Dean, and a recommendation from the Senior Vice President and Provost to the President, and a final recommendation from the President to the Board of Regents.

(g) Whenever a non-regular or renewable term faculty member is hired into a tenure-track position following a faculty search, with the rank of assistant professor or above, specific written understanding must be approved by the Senior Vice President and Provost as to if and how the period of non-regular or renewable term service will be counted toward satisfying the probationary period for tenure.

(h) A maximum of one year of leave of absence without pay may be counted as part of the probationary period, provided the department chair or school director in question records in writing its prior agreement and secures administrative approval from the dean and Senior Vice President and Provost. Leaves of absence without pay counted as part of the probationary period must entail appropriate evaluation of professional activities carried out during the leave.

At the written request of the faculty member and with the approval of the academic unit, dean, and Senior Vice President and Provost, a tenure-track faculty member may be granted an extension of the probationary period because of circumstances such as family or personal crises or pregnancy.

(i) During the probationary period, a faculty member will be provided by the chair/director of the academic unit with both an annual, written evaluation of performance during the past calendar year and a progress towards tenure letter that reviews the faculty member's entire probationary period at the University.

Such annual evaluation from the most recent spring evaluation cycle shall be provided prior to the applicable notification deadline for reappointment, with a copy sent to the dean.

(j) A faculty member at any rank who submits a tenure dossier and is denied tenure shall be retained on the faculty until the end of the academic year following that in which there was notification of the denial, unless there are reasons to the contrary.

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

Criteria for the Tenure Decision

The choices that the University makes in granting tenure are crucial to its endeavors toward academic excellence. A decision to grant tenure must reflect an assessment of high professional competence and performance measured against national standards. Tenure should never be regarded as a routine award.

The tenure decision shall be based on a thorough evaluation of the candidate's total contribution to the mission of the University. While specific responsibilities of faculty members may vary because of special assignments or because of the particular mission of an academic unit, all evaluations for tenure shall address the manner in which each candidate has performed in:

(1) Teaching

(2) Research and Creative/Scholarly Activity

(3) Professional and University Service and Public Outreach

Above all else, it is essential to any recommendation that tenure be granted that the faculty member has clearly demonstrated scholarly attainment, primarily but not exclusively through teaching and research and creative/scholarly activity.

Each academic unit, with the participation and approval of the dean and the Senior Vice President and Provost, shall establish and publish specific criteria for evaluating faculty performance in that unit, so long as those criteria are in accord with this policy. These criteria may be changed by the faculty of the unit from time to time with the approval of the dean and the Senior Vice President and Provost. The Senior Vice President and Provost's approval of the revised criteria shall indicate a date on which they become effective. The revised criteria shall apply to all faculty in the unit appointed to the tenure-track after the effective date. Untenured faculty in the tenure-track on the effective date shall be subject to the revised criteria in instances where the changes affect only the process by which the unit ascertains the quality of individual faculty performance. When the revisions involve changes in the quality of faculty performance required for granting tenure, faculty already in the tenure-track shall remain subject to the previous criteria unless these faculty consent to the new criteria in writing.

In those cases in which specific assignments might limit the faculty member's involvement in any area of faculty responsibility, a written understanding to this effect should be filed in the Office of the Senior Vice President and Provost, approved by the dean and the chair of the academic unit at the time the assignment is made.

The award of tenure carries with it the expectation that the University shall continue to need the services the faculty member is capable of performing and that the financial resources are expected to be available for tenured employment. It also carries the expectation that the faculty member will maintain or improve upon the level of achievement which characterized the qualifications for tenure.

Procedures for the Tenure Decision

- (a) A faculty member who is eligible for tenure consideration should be notified by the chair of the academic unit by May 15 before the initial vote by the faculty member's colleagues (see (f) below).
- (b) At the time of notification, the candidate for tenure shall be requested to submit material which will be helpful to an adequate consideration of the faculty member's performance or professional activities in relationship to the tenure criteria. The candidate should be advised to consult with the chair or any other senior colleagues concerning the materials to include. It should be made clear, however, that responsibility for the contents resides with the candidate.
- (c) The chair is responsible for providing a minimum of ten copies of the candidate's material (as described in the Senior Vice President and Provost's "Call for Tenure Recommendations") and making them available for review by the voting members of the academic unit at least two weeks prior to the vote. Following the vote, these copies (along with the academic unit's recommendation forms) shall be forwarded to the appropriate dean.
- (d) Preceding the vote, all tenured faculty voters who are available shall meet for a discussion of the candidate's qualifications for tenure. It is assumed that the eligible voters will have studied the candidate's materials prior to the meeting.
- (e) The candidate should not be present during the discussion of his or her qualifications. The candidate should be available, however, to enter the meeting on invitation to answer questions or clarify circumstances relevant to the qualifications.
- (f) Formal consideration for tenure shall originate with the polling by secret ballot of all tenured members of the candidate's academic unit, including, when practical, those who are on leave of absence. If it is proposed to consider a tenure recommendation prior to the candidate's tenure decision year, after obtaining the dean's and Senior Vice President and Provost's preliminary approval to consider an early tenure decision, the tenured members of the unit shall hold a preliminary vote on whether to do so, and consideration of early tenure will proceed only if a majority of tenured faculty members favor such consideration. Subsequently, in any formal poll of tenured faculty taken prior to the candidate's designated tenure decision year, no tenure recommendation will be forwarded unless a majority of those polled favor granting tenure. Whatever the result of the faculty poll taken during the designated tenure decision year, it will be forwarded. In all cases, the result of the vote must accompany the recommendation. The numerical result of the formal secret ballot polling shall be provided to the candidate at the candidate's request.
- (g) The chair and Committee A shall submit a separate recommendation with supporting reasons.
- (h) While primary responsibility for gathering complete information on professional activity rests with the individual faculty member, the chair or designated committee or mentor should assume a share of this responsibility to be certain that all tenure recommendations are initiated on the basis of full documentation, which must be considered by any person or group making a recommendation.
- (i) All recommendations shall be in writing and, with the exception of the faculty recommendation resulting from the secret poll, reasons for the recommendations must be stated. At the time recommendations are made at any stage of the review process, notification of such recommendations must be provided to the chair and the individual candidate. It shall be the responsibility of the chair to inform the faculty of the unit about recommendations made at the various stages of the review process.

(j) Copies of the academic unit recommendations and all appropriate documentation upon which recommendations were based will be forwarded to the appropriate dean. The dean will attach a recommendation to the tenure materials and forward all materials to the Campus Tenure Committee with supporting reasons and will notify the candidate and the chair of the unit of the recommendation.

(k) The main purpose of the Campus Tenure Committee is to provide faculty advice on whether the academic unit's recommendation with regard to both substance and process is sustained by the accompanying documentation and is consistent with the approved tenure criteria of the academic unit and the University. If it determines that the documentation is inadequate, the Campus Tenure Committee may request more information from the academic unit.

(l) The Campus Tenure Committee will attach its recommendations to the tenure materials and forward all materials to the Senior Vice President and Provost with supporting reasons and will notify the candidate, the chair of the unit, and the college dean of its recommendations.

(m) The Campus Tenure Committee will be composed of nine tenured faculty members on staggered three-year terms. The Faculty Senate appoints two new members each year, and the President appoints one new member each year.

(n) In determining its recommendation, the Campus Tenure Committee may request information or advice from any person. Committee members from the originating academic unit of a case under consideration will absent themselves from discussions regarding that case.

(o) The existence of the Campus Tenure Committee in no way limits the rights of administrative officers to solicit advice from faculty members in determining their recommendations.

(p) In any tenure case where the Senior Vice President and Provost plans to submit to the President a recommendation contrary to that of the Campus Tenure Committee, the Senior Vice President and Provost shall so notify the Campus Tenure Committee, allowing sufficient time and opportunity for the Senior Vice President and Provost and the Campus Tenure Committee jointly to conduct a thorough discussion of the case before the Senior Vice President and Provost presents a final recommendation to the President. If after such a discussion the Senior Vice President and Provost and the Campus Tenure Committee are in disagreement, the President or the Committee may request a meeting between the President and the Campus Tenure Committee before the President makes a final recommendation to the Board of Regents.

(q) At any stage of the tenure review process, the concerned faculty member may appeal in writing to the Faculty Appeals Board if it is believed that procedural violations have occurred in the case or that violations of academic freedom have occurred. If it is believed that there has been discrimination on the basis of race, color, national origin, sex, age, religion, disability, political beliefs, or status as a veteran, the faculty member may file a written appeal with the University Equal Opportunity Officer. Such appeals must be made within 180 calendar days after discovery of the alleged violation, and the review process will be suspended until a resolution is effected. Such an appeal shall not have the effect of extending the faculty member's terminal year, should tenure be denied.

(r) The President will notify each faculty member by May 31 whether tenure has been granted, except when appeals make this impossible.

Health Sciences Center

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 his or her continued employment subject to certain qualifications (Section 3.12). The University expects that tenured faculty members will maintain the level of performance by which they initially earned tenure. Unless otherwise agreed to in writing by the chair of the academic unit, the dean of the college, the Senior Vice President and Provost, the President, and the Board of Regents, only the portion of annual base salary paid by The University of Oklahoma is committed in the award of tenure.

Definitions

The term *tenure* means continuous reappointment to an achieved academic rank in accordance with the 1947 action of the Regents of The University of Oklahoma. Tenure must be granted or denied by specific action of the Board of Regents.

Tenure is designed as a means to protect the academic freedom of faculty members and to assure freedom of scholarship and teaching by professional scholars and teachers. The right to academic freedom does not diminish the faculty member's responsibilities under Section 3.5 Faculty Accountability.

- (a) The term *pretenure period* refers to the period of employment at The University of Oklahoma in a tenure-track appointment prior to the time the faculty member is evaluated for the granting of tenure. Tenure-track faculty have a pretenure period of six (6) years. In rare circumstances, the chair of the academic unit, and dean may request that a faculty member receive an extension of the pretenure period, not to exceed three (3) years. Notwithstanding different uses of the term elsewhere (as in some statements of the American Association of University Professors), the pretenure period does not include any period of employment following the awarding of tenure.
- (b) The term *prior service* means academic employment at an institution of higher education (including The University of Oklahoma) before the first appointment in the effective pretenure period at The University of Oklahoma.

Eligibility for Tenure

Faculty of the University who hold a regular tenure-track appointment and who devote full-time effort to University activities (Section 3.6) are eligible for tenure consideration provided they are assigned to devote at least 50 percent of their time to teaching and/or research for The University of Oklahoma and maintain this requirement during the entire pretenure period.

- (a) At the request of the faculty member and with the approval of the chair of the academic unit, the dean, and the Senior Vice President and Provost, faculty members receiving consecutive term appointments may be changed to the tenure track in which case all University policies relating to tenure shall apply. With the approval of the chair of the academic unit, dean, and Senior Vice President and Provost, up to three (3) years of academic service in a consecutive term appointment may be credited toward the pretenure period.

- (b) At the request of the faculty member and with the approval of the chair of the academic unit, dean, and Senior Vice President and Provost, faculty members who are in the tenure track may be changed to a consecutive term appointment at any time during the six (6) year pretenure period, but prior to the initiation of procedures for tenure decision (see Section 3.9.5). A faculty member who changes from a tenure-track appointment to a consecutive term appointment will not be eligible for future tenure consideration.
- (c) Before a regular faculty member assumes primarily administrative duties during the pretenure period, a written agreement must be reached between the faculty member, the chair of the academic unit, the dean, and Senior Vice President and Provost, as to whether the faculty member will be reviewed for tenure, at what time, and under what conditions.

Pretenure Periods

- (a) Full-time tenure-track faculty will generally have a pretenure period of six (6) years.

The first year of the pretenure period for a faculty member whose effective date of service is between July 1 and December 31 will be that academic year. If the effective date of service is between January 1 and June 30, the first year of the pretenure period will begin with the next academic year.

- (b) In certain circumstances, the chair of the academic unit and dean may request an extension of the pretenure period not to exceed three (3) years.
- (c) For assistant professors, the pretenure period may include up to a total of three years in prior full-time service in a consecutive term or tenure-track appointment at the OUHSC or in professorial ranks at another institution. For associate professors and professors up to a total of four years prior service may be included (see Section 3.2.5(c)). The faculty member may request in writing at the time of the first regular tenure-track appointment that prior service be included. Inclusion of prior service requires approval by the chair of the academic unit, the dean, and the Senior Vice President and Provost.
- (d) Prior full-time service as instructor or in a comparable non-professorial rank at other institutions of higher education may be counted as part of the pretenure period if requested by the applicant and approved in writing by the chair of the academic unit, dean, and Senior Vice President and Provost at the time of the first regular appointment.
- (e) Ordinarily, prior full-time service on temporary appointments at The University of Oklahoma is not counted in the pretenure period but may be if requested by the applicant and approved in writing by the chair of the academic unit, dean, and Senior Vice President and Provost.
- (f) A new faculty member appointed at the rank of professor or associate professor may be granted tenure from the date of appointment. The determination of tenure shall be made as specified in Section 3.9.5 (b) through (r).
- (g) Tenure may be awarded to faculty members of high merit prior to the end of the pretenure period. An academic unit's recommendation to award tenure should be based on exceptional performance for at least two years at The University of Oklahoma. If tenure is not awarded, the faculty member may, subject to contract continuation or renewal, continue to serve in the pretenure period and be considered for tenure again without prejudice.

- (h) Whenever a non-tenured part-time faculty member changes from part-time to full-time tenure-track status, specific written understanding must be approved by the Senior Vice President and Provost as to how the period of part-time service will be counted toward satisfying the pretenure period for tenure.
- (i) A maximum of one year of leave of absence without pay may be counted as part of the pretenure period, provided the chair of the academic unit in question records in writing the agreement with the faculty member to count the leave of absence, including how the professional activities carried out during the leave will be appropriately evaluated by the chair, and secures approval by the dean and Senior Vice President and Provost.
- (j) If a tenure-track faculty member takes extended leave, the pretenure period prior to a tenure decision may be extended for one year at the written request of the faculty member with the approval of the chair of the academic unit, dean, and Senior Vice President and Provost.
- (k) A faculty member at any rank who is denied tenure shall be retained until the end of the academic year following that in which tenure was considered, (i.e. the terminal year) unless the faculty member is dismissed according to Section 3.12. An appeal of denial of tenure shall not have the effect of extending the faculty member's terminal year.

Under certain extraordinary circumstances due to the University's clinical care, service, or teaching obligations, a faculty member who has been denied tenure may be granted a consecutive term or temporary appointment upon recommendation by the chair of the academic unit, dean, and Senior Vice President and Provost and approved by the Board of Regents.

- (l) Faculty members awarded tenure will normally commence their tenured appointments in the academic year immediately following the Board of Regents' action.

Criteria for the Tenure Decision

The choices that the University makes in granting tenure are crucial to its endeavors toward academic excellence. A decision to grant tenure must reflect an assessment of high professional competence and academic performance measured against national standards in the discipline or professional area. Tenure should never be regarded as a routine award based upon length of service.

The tenure decision shall be based on a thorough evaluation of the candidate's total contribution to his/her college and the mission of the University and the candidate's adherence to the fundamentals of faculty accountability as noted in Section 3.5. While specific responsibilities of faculty members may vary because of special assignments or because of the particular mission of the academic unit, all evaluations for tenure shall address the manner in which each candidate has performed in:

- (1) Teaching (Section 3.6.1)
- (2) Research and Creative/Scholarly Activity (Section 3.6.2)
- (3) Professional and University Service and Public Outreach (Section 3.6.3)

All candidates for tenure must have displayed a record of substantial accomplishment in each of the three areas (teaching, research and creative/scholarly activity, and University and professional service and public outreach) and evidence of excellence in two areas. Above all else, it is essential to any recommendation that tenure be granted that the faculty member has clearly demonstrated scholarly attainment in teaching, research/scholarly achievement and service.

Each college, with the participation and approval of the dean and the Senior Vice President and Provost, shall establish and publish specific criteria for evaluating faculty performance in that college, including specific expectations for evaluation of faculty performance in teaching, research and creative/scholarly activity and University and professional service and public outreach. The document must be distributed to the faculty in that college. These criteria must be in accord with and do not supersede the criteria described in this section. The criteria for tenure will be in full force unless an exception is specified in writing. It should be noted that the criteria which the departments and colleges establish normally reflect more specific standards for both promotion and tenure than those described in general terms in the Faculty Handbook, 3.9.4 and 3.9.5. Consequently, all faculty should become familiar with the departmental, college, and University criteria.

Any exception that faculty will be evaluated on their performances in the three areas of teaching, research and creative/scholarly activity, and University and professional service and public outreach must be documented in writing at the time the assignment is made, agreed upon by the faculty member and the department chair, and approved in writing by the dean, and Senior Vice President and Provost.

As part of the overall promotion and tenure process, the department chair should provide junior faculty with advice on a regular basis as they develop their careers. Annual written evaluations of junior faculty by department chairs are essential to the faculty development process, and are an annual requirement each department chair must fulfill.

If the criteria for tenure are changed by the Board of Regents during a faculty member's pretenure period, the faculty member may elect to be evaluated under the criteria approved by the Board of Regents in effect at the start of his/her pretenure period.

The award of tenure carries with it the expectation that the University will continue to need the services of the faculty member, and that the financial resources will be available for continuous employment. It also carries the expectation that the faculty member will maintain or improve upon the level of attainment which characterized the qualifications for tenure. The performance of all faculty, both prior to and following the granting of tenure, is to be evaluated annually as part of the University's faculty evaluation process (Section 3.7).

Procedures for Tenure Decision

- (a) The chair of the academic unit shall notify a faculty member who is eligible for tenure consideration at least eight weeks before the initial vote by the faculty member's colleagues. (See (f) below)
- (b) The chair of the academic unit will request the candidate for tenure to submit material which will be helpful to an adequate consideration of the faculty member's performance or professional activities in relationship to the tenure criteria. It is the responsibility of the candidate to provide accurate, thorough, and clear evidence of achievements for review at the departmental college and university levels. The candidate is advised to consult with the chair and any other senior colleagues concerning the materials to include.
- (c) In general documentation of the individual's academic accomplishments should include, but not be limited to the following:
 - 1) Complete and up-to-date vita, including a summary of college and university degrees earned, all professional employment, all professional honors and awards, and an up-to-date list of books and journal publications by author in sequence. Manuscripts in press or submitted for publication and abstracts should be listed separately.

- 2) Letters of evaluation of academic performance in teaching, research and creative/scholarly activity and professional and University service and public outreach should be solicited by the chair after consulting with the candidate. Normally, there should be three letters of evaluation from individuals outside The University of Oklahoma considered established authorities in the discipline who are in a position to evaluate the candidate's academic performance and suitability for tenure. These letters may be solicited from individuals who were not suggested by the candidate. There should be three internal (or local) letters of evaluation particularly relevant to teaching and service.
- 3) Documentation of teaching accomplishments should reflect the candidate's contribution, quality, innovation, or impact of teaching. This might include summary documentation of teaching evaluations by students, notation of teaching awards, description of teaching responsibilities, and materials and techniques which are unique and demonstrate innovative approaches or outstanding quality in undergraduate, graduate, professional instruction (e.g. integration of multimedia into courses, development of web-based content and course materials, computer software development, creation of innovative laboratory exercises and simulation techniques).
- 4) Documentation of research and creative/scholarly activity should reflect the level and quality of the candidate's research and creative/scholarly activity. Recognition of research and creative/scholarly achievement accomplishments could be demonstrated by invitations to chair or organize symposia, edit books or journals in the professional discipline, publications in peer-reviewed journals, participation as a presenter in national/international symposia, conferences, and professional meetings, etc., as well as the candidate's ability to acquire extramural grant or contract funds, as a principal or co-principal investigator, through peer review mechanisms.
- 5) Documentation of professional and University/clinical service and public outreach contributions should reflect the level and quality of the candidate's professional and/or clinical service contributions. Documentation might consist of leadership positions in local, state, or national associations; service on advisory boards for granting agencies; outstanding college or University committee work; consultantships; clinical leadership as evidenced by serving as head of a division, department, or specific clinic service; evidence of acquisition, introduction or development of new health care techniques, procedures or clinical approaches; development of community health-related outreach programs; improvement in clinical management; documentation of increased referrals; demonstrable improvement (quality, utilization, access) in delivery of health care; publication of case studies, monographs, reviews, and book chapters; etc.

Responsibility for gathering complete documentation of professional and University service and public outreach rests with the individual faculty member. The chair shall assist the faculty member in determining what to include in the tenure documentation. The chair may also solicit information to include with the candidate's tenure documentation. The candidate is entitled to review the information in his/her tenure file.

- (d) The chair is responsible for providing copies of the candidate's complete tenure file to each of the voting members of the academic unit at least two weeks prior to the vote.
- (e) All tenured faculty in the department who are available shall meet for a discussion of the candidate's qualifications for tenure. The candidate shall not be present during the discussion of his or her qualifications but shall be available to enter the meeting on invitation to answer questions or clarify circumstances relevant to the qualifications.

Formal consideration for tenure shall originate with the polling by secret ballot of all tenured members of the candidate's academic unit, including when practical those who are on leave of absence. The chair of the academic unit or other administrative personnel required to submit a separate tenure recommendation shall not participate in this vote.

At times the small number of tenured members of an academic unit prevent appropriate academic unit tenure review. In such instances the dean of the college, in consultation with the chair of the academic unit involved, shall establish an *ad hoc* tenure review committee to serve as the candidate's academic unit for purposes of voting on tenure.

When a tenure proceeding is initiated prior to the last pretenure year and the result of the faculty vote is negative, that information shall not be forwarded, and the tenure consideration will be deferred. The result of the faculty vote taken during the last pretenure year will be forwarded to the dean, and a tenure consideration will proceed.

- (f) The chair shall submit a separate recommendation with supporting reasons.
- (g) All recommendations shall be in writing and, with exception of the faculty recommendation resulting from the confidential poll within the department, reasons for the recommendation must be stated at the time recommendations are made. At the time recommendations are made at each stage of the review process (Chair, Campus Tenure Committee, Dean, Senior Vice President and Provost, President), written notification of such recommendation must be provided to the chair and to the individual candidate by the person or committee making the recommendation.
- (h) Copies of the academic unit recommendations and all appropriate documentation upon which recommendations were based will be forwarded to the appropriate dean. Each dean will have an advisory council for tenure review and may request information and advice from any source.
- (i) Upon receipt of the advisory council recommendation the dean will attach a recommendation with supporting reasons to the tenure materials, including the recommendation of the advisory council, and forward all materials to the Campus Tenure Committee, and will notify the candidate and the chair of the academic unit of the recommendation. After due deliberation, the dean may recommend to grant tenure, to deny tenure, or to defer tenure consideration for a specified period of time.
- (j) The Campus Tenure Committee will be composed of thirteen tenured faculty members (two from each college, excluding the Graduate College, and one from the Tulsa campus) on staggered three-year terms selected by the President from nominations from the Faculty Senate.
- (k) In determining its recommendation, the Campus Tenure Committee may request information or advice from any source. To avoid a conflict of interest, Campus Tenure Committee members from the originating academic unit shall not attend discussions nor vote on candidates from their own academic unit. The tenure file will be returned to the academic unit for remedy or correction if there are defects found in the academic unit's recommendation.
- (l) The Campus Tenure Committee shall provide the Senior Vice President and Provost with input as to whether the academic unit's recommendation is consistent both as to substance and process with the approved tenure criteria (Section 3.9.4).
- (m) The Campus Tenure Committee will attach its recommendation to the tenure materials and forward all materials to the Senior Vice President and Provost with supporting reasons and will notify the candidate, the chair of the unit, and the college dean of its recommendations.

- (n) In determining their recommendation, the Senior Vice President and Provost and University administration may request information and advice from any source.
- (o) If the Senior Vice President and Provost plans to submit a recommendation contrary to that of the Campus Tenure Committee, the Senior Vice President and Provost shall notify the Chair of the Campus Tenure Committee in time to allow a thorough discussion before this recommendation is made.
- (p) The recommendation of the Senior Vice President and Provost will be submitted to the President. After due deliberation, the Senior Vice President and Provost may recommend to grant tenure, to deny tenure, or to defer tenure consideration for a specified period of time.
- (q) If the President plans to submit a recommendation contrary to that of the Campus Tenure Committee, the President shall notify the Committee in time to allow the Committee to request a hearing with the President prior to his making a recommendation, if the Committee so desires.
- (r) The faculty member under review may appeal in writing to the Faculty Appeals Board at any time during the tenure review process if he or she believes that procedural violations occurred or academic freedom was violated. Appeals on these bases must be made within 30 calendar days after discovery of the alleged violation.

He or she may appeal discrimination on the basis of race, color, sex, age, religion, disability, national origin, or status as a veteran to the University Equal Opportunity Officer. Appeals on these bases must be made within 180 calendar days after discovery of the alleged violation.

The tenure review process is suspended while an appeal to either the Faculty Appeals Board or University Equal Opportunity Officer is pending. Where the tenure appeal prevents the tenure process from being completed before the end of the terminal year (Section 3.9.3(l), the appeal shall not extend the faculty member's terminal year even if the appeals process is not completed. Should tenure ultimately be granted, the faculty member will be reinstated.

- (s) The President will notify the faculty member, chair, dean and Senior Vice President Provost by May 31 of the tenure decision, except when appeals make this impossible.

(RM, 7-15-96, p. 25019; 1-26-99, p. 26204; 12-3-02, p. 28355; 6-23-04, p. 29151; 10-25-04, p. 29360)

2.3.4—POST-TENURE REVIEW – NORMAN CAMPUS

Post-tenure review at the Norman Campus 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 described in the Norman Campus Faculty Handbook 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 five 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 who are reviewed under the applicable section of the Norman Campus Faculty Handbook, unless they have signed an agreement to retire within the two years following the year of the scheduled review or have entered into a formal phased retirement agreement with the University.

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 (see the Norman Campus Faculty Handbook). Post-tenure review will be based on the criteria for annual review established by the faculty of the unit and approved by the administration.

The Norman Campus Faculty Handbook includes policies on the post-tenure review.

(RM, 5-7-99, p. 26389; 1-27-2004, p. 28924)

2.3.5— ABROGATION OF TENURE, DISMISSAL BEFORE EXPIRATION OF A TENURE-TRACK APPOINTMENT OR RENEWABLE TERM APPOINTMENT, AND OTHER SEVERE SANCTIONS - NORMAN CAMPUS

The University strives to exercise great care in selecting its 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 a dismissal proceeding involving a tenured faculty member (abrogation of tenure) or of a faculty member during a tenure-track appointment or of a renewable 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 (for instance, loss of eligibility for a sabbatical leave of absence, loss of remunerated consultative privileges, loss of remunerated private practice privileges); restitution (payment of damages due to individuals or to the University); 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 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.

GROUND 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 faculty member who has tenure or whose tenure-track or renewable term/consecutive term appointment has not expired include the following:

- a) Professional incompetence or dishonesty;
- 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;
- d) Substantial, manifest, or repeated failure to adhere to University policies; including, for example, the University's Compliance Program.
- e) Serious violations of law that are admitted or proved before a court of competent jurisdiction or the administrative hearing 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;
- f) For any Health Sciences Center faculty member, being placed on the United States Department of Health and Human Services' list of excluded individuals and entities, in which case the University will take quick and decisive action by terminating the faculty member's employment. The faculty member may request a Faculty Appeals Board Hearing following termination.

Subparagraphs (g) and (h), below, are not severe sanctions but nevertheless are valid reasons for terminating employment of a faculty member who has tenure or whose tenure-track or renewable term appointment has not expired.

- g) Changes in the University's educational function through action of the Board of Regents 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.
- h) Financial Emergency as set forth hereinafter in the Financial Emergency Policy in section 4.21 of the Regents' Policy Manual.

GROUND 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 or if the faculty member has failed to adhere to the University's Compliance Program.

The faculty member may, on written request and at the convenience and discretion 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.

(6-23-04, 29151; 10-25-04, p. 29360)

The Health Sciences Center's Policy on Abrogation of Tenure, Dismissal Before Expiration of a Tenure-Track or Consecutive Term Appointment, Severe Sanctions, Summary Suspension, and Failure to Comply with the University Compliance Program is available in the Health Sciences Center Faculty Handbook.

2.4—FACULTY APPEALS & GRIEVANCES

2.4.1—FACULTY APPEALS AND GRIEVANCES

NORMAN CAMPUS

PROCEDURES

WHO MAY USE PROCEDURE

The grievance procedures described herein shall be available to any aggrieved party who is a Norman Campus faculty member, academic unit, administrative unit, or other duly constituted faculty body within the Norman Campus University community, when the respondent is also a Norman Campus faculty member, academic unit, administrative unit, or other duly constituted faculty body within the Norman Campus University community. 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 a party has reason to believe there has been unlawful discrimination, harassment, violation of due process or academic freedom, or other grievance.

Complaints by or against employees who are not faculty members and by or against students shall be addressed under the applicable staff or student procedures. Faculty members serving as chairs, directors, deans, or in other administrative positions may not utilize these procedures in filing a grievance when the grievance is based upon actions related to their administrative performance.

The Health Sciences Center and Norman Faculty Handbooks include policies on faculty appeals and grievances.

(RM, 1-26-99, p. 26204; 12-3-02, p. 28355; 3-9/10-13, p. 33612)

2.5—FACULTY HONORS

2.5.1—DISTINGUISHED PROFESSORSHIPS

Recipients of distinguished professorships are deemed to have achieved unusual distinction in teaching; research and creative/scholarly activity; and professional and University service and public outreach. The University awards the following distinguished professorships:

- David L. Boren Professorships
- David Ross Boyd Professorships
- George Lynn Cross Research Professorships
- Presidential Professorships
- Regents' Professorships

All nominations shall be made known to the Board of Regents at least 20 days prior to the time that nominees' names appear on an agenda for action.

(RM, 5-12-66, p. 8524; amended 5-11-78, p. 14958; 9-26-95, p. 24589; 1-27-2004, p. 28924; 12-4-14, p. 34460)

DAVID L. BOREN PROFESSORSHIPS

The David L. Boren Professorship is one of the University of Oklahoma's highest honors, recognizing faculty who have made exceptional and truly impactful contributions to the mission of the University of Oklahoma as a public research university.

CRITERIA FOR SELECTION

To qualify for the Professorship, a faculty member must have consistently demonstrated outstanding teaching, research and creative activity, and leadership in professional and public service. The holders of this distinctive honor should demonstrate effective mentoring and engagement of students in advancing knowledge creation and making a positive difference in the world.

Criteria which will be considered are the degree to which the candidate:

- Demonstrates leadership in the development of impactful scholarship and creative activity that is viewed as seminal within one or more fields;
- Exhibits scholarship and creative activity in high quality venues (including peer-reviewed publications/performances) supported by national funding appropriate to the field, and has their work cited frequently;
- inspires inquisitiveness and intellectual curiosity among students as judged by measurable outcomes;
- fosters the professional development of colleagues and serves as a model for colleagues and students;

- demonstrates strong sense of community and is instrumental in the creation, organization, and mobilization of other individuals, groups and resources that are involved in projects benefiting the community, whether specific to a discipline or be enhancing the University's role and standing in the larger community.

Eligibility

Nominees must be full-time faculty members who hold regular faculty appointments. Nominees will normally hold the rank of full professor but associate professors may be considered. The faculty member must have been a University of Oklahoma employee during the period for which the outstanding contributions are being recognized; previous accomplishments at other institutions, if applicable, may be used in support of a continued outstanding performance. Recipients are not eligible in subsequent years for a Presidential Professorship. Recipients are eligible for a David Ross Boyd Professorship, George Lynn Cross Research Professorship, and Regents' Professorship.

NOMINATION PROCEDURES

Initiation

The Senior Vice Presidents and Provosts will solicit recommendations for the professorship by September 15 and announce appropriate schedules for processing the nominations. Furthermore, the solicitations will be posted on appropriate campus website, for access by nominators and faculty on all campuses.

Recommendations

Nominations may derive from department chairs or unit directors, elected members of departmental/unit Committee A, a department's/unit's approved nomination committee, Center leaders, or a group of faculty who are familiar with the nominee's qualifications for the award. Only one nomination per academic unit or other nominating group of faculty is allowed. The nominating entity will be responsible for assembling the nomination packets, including supporting documentation.

Nominations will be forwarded to the respective dean of the college for review and endorsement. An optional letter from the dean, if included, will focus on evaluatory comments regarding the quality and significance of the nominee's impact on the broader OU mission. The dean's letter will not count toward the page limit below. The dean will submit all the nominations and supporting documentation to the respective Senior Vice President and Provost by November 1. The Senior Vice Presidents and Provosts will forward these materials to the University Council on Faculty Awards and Honors.

Supporting Documentation

Recommendations are to be accompanied by specific evidence that the nominee meets the criteria for selection. Nomination packets must include the following, not to exceed 25 pages combined:

- A letter of nomination, not to exceed seven single-spaced pages;
- A customized vita containing the relevant information pertaining to the accomplishments and criteria cited for the award;
- A short biography (about 100 words) highlighting the nominee's most significant accomplishments and written for a general audience.

In addition, the nomination packet must also include letters of support from nationally or internationally recognized experts in the nominee's area of expertise (minimum: two for research/creative activity, one for teaching, one for service/outreach). Letters must specifically address the criteria of the professorship. No more than five letters will be accepted. These letters of support will not count toward the 25-page limit.

SELECTION PROCEDURES

Review

The University Council on Faculty Awards and Honors shall consider only the formal nominations. The Council may seek additional data about the nominees from supplemental sources, as appropriate. The Council shall forward to the Senior Vice Presidents and Provosts its recommendation(s) for the professorship for their review. The Council also shall transmit all substantiating materials pertaining to all nominees.

Selection

The Senior Vice Presidents and Provosts will review the nomination materials and the Council's recommendations, and will forward their recommendations by February 1, along with all nominations and all substantiating material pertaining to all nominees, to the President, who will make recommendations to the Board of Regents. The final selection of recipient(s) will be made by the Board of Regents.

ANNOUNCEMENT

The final selections will be announced for Norman Campus at the annual Faculty Award Ceremony and for the Health Sciences Center at the Spring General Faculty Meeting.

PERQUISITES

In the year of designation as a David L. Boren Professor, the person receiving the award will receive a one-time award of \$10,000 and a permanent salary increase of 10% on the University base salary or \$10,000, whichever is greater, starting in the subsequent fiscal year.

TERM OF THE AWARD

The term of a David L. Boren Professor is continuous until retirement or separation from the University.

(RM, 12-4-14, p. 34460; 9-11-19, p. 36725)

DAVID ROSS BOYD PROFESSORSHIPS

The David Ross Boyd Professorship, recognizing faculty who have consistently demonstrated outstanding teaching, guidance, and leadership for students in an academic discipline or in an interdisciplinary program within the University.

CRITERIA FOR SELECTION

Criteria which will be considered are the degree to which the candidate:

- has impacted the educational mission of the University;
- engages students and/or clinical residents and fellows in high-quality scholarship and professional service through effective mentoring strategies;
- establishes, communicates, and fulfills appropriate course and program goals;
- stimulates an intellectual inquisitiveness among students while creatively developing appropriate educational delivery formats and techniques appropriate to the program;
- mentors students (graduate, undergraduate, professional, and/or clinical residents and fellows) towards success in their chosen career paths;
- brings about change in students' knowledge, motives, and attitudes;
- establishes and promotes an inclusive culture in the University's educational mission;
- fosters the professional development of colleagues and serves as a model for colleagues and students.

Eligibility

Nominees must be full-time faculty members who hold regular faculty appointments. Limited-term faculty at the Health Sciences Center may also be considered. Nominees will normally hold the rank of full professor but associate professors may be considered. The faculty member must have been a University of Oklahoma employee during the period for which the outstanding contributions are being recognized; previous accomplishments at other institutions, if applicable, may be used in support of a continued outstanding performance. Recipients are not eligible in subsequent years for a Presidential Professorship. Recipients are eligible for a David L. Boren Professorship, George Lynn Cross Research Professorship, and Regents' Professorship.

NOMINATION PROCEDURES

Initiation

The Senior Vice President and Provosts will solicit recommendations for the professorship by September 15 and announce appropriate schedules for processing the nominations. Furthermore, the solicitations will be posted on the appropriate campus website, for access by nominators and faculty on all campuses.

Recommendations

Nominations may derive from department chairs or unit directors, elected members of departmental/unit Committee A, a department's/unit's approved nomination committee, Center leaders, or a group of faculty who are familiar with the nominee's qualifications for the award. Only one nomination per academic unit or other nominating group of faculty is allowed. The nominating entity will be responsible for assembling the nomination packets, including supporting documentation.

Nominations will be forwarded to the respective dean of the college for review and endorsement. An optional letter from the dean, if included, will focus on evaluatory comments regarding the quality and significance of the nominee's impact on the broader University of Oklahoma mission. The dean's letter will not count toward the page limit below. The dean will submit all the nominations and supporting documentation to the respective Senior Vice President and Provost by November 1. The Senior Vice President and Provosts will forward these materials to the University Council on Faculty Awards and Honors.

Supporting Documentation

Recommendations are to be accompanied by specific evidence that the nominee meets the criteria for selection. Nomination packets must include the following, not to exceed 25 pages combined:

- A letter of nomination, not to exceed seven single-spaced pages;
- A customized vita containing the relevant information pertaining to the accomplishments and criteria cited for the award;
- A short biography (about 100 words) highlighting the nominee's most significant accomplishments, and written for a general audience.

In addition, the nomination packet must also include letters of support. Letters must specifically address the criteria of the professorship. No more than five letters should be included with no more than three letters from students or student groups. These letters of support will not count toward the 25-page limit.

SELECTION PROCEDURES

Review

The University Council on Faculty Awards and Honors shall consider only the formal nominations. The Council may seek additional data about nominees from supplemental sources, as appropriate. The Council shall forward to the Senior Vice Presidents and Provosts its recommendation(s) for the professorship for their review. The Council also shall transmit all substantiating materials pertaining to all nominees.

Selection

The Senior Vice President and Provosts will review the nominees from the respective campuses and forward their recommendations, along with all nominations and all substantiating materials pertaining to all nominees, by February 1 to the President, who will make recommendations to the Board of Regents. The final selection of the recipient(s) will be made by the Board of Regents.

ANNOUNCEMENT

The final selections will be announced for Norman Campus at the annual Faculty Award Ceremony and for the Health Sciences Center at the Spring General Faculty Meeting.

PERQUISITES

In the year of designation as a David Ross Boyd Professor, the person receiving the award will receive a one-time award of \$7,000 and a permanent salary increase of 7% on the University base salary or \$7,000, whichever is greater, starting in the subsequent fiscal year.

TERM OF THE AWARD

The term of a David Ross Boyd Professor is continuous until retirement or separation from the University.

(RM, 5-11-78, pp. 14955-6; 3-15-89, p. 20938; 6-27-95, p. 24480; 9-26-95, p. 24594; 1-27-2004, p. 28924; 3-25-2009, p. 31609; 9-18-14, p. 34310; 9-11-19, p. 36725)

GEORGE LYNN CROSS RESEARCH PROFESSORSHIPS

The George Lynn Cross Research Professorship is the highest research and creative activity honor given by the University to a faculty member who has demonstrated outstanding leadership over a period of years in his or her field of learning or creative activity.

CRITERIA FOR SELECTION

A clear expectation for a research-intensive university is the creation and dissemination of new knowledge and forms of creative activity. The creation of new knowledge derives from scholarly activities that drive innovation, with such activities supported by funding mechanisms appropriate to the discipline. A nominee must have contributed significantly to the mission of the University of Oklahoma in research and creative activity, and must have been recognized nationally and internationally by peers for distinguished contributions to knowledge or distinguished creative work. Evidence of the creation of new knowledge is established through impactful outcomes disseminated in different peer-reviewed formats that may include publication of research manuscripts and books, performances and exhibits, and the effective mentorship and graduation of students. Recognition of scholarly activities may also include work in clinical trials and health services, quality improvement, and population health research. The impact of the nominee's research and creative/scholarly activities on the field of study must be substantiated by documentation appropriate to the discipline and by letters of support from informed leaders in the nominee's field of study. For the Health Sciences Center, attention will be given to the ways in which a nominee may have an impact through team science and interdisciplinary/interprofessional scholarship.

A nominee must have fulfilled obligations and performed well in the other areas of the university's function (i.e., teaching, service/outreach) as well.

Eligibility

Nominees from the Norman campus must be tenured full-time faculty members. Nominees from the Health Sciences Center campus may include both consecutive term and tenured/tenure eligible faculty. Nominees will normally hold the rank of full professor but associate professors may be considered. The faculty member must have been a University of Oklahoma employee during the period for which the

outstanding contributions are being recognized; previous accomplishments at other institutions, if applicable, may be used in support of a continued outstanding performance in the area of the specific award. Recipients are not eligible in subsequent years for a Presidential Professorship. Recipients are eligible for a David Ross Boyd Professorship, David L. Boren Professorship, and Regents' Professorship.

NOMINATION PROCEDURES

Initiation

The Senior Vice Presidents and Provosts will solicit recommendations for the professorship by September 15 and announce appropriate schedules for processing the nominations. Furthermore, the solicitations will be posted on the appropriate campus website, for access by nominators and faculty on all campuses.

Recommendations

Nominations may derive from department chairs or unit directors, elected members of departmental/unit Committee A, a department's/unit's approved nomination committee, Center leaders, or a group of faculty who are familiar with the nominee's qualifications for the award. Only one nomination per academic unit or other nominating group of faculty is allowed. The nominating entity will be responsible for assembling the nomination packets, including supporting documentation.

Nominations will be forwarded to the respective dean of the college for review and endorsement. The nomination packages and names of potential external letter writers shall be forwarded to the respective campus Vice President for Research, who, in consultation with the respective dean, will develop a final list of potential evaluators who will be contacted for their support letters addressed to the deans.

Supporting Documentation

Recommendations are to be accompanied by specific indications that the person being recommended meets the criteria for selection.

Nomination packets must include the following, not to exceed 25 pages combined:

- A letter of nomination, not to exceed seven single-spaced pages;
- A customized vita containing the relevant information pertaining to the accomplishments and criteria cited for the award;
- A short biography (about 100 words) highlighting the nominee's most significant accomplishments, and written for a general audience.
- Names and contact information of national/international experts (15 maximum) in the nominee's area of research/creative activity who can be contacted for evaluatory letters. These names should be solicited from the candidate and/or persons closely associated with the research area.

An optional letter from the Dean and respective Vice Presidents for Research (Norman campus or OUHSC), if included, will focus on evaluatory comments regarding the quality and significance of the nominee's impact on the mission of the respective College(s) and the University. This will be the only internal letter accepted. The Dean and Vice President for Research's letter will not count towards the 25-page limit. Materials are due to the respective Vice President for Research by November 1.

SELECTION PROCEDURES

Evaluations

The Vice President for Research will present to the appropriate Research Council all nominations with the supporting documentation. In addition, the Vice President for Research will present to the Research Council the external evaluations and his/her own evaluation.

Review

The Research Council shall consider only the formal nominations. The Council may seek additional data about the nominees from supplemental sources, as appropriate. The Council shall forward to the Senior Vice President and Provosts its recommendation(s) for the Professorship for their review. The Research Council also shall transmit all substantiating materials pertaining to all nominees.

Selection

The Senior Vice Presidents and Provosts will review the nominees and forward their recommendations, along with all substantiating materials, by February 1 to the President, who will make the recommendations to the Board of Regents. The final selection of the recipient(s) will be made by the Board of Regents.

ANNOUNCEMENT

The final selections will be announced for Norman Campus at the annual Faculty Award Ceremony and for the Health Sciences Center at the Spring General Faculty Meeting.

PERQUISITES

In the year of designation as a George Lynn Cross Research Professor, the person receiving the professorship will receive a one-time award of \$7,000 and a permanent salary increase of 7% on the University base salary or \$7,000, whichever is greater, starting in the subsequent fiscal year.

TERM OF THE AWARD

The term of a George Lynn Cross Research Professor is continuous until retirement or separation from the University.

(RM, 5-11-78, pp. 14956-7; 3-15-89, p. 20938; 6-27-95, p. 24481; 9-26-95, p. 24589; 1-27-2004, p. 28924; 6-23-04, p. 29151; 3-25-2009, p. 31609; 9-11-19, p. 36725)

PRESIDENTIAL PROFESSORSHIPS

Presidential Professors are those faculty members who excel in all of their professional activities and who relate those activities to the students they teach and mentor, including undergraduate, graduate, and professional students, as well as clinical residents and fellows. These professors inspire their students, mentor them in the process of research and creative/scholarly activity within their discipline, and exemplify to their students (both past and present) and to their colleagues (both at the University and within their disciplines nationwide) the ideals of a scholar through their endeavors in teaching; research and creative/scholarly activity; and professional and University service and public outreach.

CRITERIA FOR SELECTION

Eligibility

Nominees must be full-time, regular or non-regular faculty members. The faculty member must have been an OU employee during the period for which the outstanding contributions are being recognized; previous accomplishments at other institutions, if applicable, may be used in support of a continued outstanding performance in the area of the specific award. The nominee must have excelled in at least two of the three areas below. Recipients of the David L. Boren Professorship, David Ross Boyd Professorship, George Lynn Cross Research Professorship, and the Regents' Professorship are not eligible for a Presidential Professorship.

i. Teaching

The nominee shall have demonstrated leadership in modernizing and improving the undergraduate/graduate/professional/clinical instructional enterprise, including (i) the effectiveness of undergraduate (lower and upper division) and/or graduate, and/or professional courses developed and taught by the nominee, and (ii) the extent of the nominee's involvement with undergraduate/graduate/professional students and/or clinical residents and fellows in research/mentoring/advising within the academic discipline. In addition, the nominee must have actively participated in student-centered activities such as, but not limited to, OU's Undergraduate/Graduate Research Day, Stewart Wolf Day, REU and/or FYRE programs, freshmen Gateway courses, professional clerkships, mentorship of honors student theses, and sponsorship of academic clubs.

ii. Research and Creative/Scholarly Activity

The nominee shall have demonstrated significant involvement of graduate/ undergraduate/professional students and/or clinical residents and fellows in the nominee's research and creative scholarly activities. This should be supported by measurable peer-reviewed outcomes including the quality and quantity of theses and dissertations supervised, professional degrees/certifications issued publications co-authored with students, and performances/exhibits that involve significant student participation. For the Health Sciences Center, attention will be given to the ways in which a nominee may have an impact through team science and interdisciplinary/interprofessional scholarship.

iii. University/Professional Service and Public Outreach

The nominee must have contributed significantly to, and positively impacted, departmental/college/center/university committees and/or public outreach programs. A faculty member's contributions to the general community include professional service that may be specific to a discipline (e.g., clinical practice and excellence in outcomes such as quality and patient experience, service as a journal editor,

conference organizer, or in leadership positions in professional organizations), as well as impactful activities that benefit university-community interactions (e.g., teacher training and service learning projects). Such activities enhance achievements in teaching and research. Successful nominees shall have demonstrated exceptional performance in activities that enhance the university's role and standing in the community.

NOMINATION PROCEDURES

Initiation

The President's Office -- in conjunction with the Senior Vice President and Provost of the Norman Campus and the Senior Vice President and Provost of the Health Sciences Center -- (a) will review the number of vacant Presidential Professorships, (b) will hold three vacancies each year for recruitment and retention of qualified faculty, and (c) will issue a call for nominations by September 15. The solicitations will be posted on the appropriate campus website, for access by nominators and faculty on all campuses.

Recommendations

Nominations may derive from department chairs or unit directors, elected members of departmental/unit Committee A, a department's/unit's approved nomination committee, Center leaders, or a group of faculty who are familiar with the nominee's qualifications for the award. The nominating entity will be responsible for assembling the nomination packets, including supporting documentation.

Nominations will be forwarded to the respective dean of the college for review and endorsement. An optional letter from the dean, if included, will focus on evaluatory comments regarding the quality and significance of the nominee's impact on the broader OU mission. The dean's letter will not count toward the page limit below. The dean will submit all the recommendations and supporting documentation to the respective Senior Vice President and Provost by November 1.

Supporting Documentation

Nomination materials must include the following, not to exceed 25 pages combined:

- A nomination letter (no more than three single-spaced pages) describing the nominee's impact on the scholarly and overall professional development of the students they teach and mentor;
- A customized vita of the nominee that contains the relevant information pertaining to the accomplishments being cited for the award consideration;
- A short biographical sketch (about 100 words) highlighting the nominee's most significant accomplishments and written for a general audience.

In addition, the following must be included but will not count toward the 25-page limit:

- Up to a total of five support letters from students (former or current) and professional colleagues (internal and/or external to OU) who can speak to the nominee's influence on students. These letters should, collectively, address as many of the relevant award criteria that the writer(s) can speak to.
- The nominee's Summary Reports of Annual Evaluations for the previous three years, or since beginning at the University if the nominee has been at the University less than three years.

SELECTION PROCEDURES

Selection Committee

Separate selection committees will be constituted on the Norman and Health Sciences Center campuses. The selection committees will be co-chaired by the respective campus' Senior Vice President and Provost and the Vice President for Research, who serve as non-voting members. Twelve members of the selection committee for each campus will be chosen as follows:

The President will select six faculty and three academic administrators from among current members on the respective campus' Research Council, University Council on Faculty Awards and Honors, and Deans' Council to serve three-year staggered terms.

The President will also select two faculty at-large members from the respective campus: at Norman Campus, tenure-track and tenured faculty and at Health Sciences Center campus, tenure-track, tenured, or consecutive-term faculty, to serve two-year staggered terms.

The President will also select one distinguished outside individual to serve a two-year term.

Selection Procedure

The Presidential Professorship selection committees on both campuses shall consider only the formal nominations. The committees may seek additional data about the nominees from supplemental sources, as appropriate. The selection committees' selections for the Presidential Professors must be forwarded by February 1 to the President along with all nominations and all substantiating materials pertaining to all nominees. The President will make recommendations to the Board of Regents. The final selection of the recipients will be made by the Board of Regents.

ANNOUNCEMENT

The final selections will be announced for Norman Campus at the annual Faculty Award Ceremony and for the Health Sciences Center at the Spring Regular Faculty Meeting.

PERQUISITES

The Professorship is awarded for a four-year term. Assistant and Associate Professors receive \$5,000 per year and Professors receive \$10,000 per year. To be eligible for funding in any given year, a faculty member must be considered as a full-time continuing member of the University.

Decisions regarding merit increases in base faculty salary in the academic year will be made independently of faculty status as a Presidential Professor.

Presidential Professors will receive the professorship funding as a taxable bonus paid annually.

TERM OF AWARD

The Professorship is granted for a four-year term with the faculty member receiving the funding each year based on faculty rank. Recipients retain the Presidential Professor title permanently.

(RM, 9-26-95, p. 24589; 1-27-2004, p. 28924; 6-23-04, p. 29151; 9-11-19, p. 36725; 10-23-19, p. 36808; 1-28-2021, p. 37359)

REGENTS' PROFESSORSHIPS

The Regents' Professorship recognizes a faculty member who has rendered outstanding service to the academic community or to an academic or professional discipline through extraordinary achievement in academic administration or professional service.

CRITERIA FOR SELECTION

Eligibility

Nominees must be full-time faculty members who hold regular faculty appointments. The faculty member must have been a University of Oklahoma employee during the period for which the outstanding contributions are being recognized; previous accomplishments at other institutions, if applicable, may be used in support of a continued outstanding performance. Persons named Regents' Professors are not eligible in subsequent years for a Presidential Professorship. Recipients are eligible for a David L. Boren Professorship, David Ross Boyd Professorship, and George Lynn Cross Research Professorship.

NOMINATION PROCEDURES

Initiation

The Senior Vice President and Provosts will solicit recommendations for the professorship by September 15 and announce appropriate schedules for processing the nominations. Furthermore, the solicitations will be posted on the appropriate campus website, for access by nominators and faculty on all campuses.

Recommendations

Nominations should derive from administrative leaders at OU, including administrative officers, current and former department chairs, college Deans, and Provosts. Packets must be assembled by the nominee's administrative and/or evaluatory unit. Nominations are due to the respective Senior Vice President and Provost by November 1.

Supporting Documentation

Nomination packets must include the following, not to exceed 25 pages combined:

- A letter of nomination, not to exceed seven single-spaced pages;
- A customized vita containing the relevant information pertaining to the accomplishments and criteria cited for the award;
- A short biography (about 100 words) highlighting the nominee's most significant accomplishments, and written for a general audience.

In addition, the nomination packet may also include up to five letters of support, either internal or external, but favoring at least two external letters. Letters must specifically address the criteria of the Professorship. These letters of support will not count toward the 25-page limit.

SELECTION PROCEDURES

Review

The University Council on Faculty Awards and Honors shall consider only the formal nominations. The Council shall forward to the Senior Vice President and Provosts its recommendation(s) for their review. The Council also shall transmit all substantiating materials pertaining to all nominees.

Selection

The Senior Vice President and Provosts will review the nomination materials and the Council's recommendations and will forward their recommendations, along with all substantiating materials, by February 1 to the President, who will make recommendations to the Board of Regents. The final selection of the recipient(s) will be made by the Board of Regents.

ANNOUNCEMENT

The final selections will be announced for Norman Campus at the annual Faculty Award Ceremony and for the Health Sciences Center at the Spring General Faculty Meeting.

PERQUISITES

In the year of designation as a Regents' Professor, the person receiving the award will receive a one-time award of up to \$7,000 and a permanent salary increase of 7% on the University base salary or \$7,000, whichever is greater, starting in the subsequent fiscal year.

TERM OF THE AWARD

The term of a Regents' Professorship is continuous until retirement or separation from the University.

(RM, 5-11-78, pp. 14957-8; 3-15-89, p. 20938; 9-26-95, p. 24594; 1-27-2004, p. 28924; 3-25-2009, p. 31609; 9-11-19, p. 36725)

2.5.2—FACULTY AWARDS

The University recognizes teaching; research and creative/scholarly activity; and professional and University service and public outreach by its faculty by presenting several annual awards to deserving nominees. Some awards (including the Merrick Teaching Award) are privately funded, and criteria and method of selection are set forth in joint University-donor contracts.

2.5.3—REGENTS' AWARDS

The Regents' Award is an annual University-funded award that is given to a faculty member whose accomplishments in at least one of the three areas (teaching; research and creative/scholarly activity; and University/professional service and public outreach) are exceptional and clearly exceed normal expectations.

CRITERIA FOR SELECTION

A nominee must have contributed significantly to the mission of the department/unit in the award area (teaching, research and creative/scholarly activity, service/outreach) being recognized and must have fulfilled obligations and performed well in the other areas as well.

Eligibility

Nominees must be full-time, regular or non-regular faculty members. The faculty member must have been a University of Oklahoma employee during the period for which the outstanding contributions are being recognized; previous accomplishments at other institutions, if applicable, may be used in support of a continued outstanding performance in the area of the specific award. A recipient of an award in one area (teaching, research and creative/scholarly activity, service/outreach) is ineligible for the same Regents' Award during the subsequent five-year period, but is immediately eligible for a Regents' Award in a different area.

i. Teaching

The educational training of students is at the core of the university mission. This training is accomplished through varied educational strategies and environments, including but not limited to in-class activities, hands-on student research training and mentorship, clinical teaching and mentorship, innovative course development (in-class and on-line), pedagogy improvements, and distance learning. Success of these activities must be demonstrated by measurable positive outcomes for students.

The nominator shall provide an informed commentary on the impact of the nominee's exceptional accomplishments, including classroom teaching, engagement with and commitment to students (including undergraduate, graduate, professional, and/or clinical residents and fellows), willingness to keep teaching material up to date with state of the art knowledge, willingness to support broader departmental teaching mission, positive feedback from students via STEs and other channels and from peers via observation, engagement in faculty development activities related to pedagogy, new course development, service learning or service learning components, student advising and mentorship, formal and informal, supervision of graduate students.

ii. Research and Creative/Scholarly Activity

A clear expectation for a research-intensive university is the creation and dissemination of new knowledge and forms of creative activity. The creation of new knowledge derives from scholarly activities that drive innovation, with such activities supported by funding mechanisms appropriate to the discipline. Evidence of the creation of such new knowledge is established through impactful outcomes disseminated in different peer-reviewed formats that include publication of research manuscripts and books, performances and exhibits, and the effective mentorship and graduation of students and/or clinical residents and fellows. The impact of the nominee's research and creative/scholarly activities on the field of study must be substantiated by documentation appropriate to the discipline, and by letters of support from informed leaders in the nominee's field of study. For the Health Sciences Center, attention will be given to the ways in which a nominee may have an impact through team science and interdisciplinary/interprofessional scholarship.

iii. University/Professional Service and Public Outreach

The university is, in the broadest sense, an integral part of the community (intellectual and physical) in which it resides. A faculty member's contributions to the general community include professional service that may be specific to a discipline (e.g., clinical practice and excellence in outcomes such as quality and patient experience, service as journal editor, conference organizer, or in leadership positions in professional organizations) as well as impactful activities that benefit university-community interactions (e.g., teacher training and service learning projects). Such activities enhance achievements in teaching and research. Successful nominees shall have demonstrated exceptional performance in activities that enhance the university's role and standing in the community.

NOMINATION PROCEDURE

Initiation

The Senior Vice President and Provosts will solicit recommendations for the awards by September 15 of each year and announce appropriate schedules for processing the nominations. Furthermore, the solicitations will be posted on the appropriate campus website, for access by nominators and faculty on all campuses.

Recommendations

Nominations may derive from department chairs or unit directors, elected members of departmental/unit Committee A, a department's/unit's approved nomination committee, Center leaders, or a group of faculty who are familiar with the nominee's qualifications for the award. Only one nomination by an academic unit or other nominating group of faculty is allowed for each of the Regents' Awards. The nominating entity will be responsible for assembling the nomination packets including supporting documentation.

Nominations shall be forwarded to the respective dean for review and endorsement. An optional letter from the dean, if included, will focus on evaluatory comments regarding the quality and significance of the nominee's impact on the broader OU mission. The dean's letter will not count towards the 25-page limit outlined below. The dean will forward the nomination materials to the respective Senior Vice President and Provost by November 1.

Supporting Documentation

Nomination packets must include the following, not to exceed 25 pages combined:

- A letter of nomination, not to exceed three single-spaced pages;
- A customized vita containing the relevant information pertaining to the accomplishments and criteria cited for the award;
- A short biography (about 100 words) highlighting the nominee's most significant accomplishments, and written for a general audience.

Although not required, the nomination packet may include letters of support. Letters must specifically address the area of the award. No more than five letters should be included. These letters of support will not count toward the 25-page limit.

SELECTION PROCEDURES

The University Council on Faculty Awards and Honors shall consider only the formal nominations. The Council may seek additional data about the nominees from supplemental sources as appropriate.

The Council shall recommend to the Senior Vice President and Provosts as many as nine faculty members for the awards, with the understanding the majority of the awards will be given for Superior Teaching in the broadest sense as defined by the selection criteria. The Council also shall transmit all substantiating materials pertaining to all nominees. The Senior Vice President and Provosts will review the nomination materials and the Council's recommendations, and will forward their recommendations, along with all substantiating materials, to the President by February 1. The President will make recommendations to the Board of Regents for consideration.

The final selection of the recipients will be made by the Board of Regents.

ANNOUNCEMENT

The recipients of the Regents' Award for Superior Teaching, Regents' Award for Superior Research and Creative/Scholarly Activity, and Regents' Award for Superior Professional and University Service and Public Outreach will be announced by the Board of Regents for Norman Campus at the annual Faculty Award Ceremony and for the Health Sciences Center at the Spring General Faculty Meeting.

PERQUISITES

Each award will consist of affixing the recipient's name to a permanent plaque in a prominent and suitable location and a one-time award of \$10,000. A certificate suitable for framing will be presented to the recipient.

(RM, 5-11-78, pp. 14958-60; amended 9-11-86, pp. 19214-5; 6-27-95, p. 24478; 1-27-2004, p. 28924; 1-26-2011, p. 32434; 9-11-19, p. 36724)

2.5.4—COLLEGE AWARDS FOR FACULTY AND STAFF

Colleges that wish to use private funds to give faculty or staff merit awards for outstanding performance must secure the Senior Vice President and Provost's approval of the selection procedure and the amount of awards prior to any advertising or announcement. As a general rule, awards are given once a year and are limited to less than 10 percent of the recipient's salary. Annual deadlines will be established for the submission of criteria and awards. Announcements of recipients will not be made until the President has approved the annual recommendation. These awards will be made from absolutely unrestricted funds or funds designated specifically for faculty/staff awards. Recipients will be issued an IRS Form 1099 with the payment from The University of Oklahoma Foundation.

(RM, 12-19-90, p. 22154; 3-7-91, pp. 22266-67; 1-27-2004, p. 28924)

2.6—GENERAL ACADEMIC ISSUES

2.6.1—DENIAL OF ADMISSION – NORMAN CAMPUS

Any person who is otherwise academically qualified, meets all University admissions requirements and is denied admission for any reason may appeal that denial by requesting a hearing before the Committee on Academic Regulations within 15 University business days of postmark. 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 or her ability to perform the academic work required of him or her in that semester.

(RM, 4-12-73, pp. 12125-26; 1-27-2004, p. 28924; 6-23-04, p. 29151)

2.6.2—ACADEMIC APPEALS BOARDS

In each college of the University there shall be established an Academic Appeals Board consisting of an equal number of students and faculty. Faculty members of the Board will be chosen by the faculty of the college for a term determined by the faculty. Student members of the Board will be appointed for a term of one year by the dean of the college upon recommendations from the SGA Student President.

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/director of the academic unit, an appeal may be made with the Academic Appeals Board of the college offering the course. Any thesis and dissertation appeals shall be heard by the Graduate College appeals board.

The Health Sciences Center and Norman Campus Faculty Handbooks and the student handbooks include the policy on academic appeals.

(RM, 7-23-87, pp. 19840-43; 6-19-96, p. 24929; 1-26-99, p. 26204; 12-3-02, p. 28355; 1-27-2004, p. 28924)

2.6.3—STUDENT ACADEMIC INTEGRITY

Academic integrity means honesty and responsibility in scholarship. The basic assumptions regarding student academic work at the University are:

- a) Students attend the University in order to learn and grow intellectually.
- b) Academic assignments exist for the sake of this goal and grades exist to show how fully the goal is attained.
- c) A student's academic work and grades should result from the student's own effort to learn and grow. Academic work completed any other way is pointless, and grades obtained any other way are fraudulent.

Academic integrity means understanding and respecting these basic truths, without which no university can exist. Academic misconduct violates the assumptions at the heart of all learning. It destroys the mutual trust and respect that should exist between student and professor. Academic misconduct is unfair to students who earn their grades honestly.

The Regent-approved student integrity policies applicable to each campus, as well as implementing procedures, are published in the Health Sciences Center and Norman Campus Faculty Handbooks.

(RM, 11-8-79, p. 15763; 6-18-81, p. 16490; 4-12-84, pp. 17883-89; 6-9-98, p. 25912; 1-26-99, pp. 26236, 26244; 6-24-2003, p. 28616; 1-26-11, p. 32433)

2.6.4—DEGREES GRANTED BY THE 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.

CERTIFICATES AND DIPLOMAS

All certificates may bear the Seal or Coat of Arms of the University, and all diplomas awarded on the achievement of a degree shall bear the Seals of the University and 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 of 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.

Degrees achieved with honors, pursuant to University and/or State legislation, shall be recognized by diplomas attesting the character of such honors and their relative degree.

Multiple Degrees: Two degrees are not to be conferred on a student at the same commencement, unless the requirements for both degrees have been completed since the last commencement. In that case, two degrees may be conferred on a student by special permission of the faculty or faculties concerned.

Duplicate Diplomas: The University will issue a duplicate diploma when an original has been mutilated, provided the original diploma is returned to the Office of Admissions and Records.

The University will issue a duplicate diploma when the original diploma has been lost or destroyed, provided the recipient presents evidence in affidavit form that the original diploma has been lost or destroyed.

The University will issue a duplicate diploma under a change of name, provided the recipient presents a court order attesting the legal name change and the original diploma is returned to the Office of Admissions and Records or an affidavit is filed to the effect that the original diploma has been lost or destroyed, and the student's official educational record is changed accordingly.

Duplicate diplomas will be printed in the format and typography of the University's current diplomas, carrying current signatures, but bearing the original date of conferral and carrying the following notation printed in a single line directly below the seals and signatures: "Reissued by the University on _____, [year]__, in lieu of the diploma originally given under the above date." Duplicate diplomas will conform in size to those currently being issued by the University. Duplicate diplomas will be ordered at a time other than when the University is ordering diplomas for current graduates. An approved charge will be made for a duplicate diploma. The request for the duplicate diploma must be submitted in writing, with the approved fee charged for the duplicate diploma, to the Office of Admissions and Records prior to the University's ordering the diploma.

Because of the importance diplomas play professionally in the disciplines associated with the Health Sciences Center, it will be understood that the Health Sciences Center will, when it is able to do so, supply diplomas as identical as possible to the original diploma and, when that is not possible, will use the regulations above.

Posthumous Degrees

The Oklahoma State Regents for Higher Education Policy Manual authorizes the granting of posthumous degrees. Such degrees shall generally be unearned, nonacademic degrees recognizing the meritorious but incomplete earned work of a deceased student. In general, the student to whom a posthumous degree is to be awarded should have been a senior with ninety or more earned credit hours. Requests to confer a posthumous degree must be approved by the faculty, dean, Senior Vice President and Provost, and Board of Regents before being forwarded for consideration by the Oklahoma State Regents for Higher Education. Such requests are considered on a case-by-case basis.

CERTIFICATES

Certificates bearing the name and the Seal or Coat of 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. (Oklahoma State Regents for Higher Education policy, II-2-41,6)

CREDIT CERTIFICATES

The Office of Admissions and Records is charged with the responsibility of administering the regulations governing the issuance of certificates that are based on a program of transcribed course credits. Except for those prepared by the Health Sciences Center and by the College of Continuing Education as provided elsewhere in this policy, all certificates are to be printed under the supervision of the Norman Campus Office of Admissions and Records with their design and typography being prescribed by the Norman Campus Office of Admissions and Records.

UNDERGRADUATE CREDIT CERTIFICATES

Transcribed undergraduate certificates may be issued for programs of study, including portions of programs of study for undergraduate degrees, governed by the faculty within an academic unit or a committee of regular faculty at the University of Oklahoma, if each proposed program of study meets the following:

- at least fifty (50) percent of the inclusive hours are upper division, appropriately coded at the 3000 level or above.
- the majority of the hours are competed as resident credit
- for OU-NC, an undergraduate certificate must be 15 or more credit hours representing a coherent body of study
- for OUHSC, an undergraduate certificate must be 12 or more credit hours representing a coherent body of study
- the program is approved for the issuance of certificates by the appropriate campus Academic Programs Council, the campus Senior Vice President and Provost, the University President, the University of Oklahoma Board of Regents and the Oklahoma State Regents for Higher Education.

Undergraduate credit certificates will be issued following completion of the certificate requirements. Degree seeking students may declare a certificate which includes coursework in their undergraduate degree.

GRADUATE AND PROFESSIONAL CREDIT CERTIFICATES

Transcripted graduate or professional certificates may be issued for programs of study, including portions of programs of study for a graduate degree, governed by graduate faculty within an academic unit or a committee of regular graduate faculty, governed by the appropriate Norman Campus Graduate College, including those required by the University in the fulfillment of the prescriptions for a graduate degree. Transcripted professional certificates may be issued for programs of study governed by the appropriate colleges at the OU HSC. For each certificate, each program of study must meet the following:

- at least fifty (50) percent of the inclusive courses are graduate level courses appropriately coded at the 5000 level or higher
- the program required at least twelve (12) hours of credited coursework representing a coherent body of study; and the program is approved for the issuance of certificates by the appropriate campus Graduate Council, the Academic Programs Council, the Senior Vice President and Provost, the University President, University of Oklahoma Board of Regents, and the Oklahoma State Regents for Higher Education.

Graduate credit certificates will be issued following completion of the certificate requirements. Degree seeking graduate students may declare a certificate which includes coursework in their graduate degree.

Certificates for forms of professional proficiency other than those described above 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 provisions of Section 4 hereof.

NONCREDIT CERTIFICATES

Noncredit certificates (e.g. certificates of participation, certificates of completion, certificates of achievement) may be issued through the College of Continuing Education 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, although certificates may be issued only in the

name of The University of Oklahoma. Certificates shall designate their issuing authority as “The University of Oklahoma, Continuing Education and Public Service,” or if applicable, “The University of Oklahoma, College of Continuing Education, in association with (name of appropriate professional association or academic unit).”

Courses or sequences of courses upon which such certificates will be based must be submitted for prior review to, and must conform to requirements for course content and quality established by, a review committee composed of representatives of the College of Continuing Education and of the University faculty.

Certificates recognizing achievement in credit-free College of Continuing Education activities will be administered through the Office of the Vice President for University Outreach. That office is responsible for the design, printing, issuance, and recording of all such certificates.

Programs leading to professional proficiency of such an order as those provided by the University for fellows, residents, interns, and other programs of professional training, whether terminal and without degree status, post-degree, or post-doctoral, at the Health Sciences Center and/or affiliated hospitals may be recognized by certificates in a form to be prescribed from time to time.

Certificates issued in conformity with University and/or state legislation may be printed only in the name and under the authority of the University. Hence, no certificate of any character may be issued under authority of any other agency naming the University as a cooperating institution in the program of training sponsored cooperatively with the University by such agency, except as provided above.

Certificates may be issued by the University, pursuant to appropriate University and/or state legislation, as incorporated in the official publications of the University from time to time, for attendance at University-sponsored programs of formal instruction and/or research at the pre- and post-doctoral levels, and such levels shall be recognized in such certificates. Such certificates shall conform to the provisions hereof.

Certificates of participation in short courses, workshops, and professional gatherings may be issued by the colleges at the Health Sciences Center in a form to be prescribed from time to time, but such certificates shall avoid the appearance and/or the implications of academic credit or professional proficiency reserved to formal programs of academic study.

Certificates may be issued by the University, under appropriate legislation, to winners and participants in scholarly competitions sponsored by the University and conducted in its name, whether such contestants are of non-resident, high school, undergraduate, or graduate status, in a form to be prescribed from time to time.

(RM, 6-15-35, p. 546; 5-25-49, p. 3127; 7-12-50, p. 3608; 10-10-51, p. 4161; 10-8-64, p. 7963; 11-9-67, p. 9164; 5-14-70, p. 10338; 6-14-79, p. 15572; 10-16-85, p. 18615; 11-14-91, p. 22658; 1-28-98, p. 25759; 1-27-2004, p. 28924; 1-23-2008, p. 31011; 3-27-13, p. 33532)

AWARDING HONORARY DEGREES

The University is authorized to confer honorary degrees. (Oklahoma State Regents for Higher Education 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.

Though the University may award one honorary degree per each 1,000 conferred degrees, it is not obligated to award any or all allowed each year.

Nominations are open to any individual, although no individual may nominate himself. It is incumbent upon the nominator to provide sufficient information to document the nominee's achievements and/or contributions. Such information may include vitae, letters of endorsement, bibliographies, and other forms of documentation.

Honorary degrees shall not be conferred upon any faculty member, administrator, or other official associated with the University before such individual has been separated from the University for at least two years, nor awarded to any individual currently in State government.

SELECTION

Nominations are encouraged by March 1 each year for the awards to be presented the following spring.

Nominations will be reviewed, evaluated, and acted upon by the Honorary Degrees Screening Committee, which reports to the President. It shall consist of:

- Senior Vice President and Provost of the Norman Campus
- Senior Vice President and Provost of the Health Sciences Center Campus
- Vice President for University Development
- Vice President for Public Affairs
- two members of the Faculty Awards and Honors Committee, one appointed by the Faculty Awards and Honors Council and one appointed by the President
- one Norman Campus faculty member appointed by the Norman Campus Faculty Senate
- one Health Sciences Center Campus faculty member appointed by the Health Sciences Center Campus Faculty Senate
- three deans of degree recommending colleges (two from the Norman Campus and one from the Health Sciences Center Campus) appointed by the President
- one member of the Board of Regents appointed by the Chair of the Board of Regents

Members other than the Senior Vice President and Provosts, Vice President for University Development, Vice President for Public Affairs, and the Regent member will serve one three-year term and may not be reappointed to a consecutive term.

The Committee shall conduct its deliberations in secret, and the nominations shall be kept secret. The Committee will forward its recommendation(s) to the President by May 1 so that the President may make a recommendation to the Board of Regents at its June or July meeting. The President may choose not to forward one or more of the recommended recipients to the Board of Regents. Upon approval by the Board of Regents, the President will seek the approval of the Oklahoma State Regents for Higher Education at its earliest scheduled meeting. Invitations to the recipients should be issued in early fall.

Honorary degrees will not be awarded in absentia unless extraordinary circumstances (as determined by the President) exist. Honorary degrees generally will be awarded at commencement, although they may be awarded at special convocations for extraordinary occasions.

(RM, 3-8-90, p. 21626; 6-31-91, p. 22457; 1-28-98, p. 25758; 3-29-00, p. 26909; 1-27-2004, p. 28924; 6-23-04, p. 29151)

2.6.5—PROGRAM DISCONTINUANCE

Program Discontinuance – Norman Campus

The success of any university rests in large measure on the degree to which it is responsive to the needs of its students and those who support it. Responsiveness and accountability are essential elements of the fabric of a successful university. They do not assure excellence, but their absence invites failure. Because of the rapidity with which new knowledge is accumulated and disseminated, the relevance and emphasis of academic programs must be constantly reviewed.

Viewed in this light, the formal and systematic evaluation of programs is a positive approach to help ensure that the programs maintain high levels of quality and are responsive to the needs of society, the long-term goals of the University, and the students.

The Health Sciences Center and Norman Campus Faculty Handbooks include the policy on program discontinuance.

(RM, 11-10-77, pp. 14708-12; 9-6-78, pp. 15190-95; 11-10-83, pp. 17724-31; 4-7-93, p.23301; 3-29-00, p. 26909; 1-27-2004, p. 28924)

2.6.6—ACADEMIC CREDIT FOR MILITARY SERVICE

All students who are honorably discharged from the military services of the United States within three years of their enrollment at the University of Oklahoma are entitled to an award of academic credit for courses that are part of the students' military training or service and that meet the standards of the American Council on Education or equivalent standards. The award of credit shall be based on the University's admission standards and role, scope and mission, and supported by appropriate documentation of the military training or service, such as a form DD214, DA Form 1059, or other.

(RM, 12-6/7-12, p. 33402)

2.7—UNIVERSITY LIBRARIES

2.7.1—DEFINITION OF RESOURCES

The University Libraries includes published materials in print; microform and electronic formats; unpublished textual materials; photographs; maps; sound recordings; video discs; motion picture films; and all other similar materials acquired and held for use by students, faculty, and other researchers.

2.7.2—THE DEAN OF LIBRARIES

The Dean of Libraries is the principal administrator for the University Libraries and is responsible for establishing the mission, goals, and policies of the University Libraries. The Dean recommends appointment of all University Libraries personnel; plans and oversees the operations of the University Libraries and its branches; oversees special collections; coordinates acquisitions, and has budget authority over all University Libraries accounts. The Dean represents the University Libraries to its campus constituency, to professional peers off campus, and to the library profession at large. The Dean of Libraries reports to the Senior Vice President and Provost of the Norman Campus.

APPOINTMENT OF THE DEAN OF LIBRARIES

The Board of Regents appoints the Dean of Libraries upon the recommendation of the President.

2.7.3—THE UNIVERSITY LIBRARIES FACULTY AND STAFF

University Libraries personnel consists of faculty, professional librarians, and other staff. The Board of Regents appoints University Libraries faculty and professional librarians upon the recommendation of the Dean of Libraries as approved by the President. Other staff are appointed by the Dean of Libraries consistent with established personnel policies of the University.

2.7.4—COMMITTEE ON UNIVERSITY LIBRARIES

There shall be a Committee on University Libraries on the Norman Campus which shall advise the Dean in the allocation of University Libraries resources and on matters of University Libraries policy. This committee shall be a standing committee consisting of six members recommended by the Norman Campus Faculty Senate and three members appointed by the President. The Dean of Libraries is an *ex officio* member of the Committee on University Libraries.

2.7.5—HEALTH SCIENCES CENTER LIBRARY

The Health Sciences Center Library shall be counted as a part of the University Libraries, and its programs and acquisitions are coordinated with those of the University Libraries on the Norman Campus.

The Health Sciences Center Library is administered through the Health Sciences Center; and its director reports to the Senior Vice President and Provost of the Health Sciences Center. The Health Sciences Center Library shall have its own faculty library committee.

2.7.6—COLLEGE OF LAW LIBRARY

The College of Law Library is a separately administered library and the College of Law is responsible for its budget. Its programs and its acquisitions are coordinated with the University Libraries. The Director of the College of Law Library reports to the Dean of the College of Law.

(RM, 9-12-63, pp. 7512-13, edited; 3-24-70, p. 10262; 1-27-2004, p. 28924)

2.8—SAM NOBLE OKLAHOMA MUSEUM OF NATURAL HISTORY COLLECTIONS MANAGEMENT POLICY

The Sam Noble Oklahoma Museum of Natural History is an independent research department of the University and is dedicated to preserve, increase, and disseminate knowledge of the natural and cultural history of Oklahoma and the world.

This Collections Management Policy recognizes that these collections pertain to the University and that their use is quite multifaceted, including research by University faculty and students, as well as by visiting scholars. Moreover, the Museum is mandated to utilize its collection and submit knowledge to the public by means of exhibits, interpretive programs, and other appropriate media.

The Museum is empowered to collect and accept materials within the broad area of its charter, including science and history. Nevertheless, it is clear that the Museum cannot collect materials indiscriminately and the Collections Management Policy carefully details the limits to collecting that must be exercised by Museum administrators and staff. The policy makes clear the Museum must provide proper care and storage for those items which it accepts. All collections are made with a consideration for compliance with all laws and regulations of the University and state and federal governments concerning acquisitions of museum items. Generally, the Museum will accept only items whose ownership has been transferred to the Museum or the University.

The policy also deals with the documentation that is required for acceptable collection management, the steps that must be followed if items are to be removed from the collection, and regulations pertaining to transfer of items from the Museum to other organizations within the University. The President is authorized to make future operating changes in the policy that do not significantly change the role, mission, or structure of the Museum.

(RM, 4-11-85, p. 18363, edited; 6-13-91, p. 22469, edited; 3-29-00, p. 26909)

2.9—UNIVERSITY OF OKLAHOMA PRESS

The University of Oklahoma Press shall be a division of the University and shall be administered by a director appointed by the President and approved by the Board of Regents.

The University of Oklahoma Press shall consist of two divisions:

- Publishing Division
- Sales Division

The Publishing Division shall remain under the direct supervision of the Director of The University of Oklahoma Press, and shall be budgeted from University appropriations from year to year, according to its needs.

The functions of the Publishing Division shall be to receive manuscripts and certify those acceptable for publication by The University of Oklahoma Press; to edit, design, and generally prepare such acceptable manuscripts for manufacture into book, brochure, or pamphlet form; to maintain full control of its book manufacturing, including control over quality standards, scheduling requirements, bidder selection, and other requirements necessary to function efficiently and competitively as a business operation; to maintain all necessary relations between The University of Oklahoma Press and such writers and authors of scholarly manuscripts who may be resident on the University campus or elsewhere; to promote and publicize scholarly undertakings, particularly those which promise to become or do become published works under the imprint of The University of Oklahoma Press; to serve as a coordinating agency and the publishing instrumentality when feasible for official bulletins, magazines, periodicals, and other printed matter intended to represent the University to the State, the nation, and abroad; to assist in the development of such informational services as may be decided upon by the University; and to receive moneys, credits, and funds from foundations, institutions, corporations, or private individuals, by bequest, gift, or in any other way whatsoever, for the purposes of specific scholarly publications or for general purposes or for the benefit of the employees of The University of Oklahoma Press, such gifts, bequests, or grants to be deposited with the University as restricted funds or with The University of Oklahoma Foundation, in accordance with instructions of the donor or donors and the regulations of the Board of Regents, and to be disbursed on order of the Director of The University of Oklahoma Press.

In accordance with state laws and with the University Purchasing Department procedure, the Publishing Division shall, through established purchasing procedures, prepare specifications for manufacturing and provide the Purchasing Department with written specifications and a list of qualified bidders. With that information, and with any other information required for obtaining usable bids, the Purchasing Department shall obtain bids through regular procedures. No change in specifications shall be made without the prior consent of The University of Oklahoma Press.

The obtained bids shall be reviewed by The University of Oklahoma Press, which shall make recommendations to the Purchasing Department on bid selection. No suppliers shall be awarded a bid without The University of Oklahoma Press's consent, provided state law and the University procedures have been followed. Any supplier not meeting bid specifications or that refuses to meet bid specifications shall be considered an unqualified bidder and not eligible for bid awards.

The Sales Division shall function as a self-supporting auxiliary enterprise, receiving no budgeted appropriation but being authorized to maintain an advance of working capital to support its extended business cycle. The source of funds shall be agency special pooled cash. The advance of working capital must be fully secured by the value of The University of Oklahoma Press's accounts receivable and book inventory.

Except for the authorized advance of working capital, the Sales Division shall be self-sustaining at all times; and it shall receive all moneys, credits, and funds derived from the marketing and sales of all books, pamphlets, magazines, periodicals, and other works and services authorized by the Director; and its authority, powers, and functions shall be to arrange for, supervise, contract for, and bear the expense of all binding, billing, shipping, copyrighting, advertising, selling, storing, paying of commissions and royalties, and all other matters relating to the marketing and distributing of all publications published, handled, or marketed by The University of Oklahoma Press, together with the meeting of all costs of production and manufacturing except those borne by the Publishing Division in the performance of its functions.

The Controller of the University shall receive and account for the disbursement of all funds, moneys, and credits received by all divisions of The University of Oklahoma Press.

(RM, 6-14-45, p. 1818; 5-10-73, p. 12157; 6-11-80, p. 16005; 6-15-89, pp. 21219-22; 3-29-00, p. 26909; 1-27-2004, p. 28924)

2.10—NORMAN CAMPUS CHARTERS AND COLLEGE OF LAW POLICIES

2.10.1—CHARTER OF THE REGULAR FACULTY AND THE FACULTY SENATE, NORMAN CAMPUS

THE REGULAR FACULTY

Composition

The Regular Faculty of the University is composed of all faculty members with tenure-track, tenured, and renewable term appointments at the rank of assistant professor, associate professor, and professor. The Regular Faculty does not include faculty members with temporary appointments.

Powers

All legislative powers of the faculty of the University relative to the University as a whole are vested in the Regular Faculty. These legislative powers shall be exercised either directly by the Regular Faculty or by the Faculty Senate. The Faculty Senate shall remain responsible to the Regular Faculty for all action taken in its behalf.

Officers

The officers of the Regular Faculty shall be the officers of the Faculty Senate – Chair, Chair-Elect, and Secretary. The three officers shall constitute the Executive Committee of the Regular Faculty and shall develop the agenda for meetings and otherwise fulfill the duties which may be described in bylaws.

Meetings

The Regular Faculty shall meet at least once each semester (ordinarily on the third Thursday of October and the third Thursday of April) and at other times upon call by the Executive Committee. Such a call may originate from the President of the University or from a petition submitted to the Chair of the Regular Faculty by 30 faculty members representing two or more degree-recommending divisions. A minimum of 20 percent of the Regular Faculty on the Norman Campus shall constitute a quorum.

THE FACULTY SENATE

Composition

The Faculty Senate shall consist of 50 members of the Regular faculty. The senators shall be elected to three-year terms in the degree-recommending divisions of the University. The electors shall consist of members of the Regular Faculty. Full-time administrative personnel above the department level shall be excluded from future elections of the Faculty Senate. In the Faculty Senate, seats shall be allocated as follows: one seat to each degree-recommending division with at least one percent of the total faculty. Members of the Regular Faculty who are not members of a degree-recommending division of the University, or who are in a degree-recommending division with less than one percent of the total faculty, shall be treated as a separate division. The balance of the seats will be allocated among faculty members placed in this separate division according to a triennial apportionment proposed by the Faculty Senate and approved by the Regular Faculty. Degree recommending divisions with no faculty members will be allowed to appoint a faculty member as an ex-officio member with all the rights and privileges of senate membership excluding the right to vote in official Faculty Senate actions. Five students, including both graduate and undergraduate, chosen by the Student Government Association, shall serve as official student representatives to the Faculty Senate. Without voting privileges, these representatives will observe, participate in discussion, and maintain communication with the Student Association in regard to

Senate actions. Six representatives of the Information Staff Association of the University of Oklahoma and one representative of the Senior Vice President and Provost's Office may also attend meetings and participate, without voting privileges, in Senate discussion.

Election Procedure

Before the end of March each year, the Secretary of the Faculty Senate shall notify the dean of each constituent faculty of the number of senators which that faculty shall elect for the ensuing year. Those senators shall then be elected in April or May. They shall assume their duties in September and ordinarily will serve three-year terms.

The Secretary of the Faculty Senate shall maintain the roster of Faculty Senate membership. At any time that a vacancy occurs, the Secretary shall notify the appropriate dean so that immediate steps may be taken to elect a replacement to serve the unexpired portion of the three-year term. The Secretary of the Faculty Senate will continuously monitor absences. When in a given academic year, a senator has accumulated four absences, that senator is to be dropped automatically from the membership of the senate. The Secretary will notify the appropriate dean to take immediate steps to provide a replacement for the remainder of that senator's term.

Powers

The Faculty Senate shall exercise the legislative powers of the faculty of the University as delegated by the Regular Faculty. The Faculty Senate shall have the power to initiate any legislation requiring the Board of Regents' approval in accordance with provisions of the University Constitution. The Faculty Senate shall determine its own time of meeting, its own rules of procedure, promulgate rules and regulations governing its internal affairs, and establish standing and special committees. The Faculty Senate shall establish and publish its own set of operational procedures or bylaws.

The Faculty Senate shall elect a Chairperson, a Chair-person-Elect, a Secretary, and such other officers as it shall by its operational procedures provide. The Secretary shall not be a member of the Senate. Each standing committee of the Faculty Senate is authorized to select non-Senate members of the Regular Faculty. Students may be asked to serve and in such case will be appointed by the Student Government Association.

The Faculty Senate may establish procedures to review the various functions of the University and any matter affecting the welfare of the University. Subjects for either review or legislation may be brought to the attention of the Senate by written communication either from any member of the University community or from any officially constituted agency.

Liaison with the President

The President shall present to the first meeting of the Faculty Senate in each new academic year a general message on the state of the University in which he or she shall give recommendations for the furtherance of the progress of the University. The President shall within 30 calendar days after receipt of the Senate action inform the Faculty Senate by written message of his or her disposition of a Senate measure. If he or she disapproves of the measure, the President shall in writing give the Senate the reasons for his or her action. Faculty/student councils shall be utilized by the President of the University in the development of policies on matters of vital interest to the University. These areas teaching; research and creative/scholar activity; and professional and University service and public outreach; libraries, budgetary planning, faculty personnel, University relations, University community, athletics, University operations, and

University projects. In order to give the faculty a voice in determining the faculty membership of major councils, which shall be named by the Faculty Senate resolution, the Faculty Senate shall each year provide a list of nominees from which the President will make his or her appointments for the ensuing year.

Liaison with Faculty Senate, Health Sciences Center

The Faculty Senate (Norman) shall maintain a liaison with the Faculty Senate (Health Sciences Center,) through an Inter-Senate Liaison Committee composed of the Chairpersons, Chairpersons-Elect, and the Secretaries of the two Senates. The purpose of the Inter-Senate Liaison Committee is to exchange information between the Senates on either campus and concerns and actions of mutual interest and to recommend actions to the respective bodies on each campus. The respective Chairpersons of the two Faculty Senates should arrange for the meetings for the Inter-Senate Liaison Committee.

Amendment of this Charter

This charter may be amended by a two-thirds vote of those present in any regular or special session of the Regular Faculty provided that no amendment shall be effective until it shall have been approved by the Board of Regents. A proposal to amend the charter may originate by action of the Faculty Senate or by motion in a meeting of the Regular Faculty. In those cases in which the proposal originates through Senate action, the proposal must be submitted to the Regular Faculty, and consideration for the adoption of the proposal by the Regular Faculty shall not occur until the expiration of 30 days after the notification of the Regular Faculty through the Journal of the Faculty Senate. If the proposal originates in the Regular Faculty, it shall not be considered for adoption until the expiration of 30 and not more than 40 days after the members of the Regular Faculty have received copies of the proposal from the Secretary of the Regular Faculty (Secretary of the Faculty Senate).

(RM, 6-25-70, 5-13-71, 6-8-72, 11-8-73, 6-13-74, 5-8-75; amended, RM, 2-12-76, p. 13733, 5-12-77, p. 14414; 1-27-2004, p. 28924; 6-21/23-10, p. 32203)

2.10.2—CHARTER OF THE GRADUATE COUNCIL - NORMAN CAMPUS

The Norman Campus Faculty Handbook includes the Charter of the Graduate Council-Norman Campus.

(RM, 3-8-84, pp. 17851-54)

2.10.3—CHARTER OF THE GRADUATE FACULTY - NORMAN CAMPUS

The Norman Campus Faculty Handbook appendix and the Graduate College website include the Charter of the Graduate Faculty-Norman Campus.

(RM, 3-8-84, pp. 17846-50; 6-27-95, p. 24451; 3-29-00, p. 26909; 1-27-2004, p. 28924)

2.10.4—LAW CENTER

The head of the College of Law should have the title of Dean, the head of the Law Center should have the title of Director, and there should be a single person with both titles. The Dean/Director is responsible to the President for the operation of the Law Center on matters of policy. For academic and appropriate administrative matters, the Dean/Director shall act through the Senior Vice President and Provost or other University officials.

There is a separately identifiable budget for the Law Center based on recommendations directly to the President by the Dean/Director of the Law Center. The separately identifiable budget for the Law Center should be approved together with the total University budget by the Board of Regents. The budget should have internal flexibility so that the Dean/Director may adjust between sub-accounts subject to approval by the President for any major changes of program. In the budget there will be separate program budgets based on priorities established.

Recommendations regarding appointment, tenure, and promotion of members of the faculty of the College of Law should be submitted by the faculty of the College to the Dean/Director, the Campus Tenure Committee and the Senior Vice President and Provost using standard Norman Campus procedures, then to the President, who may seek appropriate advice prior to making his recommendation to the Board of Regents. A Law Center Board serves in an advisory capacity to the Dean/Director, the President, and the Board of Regents.

The Law Center Board will consist of no more than 30 members appointed by the President for staggered terms from nominations submitted by the Dean/Director and the Chair of the Board of Visitors, as follows:

- The Dean/Director shall submit nominations for two-thirds of those to be appointed in any one year after consulting with and seeking nominations from among the legal profession, organized bar, judiciary, law alumni, public leaders, and others outside the University.
- Nominations for one-third of those to be appointed in any one year shall be submitted to the President by the Chair of the Board of Visitors.
- The Dean/Director and the Chair of the Board of Visitors must nominate at least twice the number to be appointed by the President.
- The composition of the Law Center Board should not be made up of persons who are members by virtue of office. Each member should be appointed by virtue of his qualifications. No member of the Law Center Board may be an employee of the University.

Continuing legal education is a function of the Law Center. The College of Continuing Education should assist the Law Center in conducting continuing legal education programs and should be compensated for its services. The details of the arrangements for such services should be determined by the Director of the Law Center and the Vice President for University Outreach.

A budget for the Law Library should appear within the budget of the Law Center. Staff will be under the professional guidance of the University Libraries but administratively responsible to the College of Law. The Law Library budget should also appear in the University Libraries budget for the University as a whole.

No separate corporations should be organized within the Law Center structures.

(RM, 3-24-70, edited, pp. 10260-63; 11-16-72, pp. 11825-26; 3-29-00, p. 26909; 1-27-2004, p. 28924; 6-23-04, p. 29151)

COLLEGE OF LAW ADMISSION PROCEDURE

APPLICATION DATES

Any person who desires to apply for admission to first-year standing in the regular entering fall class or the summer Early Admission Program (EAP) in the College of Law must apply no later than March 15 of the year in which admission is sought. To be eligible for admission to the College of Law with advanced standing, applicants must submit completed applications by June 1 for the fall semester and by November 1 for the spring semester. Priority consideration will be given by the Admissions Committee to those applicants filing completed applications on or before the prescribed deadlines; however, the Committee has the discretion to consider for admission any files received after those dates.

ADMISSIONS COMMITTEE OF THE COLLEGE OF LAW

The Admissions Committee of the College of Law shall consist of three tenured or tenure-track members of the faculty of the College of Law. The members of the Admissions Committee shall be appointed each year by the President upon the recommendation of the Dean of the College of Law.

MAXIMUM NUMBER OF APPLICANTS TO BE ADMITTED

No later than October 1 of each year, the Dean of the College of Law, after consultation with members of Committee A and the Admissions Committee, shall determine the maximum number of applicants to be admitted to the College of Law for the subsequent year and shall forward the same to the President for approval. The President may, within 60 days from the receipt thereof, modify or amend the Dean's determination as to the maximum number of applicants to be admitted.

REQUIREMENTS FOR ADMISSION

To be eligible for admission, applicants must have graduated from an accredited college or university with a baccalaureate degree prior to matriculation at the College of Law. All applicants must take the Law School Admissions Test (LSAT), or other graduate school admission test of suitable rigor. To be eligible for admission to the College of Law with advanced standing, applicants must have satisfactorily completed at least one full semester or equivalent of work at an American Bar Association accredited law school.

The Admissions Committee shall exercise its best professional judgment to select persons for admission to the regular fall class and the EAP who have the aptitude and intellectual capacity to excel in the study of law. To achieve the highest standards of academic excellence, the Admissions Committee shall place significant emphasis on the applicant's academic achievement, as demonstrated principally by undergraduate GPA and the applicant's aptitude for the study of law as shown by the scores on the LSAT or other graduate school admission test of suitable rigor. The Committee may also consider additional factors in its evaluation process which may include, but are not limited to, extracurricular activities, work experience, demonstrated leadership potential, a history of overcoming hardship or disadvantage,

maturity, military service, exceptional talents or skills, trends or improvement in academic performance, success in a challenging academic environment, graduate school performance, and other factors which may be identified at the discretion of the Admissions Committee.

The Admissions Committee shall also identify a select group of approximately 15-25 students for admission to the summer Early Admission Program (EAP) whose undergraduate GPA and LSAT or other graduate school admission test scores may not meet the entry criteria for admission into the regular fall program. The Admissions Committee, in identifying candidates for the EAP, may exercise its discretion in considering a wide range of factors in addition to the GPA and LSAT or other graduate school admission test score and those other factors previously enumerated which demonstrate that the applicants are capable of success in the study and practice of law.

The Admissions Committee shall use a rolling admissions process, meeting to approve or deny applications on a regular basis from October until mid-May. The Admissions Committee may establish a waiting list to fill potential vacancies in the EAP and the fall class. The chair of the Admissions Committee will notify applicants in a timely manner of the decisions of the Admissions Committee affecting their candidacy.

(RM, 3-10-66, p. 8471, 11-11-71, pp. 11220-22; 1-27-2004, p. 28924; 5-8/9-20, p. 37078)

COLLEGE OF LAW - CODE OF ACADEMIC RESPONSIBILITY

TITLE I - THE PURPOSE AND SCOPE OF THE CODE

SEC. 101 — PURPOSE OF CODE

The purpose of this Code of Academic Responsibility is to define academic misconduct and other ethical violations, to prescribe penalties and procedures for enforcement of academic discipline, and to provide for appellate review.

SEC. 102 — SCOPE OF CODE

- a) The Code of Academic Responsibility applies to all students of the College of Law of the University.
- b) Each student shall sign a pledge to comply with this Code at the time of enrolling in the College of Law. The pledge shall notify students that the College may be required to notify bar associations when a student is found guilty of violating this Code.

The Norman Campus Faculty Handbook includes the complete Code of Academic Responsibility.

(RM, 7-27-95, p. 24512)

2.11—HEALTH SCIENCES CENTER CHARTERS, PROFESSIONAL PRACTICE PLANS, AND COLLEGE OF MEDICINE POLICIES

2.11.1—CHARTER OF THE REGULAR FACULTY AND THE FACULTY SENATE, HEALTH SCIENCES CENTER

PREAMBLE:

The Regular Faculty of The University of Oklahoma Health Sciences Center has adopted the following charter, within the structure of the University, to assist with the orderly conduct and governance of its affairs, protecting however the rights and jurisdictions of individual colleges and their respective faculties, to ensure due process, and to facilitate faculty-administration division of labor and reciprocally supportive collaboration in achieving the goals and purposes of the Health Sciences Center.

This charter is not intended to abridge the rights and privileges of any member or sub-group of the Regular Faculty (e. g. department or college faculty group) to determine matters of their rightful jurisdiction, academic freedom, and responsibility.

The Health Sciences Center Faculty Handbook includes the Charter of the Regular Faculty and the Faculty Senate, Health Sciences Center.

(RM, 9-5-74, pp. 13160-13167; amended, RM, 2-12-76, p. 13733; 4-14-77, pp. 14365-66; 6-15-78, pp. 15049-50; 4-12-79, pp. 15483-84; 7-22-82, p. 17112; 7-14-83, pp. 17600-01; 7-11-84, pp. 18031-32; 1-27-2004, p. 28924)

2.11.2—PROFESSIONAL PRACTICE PLANS

The policies for operation and governance of the professional practice plans of the various Health Sciences Center colleges are printed in full in appendices of the Health Sciences Center Faculty Handbook.

2.11.3—COLLEGE OF MEDICINE

ADMISSIONS BOARD, COLLEGE OF MEDICINE

The College of Medicine Admissions Board composition and conduct of business shall be in compliance with relevant and required Liaison Committee on Medical Education (LCME) accreditation standards dealing with medical school admissions policies and procedures.

The Admissions Board shall be made up of eleven (11) members. The Chair of the Admissions Board, a College of Medicine faculty member, will be appointed by the Executive Dean. The other members of the Admissions Board will be nominated by the Associate Dean for Admissions with final approval and appointment by the Executive Dean. The Admissions Board members will serve staggered 3-year terms. The Associate Dean for Admissions will be an ex officio, non-voting member and will correspond with all applicants on behalf of the Board. Appointment of individuals to the Admissions Board shall be provided as information to the University of Oklahoma Board of Regents and The Oklahoma State Regents for Higher Education each year.

The Admissions Board shall evaluate in a holistic manner all applicants for medical school who have completed the application process and been selected for interviews. Using a method and criteria approved by the Admissions Board, the Associate Dean for Admissions shall select an appropriate number of applicants for interview each application cycle and assist the Board in handling all matters related to admissions.

The Admissions Board will be assisted in conducting its business by a subcommittee of interviewers. Subcommittee members will conduct interviews and evaluate each applicant who is invited for an interview using a standard evaluation instrument. No one shall be granted acceptance to the College of Medicine without an interview.

The interview subcommittee of the Admissions Board will be selected by sending a solicitation of interest annually via various methods to faculty, and county and state medical associations. The subcommittee will be selected from those individuals expressing strong interest in serving on the interviewer subcommittee. Attempt will be made to have a diverse subcommittee consistent with the College's diversity statement as well as the geography of Oklahoma, and specialty representation. The majority of the subcommittee will be members who have previously served; however, each year there will be new members. An adequate size subcommittee will be selected in accordance with the anticipated number of interviews to be conducted in the admission cycle. Appointment to the interviewer subcommittee is for a one-year term. There is no limit on the number of terms an individual may serve on the subcommittee.

The Admissions Board shall review the final evaluation provided to it by the interview subcommittee for each applicant interviewed and review overall data for the applicant interview pool to assure accuracy and uniformity of the information. A quorum of the admissions Board will be at least seven members and will be necessary to conduct any official business regarding an individual applicant.

The Admissions Board will conduct official business in a manner consistent with the Oklahoma Open Meetings Act when making decisions regarding applicants. Applicant's names shall not be used in the open meetings, and a number code system shall be assigned to identify applicants.

The Admissions Board shall make final admissions decisions. Such decisions shall be communicated on behalf of the Board to applicants by the Associate Dean for Admissions. An applicant shall not be entitled to appeal the Board's admissions decision. Any decision regarding an applicant's status with the College of Medicine that is required after the final Board decision is made, shall be made by the College of Medicine administration acting consistently with all policies and procedures.

The Admissions Board shall also advise the Associate Dean for Admissions and the Executive Dean of the College of Medicine on matters related to the admissions process. This may include reviewing the interview and other evaluation instruments on an annual basis, and suggesting changes to policies and procedures of the Board and interviewer subcommittee as needed.

(RM, 5-8-75, pp. 13427-28; 6-23-04, p. 29151; 3-26/27-14, p. 34050)

NON-RESIDENT STUDENTS, COLLEGE OF MEDICINE

Within the total class enrollment limits set by the Oklahoma State Regents for Higher Education, the College of Medicine may admit up to 25% or 50 (whichever is greater) out-of-state students per year. Approved by Oklahoma State Regents for Higher Education, February 12, 2009.

(RM, 7-20-89, p. 21277)

SITE OF PRACTICE POLICY, COLLEGE OF MEDICINE

The purpose of the Site of Practice Policy is to concentrate ongoing patient care by the full-time faculty of the College of Medicine in those hospitals and other practice sites in which the major teaching and research programs of the College of Medicine are based. The patient care activities of the faculty may occur in any of the health care entities which comprise the Oklahoma Health Center in Oklahoma City, the Tulsa Medical Education Foundation hospitals in Tulsa, and University-owned or-operated practice sites under the organizational structure of HCA Health Services of Oklahoma, Inc. d/b/a OU Medical Center and its successors which support the academic programs of the College and which can provide the technical environment necessary for modern, high-grade medical care and teaching.

With the negotiation of the Joint Operating Agreement between the University Hospitals Authority and HCA Health Services of Oklahoma, Inc., there is a need to consolidate efforts, activities, and programs among the entities of the Oklahoma Health Center. The advent of Managed Care has also created a need for more flexibility in practice sites to include ensured access to patients for University medical students, interns, and residents.

With the approval of the College of Medicine Dean, full-time faculty members shall be permitted to act in a professional capacity in specific instances not covered above. These situations shall be reported to the Board of Regents annually. The academic program shall take precedence over other responsibilities assumed by full-time faculty members.

As a condition of employment, faculty members who are employed by the University may not render patient care on a continuing basis except in those hospitals and teaching sites specifically authorized for such continuing patient care by the Board of Regents.

(RM, 9-89, p.21311; 12-14-91, p. 22704; 9-13-94, p. 23997; 5-7-99, p. 26372; 1-27-2004, p. 28924; 6-23-04, p. 29151)

2.11.4—HOSPITALS AND TEACHING SITES AFFILIATED WITH THE OU HEALTH SCIENCES CENTER

The University has a significant and tangible interest in ensuring the OU Health Sciences Center and the operator of its affiliated teaching hospitals closely aligned as to strategy and operations. Consequently, the following administrative processes are established and required:

- The President of the University, in consultation with the HSC Committee and subject to approval of the Board, will consider needed competencies and appoint any University representatives or employees designated or permitted to serve on the Board of Directors for entities operating hospitals or other teaching sites affiliated with the Health Sciences Center;
- The President and/or HSC Senior Vice President and Provost will annually report to the HSC Committee the status of the University / Hospital(s) relationship. Such report shall include, but not be limited to, the financial performance of the system as it relates to the University, any changes in clinical, educational or research programming, and an overview of the strategic plan for the upcoming year.
- (RM, 9-14-17, p. 35735)

SECTION 3 – GENERAL POLICIES

The Board of Regents is constitutionally vested with the governance of the University. Within its authority is the governance of all general policy matters, including without limitation, staff personnel appointments, evaluations and appeals, retirement, leaves of absence, outside employment, intellectual property, compliance program, 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, student handbooks such as the Student Code of Responsibilities and Conduct for the Norman Campus, and/or other official policy documents of the respective campuses. 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.

3.1—PERSONNEL POLICIES

3.1.1—PERSONNEL ACTIONS

The President or the President's authorized designee is 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, reappointments, increases in salaries, and other personnel actions for faculty, staff, and student employees, whether part-time or full-time, excluding personnel actions for all regular faculty and staff earning annual full-time compensation above \$150,000, and for all head coaches, deans, vice presidents, vice provosts, and executive officers. All annual salary increases that are consistent with a university wide Board of Regents approved compensation or salary program will also be exempt.

The Board shall have the authority to request periodic reports of specific personnel actions that do not require their approval.

(RM, 12-13-73, pp. 12641-42; amended 9-2-76, p. 14140; 2-8-79, pp. 15377-78; 3-8-90, p. 21623; 10-19-99, p. 26691; 3-29-00, p. 26909; 1-27-2004, p. 28924; 6-23-04, p. 29151; 6-27-19, p. 36634; 9-11-19, p. 36723; 1-19/20-2023, p. 38445)

3.1.2—CONTRIBUTIONS TO FRINGE BENEFITS PROGRAMS

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.

(RM, 7-27-67, p. 9021)

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.

(RM, 9-1-83, pp. 17634-5, edited)

3.1.4—EMPLOYMENT BENEFITS FOR ELIGIBLE EMPLOYEES

The University makes insurance available for employees under a flexible benefits plan, Sooner Options. Health, dental, group term life, accidental death and dismemberment, and long-term disability insurance are offered under Sooner Options. Dependent life and dependent accidental death and dismemberment insurance are also available. To be eligible to participate in Sooner Options, an employee must have at least a 50 percent FTE (full-time equivalent) continuous appointment expected to last a semester or more for faculty and six months for staff. Eligible employees are provided Sooner Credits in proportion to the FTE at the 50 %, 75%, or 100% level. Sooner Credits represent the money the University pays for each employee's health, dental, group term life, and accidental death and dismemberment insurance. Under Sooner Options, the University determines annually an amount of money to provide to the employee to spend on benefit coverages and the amount that will be paid if the employee declines coverage.

Premiums for dependent health, dental, life, and accidental death and dismemberment insurance must be paid by the employee. Also available on an optional basis, with the employee paying the premium, is additional life, accidental death and dismemberment, vision coverage, long-term care, and long-term disability insurance on the employee.

Workers' Compensation insurance is provided for all employees irrespective of employment status. Unemployment Compensation is provided for all employees except students.

(RM, 12-8-77, p. 14733; amended 7-19-78, pp. 15108-9; 12-14-91, p. 22706; 1-27-2004, p. 28924)

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.

(RM, 1-17-57, p. 5565, edited; 3-29-00, p. 26909)

3.1.6—LEAVES OF ABSENCE

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 his designee for approval.

(RM, 7-23-87, pp. 19828-29; 1-27-2004, p. 28924)

MILITARY

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

(RM, 3-9-72, p. 11380; 1-27-2004, p. 28924)

LEAVE OF ABSENCE WITHOUT PAY

Leaves of absence without pay may be granted for a period usually not exceeding one year to members of the faculty and other employees for purposes deemed to be in the interests of the University. Leaves without pay should be infrequent and should be approved only after careful consideration by department heads and college deans. Recurring requests for leaves of absence without pay should not be approved without strong justification, particularly when they are in consecutive years.

Application for a leave of absence should be submitted to the department chair or director, who will forward it with recommendation to the college dean by February 1 for leaves beginning in the following academic year or later and no later than July 15 for leaves beginning the following spring semester. After recommending approval or disapproval, the dean will forward the application to the Senior Vice President and Provost. The Senior Vice President and Provost will recommend to the President, who will make recommendations to the Board of Regents for final action for the April and September meetings, respectively. The President may approve exceptions to these deadlines, provided that it appears to be in the best interests of the University.

The application will be in the form of a letter of request with specific justification for the absence from the University and will include, for example, the following information:

- Sabbatical or other leaves the faculty has taken in the past six years, their dates and purposes.
- The purposes of the proposed leave.
- The contribution of the leave to the realization of the faculty member's goals and those of the University in research, teaching, or service.

- The arrangements to be made by the department to handle the courses that normally would be taught by the faculty member who is proposing to go on leave. The application should be specific and list the affected courses or other work and the arrangements that have been made for these courses and work.

Requests for extension must contain updated information about the above items and will be subject to the same approval procedure as an initial leave.

Time spent on leave of absence without pay will not count toward a probationary period for tenure or for eligibility for sabbatical leave.

University contributions to the Defined Contributions Plan, AD &D, group life, medical and dental insurance will not be made during a leave of absence without pay. Persons on such leave without pay may pay for their own contributions to the plans, except to the Defined Contribution Plan.

For staff, leaves of absence without pay for personal reasons may be recommended by the budget unit head when it appears to be in the best interest of the University and the employee. Such leaves may not exceed one year in length. A period of leave of absence without pay does not count as service time for computation of benefits other than for retirement as specified. Leave without pay for monthly paid employees may not be for absences of less than one day's duration.

(RM, 11-12-43, p. 1475; 1-24-95, p. 24220; 1-27-2004, p. 28924; 6-23-04, p. 29151)

PAID LEAVE AND EXTENDED SICK LEAVE

Paid leave benefits are available to staff and twelve-month faculty who hold continuous appointments. Employees on limited appointments and student employees are not eligible for paid leave time. Paid leave time may be used for vacation, illness or other personal business. FLSA-exempt, salaried employees working at least .50 FTE and up to .74 FTE will accrue paid leave in proportion to their FTE appointment. FLSA nonexempt employees accrue paid leave accrual on a pro-rata basis depending on the number of hours paid. Paid leave is accrued each pay period. Paid leave does not accrue during periods of extended sick leave. Earned paid leave time is accrued according to the schedule below:

Employment Category	Monthly Hourly Accrual	Annual Accrual	Maximum Accrual
Executive Officers	22	33 days (264 hrs)	42 days (336 hrs)
Administrative Officers & 12-month faculty, each yr.	22	33 days (264 hrs)	42 days (336 hrs.)
1 st -5 th yr. staff	18	27 days (216 hrs)	42 days (336 hrs)
6 th -10 th yr.	20	30 days (240 hrs)	42 days (336 hrs)
11 th yr. & thereafter	22	33 days (264 hrs)	42 days (336 hrs)

Paid leave time can be accrued up to the maximum allowance listed above. Time accrued beyond the maximum allowance will be deposited in the employee's extended sick leave account. There is no maximum on the accrual of extended sick leave. An employee may transfer accrued paid leave time to the extended sick leave account. Time deposited in the extended sick leave account may not be transferred back to the paid leave time accrual. Extended sick leave can be used for extended personal illness requiring more than five days of leave time.

Time away from work because of vacation, illness of a family member, funeral attendance, or other personal business is to be reported as paid leave time taken. Absence due to personal illness is to be reported as paid leave time taken for the first five days per incident. When there is no accrued time in the paid leave time account, the first five days per incident of illness must be leave without pay. Absence due to personal illness beyond five continuous working days will be deducted from the extended sick leave account as long as accrued time is available. When there is no accrued time in the extended sick leave account, absence due to personal illness will be deducted from paid leave time. Each campus of the University is authorized to establish a policy indicating whether it will consider scheduled paid leave time taken as time worked for the purpose of computing overtime. In no case will unscheduled paid leave time or extended sick leave be considered as time worked for overtime purposes.

An employee returning to work part time following an extended sick leave may continue to draw from the extended sick leave account for the time not worked until a full release is given by the physician. Recurrence of the same illness within 30 days of returning to work from an extended sick leave may be considered a continuation of the incident and charged to extended sick leave.

Absences due to personal illness should be reported on the monthly payroll certification or hourly time records. A Personnel Action Form changing the employee's status to extended sick leave must be processed before any absence may be deducted from the extended sick leave account. The University will require acceptable medical documentation of illness or disability before allowing any charges to extended sick leave benefits whatsoever.

Leave for personal illness should be taken in the following order: five days of paid leave time, extended sick leave, compensatory leave (available for non-exempt staff), remaining paid leave time, leave without pay. Duration of the disability is to be medically determined. No supervisor should compel an employee to return to work without a medical release. Pregnancy is to be treated as any other extended sick leave. An employee may continue normal duties through pregnancy or use available leave while unable to perform regular duties. Employees who utilize leave for pregnancy shall suffer no penalty, retaliation, or other discrimination.

Vacation time is to be taken from paid leave time. Authorized holidays falling within an employee's vacation period will not be counted as vacation time. Paid leave time may not be used for vacation within the first six months of employment. Use of paid leave time for other than personal illness or emergency must be scheduled in advance with supervisory approval. Employees must comply with departmental policies for reporting absences and seeking approval for time off work. Whenever possible, the University will grant earned paid time off at the convenience of the employee, subject to departmental needs.

Cash payment to an employee in lieu of paid leave time will not be permitted except upon termination. No cash payment will be made for time accrued in the extended sick leave account. Nine-month employees will not receive cash payment for accrued paid leave time. Twelve-month employees terminating their employment under satisfactory conditions in a benefits-eligible position will be paid for paid leave time which they have accrued, not to exceed the amount of their annual accrual. Terminal pay will not include credit for University-recognized holidays falling within the terminal pay period. The budget head may recommend that terminal pay be denied to an employee discharged for serious cause. Retiring employees or the beneficiaries of deceased employees will be paid for accrued paid leave time up to the maximum accrual allowance and will receive pay for holidays falling within the terminal pay period.

Departments are expected to allow employees appointed to grants and contracts accounts to use all earned paid leave time during the specified period of their appointment unless the grant or contract contains sufficient funds or the department plans to use non-sponsored funds to pay for accumulated leave time upon termination. If such funds are not available, PTO must be transferred into the extended sick leave account at the time the employee terminates or the grant or contract is discontinued. If the employee is transferring and the department to which the employee is transferring is willing to accept it, then the leave balance may be maintained. If the department into which the employee is transferring is unwilling to accept the leave, PTO must be transferred into the extended sick leave account.

Employees appointed to grants and contracts whose status changes from benefits eligible to benefits ineligible may have their accrued leave paid out or transferred into the extended sick leave account based on the conditions in the preceding paragraph. PTO balances for such employees will be zeroed out. Twelve-month employees changing to a nine-month appointment must transfer all accrued paid leave time into the extended sick leave account.

(RM, 4-4-91, p. 22299; 6-19-96, p. 24943; 3-29-00, p. 26909; 1-27-2004, p. 28924; 6-23-04, p. 29151; 10-22-08, p. 31434; 9-16-15, p. 34805)

EXTENDED SICK LEAVE POLICY FOR NINE-MONTH FACULTY

The following extended sick leave benefits are available to full-time faculty members with the rank of instructor or above who hold nine-month continuous appointments on the Norman and Health Sciences Center campuses. Benefits for 12-month faculty are addressed in the University's Paid Leave and Extended Sick Leave Policy.

Full-time and nine-month faculty with the rank of instructor or above will accrue 12 days of extended sick leave per year. Such faculty members working at least half-time (.50 FTE) but less than full-time (1.0 FTE) will receive leave accrual based on their FTE. There is no maximum on the accrual of extended sick leave. No cash payment will be made for any time accrued.

(RM, 4-4-91, p. 22303; 6-19-96, p. 24943; 1-27-2004, p. 28924)

3.1.7—INDIVIDUAL CONFLICTS OF INTEREST

I. GENERAL POLICY

- A. **GENERAL OBLIGATION.** Conflicts of interest can result in serious harms such as improper personal benefits, loss of University resources, misuse of confidential information, and exploitation of employees, students, and others. Even without such consequences, conflicts of interest endanger the University's mission and betray the public's trust if left unreviewed. Therefore, all persons covered by this policy must promptly disclose any conflicts of interest, including any personal interest, activity, or relationship that may affect or detract from the proper exercise of University responsibilities, and must adhere to the University's judgment on permissibility and management.
- B. **SCOPE.** This policy applies to all University Employees¹. It establishes minimum standards and procedures for addressing personal conflicts of interest and outside professional employment. Nothing in this policy prohibits any academic or administrative unit from establishing supplementary Conflicts of Interest policies and/or procedures that are more restrictive than these. This policy overlaps with but does not replace Employee responsibilities under state and federal law or other University policies, e.g., the IRB conflicts of interest policy; and, compliance with those laws/policies does not eliminate the requirement to comply with this policy, and vice versa. Institutional conflicts of interest and certain other specific personal conflicts are addressed by other University policies referenced in Supplement 3.

II. CONFLICTS OF INTEREST

A Conflict of Interest arises when a financial or other personal interest, activity, or relationship may reasonably be expected to compromise an Employee's judgment in carrying out his/her University responsibilities. When used in this policy, the term Conflict of Interest also includes potential conflicts (i.e., interests, activities and relationships that do not currently constitute a conflict but will foreseeably do so if not subject to limitation) and the appearance of a conflict (i.e., interests, activities, and relationships that in the University's judgment would impair public trust if not managed appropriately). Conflicts of interest include but are not limited to the following:

- A. **SELF-DEALING:** Transacting any University business with oneself or one's Family or having a Significant Financial Interest in any Company that could foreseeably benefit from the Employee's decisions in discharging University responsibilities.

¹ Definitions of capitalized terms are included in Section 2 and in Supplement 1.

- B. **USE OF UNIVERSITY RESOURCES:** Taking, allocating, or using any University Resources for a non-University purpose except as otherwise allowed by University policy.
- C. **USE OF EMPLOYEES OR STUDENTS.** Hiring or supervising University Employees or students whom one supervises, instructs, or mentors, in a personal interest, activity, or relationship, or receiving a profit from sales or services to them.
- D. **CONFLICTS OF COMMITMENT.** Engaging in any full or part-time activity that demands a level of time or energy that can reasonably be expected to impair the performance of one's University responsibilities. Outside activities ordinarily understood as full-time are presumed to be inconsistent with full-time University employment.
- E. **ENDORSEMENT.** Presenting one's University affiliation, position, or credentials in a way that gives the appearance of University endorsement of any business, charity, or other outside entity or activity, or creating confusion as to University involvement in the activity.
- F. **GIFTS.** Accepting a Gift that may reasonably appear to influence the exercise of one's University responsibilities, or that may appear to be compensation for such exercise, or that otherwise may be prohibited by law.¹
- G. **IMPARTIALITY.** Participating in a University matter involving specific parties that is likely to have a direct and predictable effect on the Employee's financial interests (or those of a member of his/her Family); or, where the Employee or Family member has a personal or business relationship with a directly affected party; or where the circumstances would cause a reasonable observer with knowledge of the relevant facts to question the Employee's impartiality. Examples of such parties include members of one's Family, persons with whom one lives or shares a bank account, and persons with whom one has or has recently had significant financial transactions such as employment, contracting, or indebtedness.²
- H. **CONFIDENTIALITY.** Disclosing confidential information, including proprietary information, acquired through one's University employment to anyone not entitled to receive it.
- I. **INTERESTS AND ACTIVITIES PRESUMPTIVELY PERMITTED.** The following interests and activities are presumptively permitted and need not be disclosed so long as they do not constitute a Conflict of Commitment and so long as they are not required to be disclosed by a unit's supplementary policy:
 - 1. interests below the threshold of Significant Financial Interests in a Company that may do business with the University;
 - 2. financial interests in a Company that does no business with the University, or does business with the University outside the course and scope of one's University responsibilities;

¹ Employees receiving Gifts, gratuities, or other third-party benefits are advised to review Supplement 4 for additional legal restrictions. See Rules 4.8, 4.9, and 4.17.

² Employees engaged in a matter likely to have a direct effect on their financial interests are advised to review Supplement 4 for additional legal restrictions that may affect participation in the matter. See Rule 4.7.

3. unpaid service on nonprofit or scholarly boards;
4. service as an editor of a professional publication;
5. services of a scholarly or professional nature for which tokens of appreciation (honoraria) are traditionally conferred and are not undertaken for personal financial gain, for example a scholarly presentation or program evaluation;
6. modest personal Gifts of a customary nature, ordinarily with a value less than \$20, where knowledge of the relevant facts would likely not cause a reasonable observer to question the Employee's impartiality;
7. inclusion of University affiliation in publications or communications where not reasonably likely to be taken as endorsement;
8. modest personal use, excluding personal business use, of University Resources such as telephone and email as permitted by other University policies.

III. OUTSIDE PROFESSIONAL EMPLOYMENT, EXCLUDING ACTIVITIES COVERED BY A UNIVERSITY PROFESSIONAL PRACTICE PLAN¹

- A. **GENERAL PROVISIONS.** All Employees shall discharge their responsibilities to the University unhindered by outside employment or other commitments. Full-time Employees owe their primary professional duty to the University; any other employment or activity must be secondary. However, in light of their potential to create Conflicts of Interest, outside employment in the area of one's University duties ("outside professional employment") must be disclosed and approved and may be limited as provided in this section. All Employees who are permitted to engage in outside professional employment that reasonably appears to create an actual, potential, or apparent Conflict of Interest shall provide their services in strict accordance with an approved management plan.

All Employees having decisional responsibilities, in the application for, design of, or conduct of sponsored research, e.g., investigators, key personnel, or as may otherwise be required by a sponsor, must disclose all outside professional employment.

- B. **STAFF.** Staff Employees are expected to conduct University business during the University's regular business hours, or as otherwise assigned. Staff Employees may not conduct outside professional employment during their assigned University business hours except when leave is authorized. Salaried staff with appointments from 0.8 to 1.0 full-time equivalent (FTE) shall disclose and receive prior approval for all outside professional employment to assess possible conflicts of commitment. All staff employees must disclose and receive prior approval for outside professional employment that reasonably appears to create an actual, potential, or apparent Conflict of Interest.

¹ While excluded from this Section 3, Employees who are in HSC or other Professional Practice Plans are expected to comply with the terms of their respective Plans and all other applicable University policies and procedures.

- C. **FACULTY.** During the terms of their academic appointment, faculty members must attend to all duties and responsibilities including classes, office hours, and service commitments. Faculty participating in a Professional Practice Plan should adhere to these principles in addition to those obligations arising under the Plan.
1. **Faculty during academic year.** Faculty members are individually and primarily responsible for arranging their University time. Full-time faculty may, with chair or director approval, commit up to 10 hours in any week for outside professional employment during University business hours so long as the activity does not reasonably appear to create a Conflict of Interest, does not interfere with the faculty member's University duties and responsibilities, and provides important elements of faculty professional development related to University duties and responsibilities. For faculty who accrue leave, the University shall determine the extent to which leave should be taken for outside professional activities.
 2. **Summer outside professional employment for 9-month faculty.** During any portion of the summer in which 9-month faculty are not on contract with the University, they may engage in outside professional employment without regard to the 10-hour-per-week limitation. Such outside professional employment is presumptively permitted; however, such employment must be disclosed for prior review for actual, potential, or apparent Conflicts of Interest and may not involve use of University Resources, including staff, except as otherwise provided by University policy and agreement by the appropriate office, e.g., the Office of Technology Development in the case of University-owned intellectual property.
 3. **Part-time faculty.** Faculty with less than full-time appointments may engage in outside professional employment during any time not required by their University responsibilities, unless limited by the terms of their respective professional practice plans.
 4. **Regular and renewable-term faculty.** Regular and renewable-term faculty with appointments from 0.8 to 1.0 FTE must disclose all outside professional employment.

IV. DISCLOSURE AND REVIEW

- A. **CONFLICT OF INTEREST OFFICE.** The University President shall designate a Conflict of Interest office or offices on the Norman and Health Sciences Center campuses which shall be responsible for the following:
1. **EDUCATION.** Providing to Employees on all campuses adequate information at least annually regarding this policy and their obligations hereunder and ensuring that Employees responsible for implementation and administration of this policy receive appropriate training to effectuate the aims of this policy.
 2. **PROCEDURES AND IMPLEMENTATION.** Managing the activities of the Conflict of Interest Committees, providing oversight, and promoting uniform standards for conflict of interest disclosure, review, approval, and management across all campuses.

3. **RECORDKEEPING.** Maintaining an inventory of all conflict of interest disclosures, management plans, and related pertinent materials across all campuses. The office shall also devise standards for internal disclosure and for public disclosure of conflicts under management sufficient to assure ethical transparency while maintaining an appropriate level of privacy for personal financial interests and personnel records.
- B. **CONFLICT OF INTEREST COMMITTEES.** The University President shall appoint two Conflict of Interest Committees: one on the Norman Campus and one on the Health Sciences Center Campus. Conflicts arising on the Tulsa Campus shall be decided by the Committee for the campus where the Employee's unit is based.
1. **Composition.** Committees shall be composed of four faculty recommended by Faculty Senate; three staff members recommended by Staff Senate from the salaried professional academic and administrative staff; the Vice President for Research or designee; the Senior Vice President and Provost or designee; and additional voting members with specialized competencies and expertise as may be appropriate for deliberations of each Campus's respective Committee. The Committees shall have a nonvoting member designated by the Office of Legal Counsel to provide advice and legal support.
 2. **Powers and Responsibilities.** Committees shall determine the appropriate disposition of covered conflicts arising on their respective campuses.
 3. **Delegation and Support.** Consistent with the aims of this policy, the Conflict of Interest Offices shall be responsible for the day-to-day operation of their respective Committees and shall establish procedures to obtain recommendations from appropriate individuals and units, to decide cases, to delegate routine matters to the Conflict of Interest Office, and to delegate decision-making for conflicts of a specialized nature where the decision-making expertise is localized.
- C. **OBLIGATION TO DISCLOSE.** Employees shall disclose and seek prior approval for an interest, activity or relationship covered under this policy, or within 30 days of hire, if the activity or relationship predates the Employee's University employment. Disclosures shall be to the appropriate Conflict of Interest Office, in writing, and shall include a clear, detailed explanation of the Conflict. The Conflict of Interest Office may forward the disclosure to other offices for preliminary information, review, or advice as the Office deems necessary.
- D. **REVIEW.** Disclosures shall be reviewed in accordance with procedures established by the Conflict of Interest Office. In light of the unique institutional responsibilities of executive officers, conflicts arising for Executive Officers shall be disclosed according to the Institutional Conflicts of Interest policy.
- E. **POSSIBLE ACTIONS.** The Conflict of Interest Committee or its designee may determine that the activity, interest, or relationship constitutes (a) no conflict, (b) a potential conflict that will be permissible as long as certain limits are not exceeded, (c) a manageable conflict requiring a management plan; or (d) an unmanageable conflict requiring action to terminate either the interest or the University duty involved.

- F. **MANAGEMENT PLANS.** When a Conflict of Interest, whether actual, potential, or apparent, requires management, the Conflict of Interest Committee or its designee shall, with information and input from the Employee and others as it deems appropriate, develop a management plan. Management plans must include a description of the conflict, a summary of the steps required for management, specific individual(s) responsible for the required steps, the records to be maintained under the plan, and a schedule for review, which must occur at least annually.

V. REMEDIATION, RESCISSION, AND ENFORCEMENT

Reports or evidence of policy violations received by the Conflict of Interest Office shall be reviewed, investigated, and referred to the appropriate office for action. Employees who fail to disclose a conflict of interest or to comply with a decision or approved management plan may be subject to discipline up to and including severe sanctions and termination. Employees are reminded that they also are subject to civil and criminal penalties for violations of state or federal laws relating to conflicts of interest. An approving authority may rescind an approved outside professional employment activity upon receipt of information indicating the activity is not consistent with this policy, applicable law, or other University policy. If approval is rescinded, the Employee shall be given written notice and an opportunity to respond to his or her campus Conflict of Interest Committee.

SUPPLEMENT 1: DEFINITIONS

- A. **COMPANY.** Any entity, other than the Board of Regents of the University of Oklahoma, through which business is conducted (profit or non-profit), including such organizations as a sole proprietorship, partnership, company, corporation, civic or social organization.
- B. **EMPLOYEE.** All individuals employed by the University, whether full or part-time. For purposes of this policy, the term “Employee” shall also include postdoctoral fellows, visiting scholars, residents, graduate research and teaching assistants, volunteers, and all key personnel working on grants and contracts whether paid or unpaid.
- C. **FAMILY.** Includes any individual who is a spouse/domestic partner, parent, child, stepchild, or sibling of an Employee or a member of the Employee's household.¹
- D. **GIFT.** Anything of value to the extent that consideration of equal or greater value is not received in exchange.
- E. **INTELLECTUAL PROPERTY.** Any ideas, discoveries, inventions, technology, creative expressions and embodiments thereof in which a proprietary interest may be claimed such as patents, copyrights, trademarks, know-how, biological materials, and other forms of intellectual property legally recognized as set forth in the University's Intellectual Property Policy.

¹ For the definition of “family” in the State Ethics Rules see Rule 4.2. Due to a university's unique ethical responsibilities in teaching and research, OU's definition is somewhat broader in scope.

F. SIGNIFICANT FINANCIAL INTEREST.¹1. For a non-publicly traded company.

- A. Any ownership interest, by the Employee or his or her Family, in a private business, including but not limited to, a closely held corporation; limited liability company; Subchapter S corporation or partnership for which the Employee or his or her Family member is a director, officer, owner, manager, employee, or agent; or any private business, closely held corporation or limited liability company in which the Employee or his or her Family member owns or has owned stock, another form of equity interest, stock options, or debt instruments.
- B. Any Intellectual Property right or interest for which the Employee or his or her Family has received income.
- C. Receipt of income of Five Thousand Dollars (\$5,000) or more by the Employee or his or her Family during the twelve months prior to the date of disclosure; or

2. For a publicly-traded company. Any interest for which remuneration during the twelve months prior to disclosure, plus the value of equity interest in the entity at date of disclosure, exceeds \$5,000, when aggregated for the Employee and his or her Family.

3. Significant Financial Interests do not include:

- A. salary, royalties, or other remuneration paid by the University to employees (including Intellectual Property rights assigned to the University and agreements to share in royalties related to such rights); or
- B. investment vehicles, such as mutual funds and retirement accounts, where the Member does not directly control the investment decisions made by such vehicles.

G. UNIVERSITY RESOURCES. All University services, real and personal property including facilities, equipment, Intellectual Property, and workforce.

**SUPPLEMENT 2: CONFLICTS OF INTEREST IN BUSINESS AND
RESEARCH RELATIONSHIPS**

- A. Company Board Membership/Officership. Service as a director or officer (President, VP, CEO, COO, CFO, Scientific Officer) of a Company is normally acceptable; however, when the Company proposes to do or is doing business with the University, has licensed University technology, or there is, an actual, potential or apparent Conflict of Interest with one's University responsibilities (such as financial conflicts, conflicts of commitment, use of University

¹ For the definition of "material financial interest" in the State Ethics Rules see Rule 4.7. Under federal law, the University's disclosure requirements are more restrictive, e.g., NSF sponsored research contracts, and rather than confuse the issue by applying different standards, the university elected to abide by the more restrictive rules.

Resources, potential or actual overlap between University research and Company research, and use or ownership of Intellectual Property), one shall disclose the relationship and seek written approval from the Conflict of Interest Committee pursuant to a management plan.

- B. **Support of Students and Trainees by Companies.** The progress and academic standing of students and trainees must never be compromised. Accordingly, a Company may not be permitted to (i) support a student's academic program if the supervising Employee has Equity or serves as a director or officer (President, VP, CEO, COO, CFO, Scientific Officer) or (ii) employ a student or trainee to conduct research that overlaps with his or her University training or academic program, absent written approval by the Conflict of Interest Committee pursuant to a management plan. The Conflict of Interest Committee shall establish University policies and rules to regulate the circumstances under which the referenced employment relationships may be permitted.
- C. **Funding for Sponsored Research and Service Activities.** There is a presumption against accepting funding from a Company in which the University or the Employee has a financial interest, or the Employee serves as a director or officer (President, VP, CEO, COO, CFO, Scientific Officer). Presumptively, Employees may not act as a principal investigator on extramural sponsored projects in the area of the Employee's professional expertise. The Conflict of Interest Committee shall establish University policies and rules to regulate the circumstances under which these relationships may be permitted.
- D. **SBIR / STTR Programs.** Under Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs, small businesses are encouraged to partner with a research university to perform innovative research and/or to assist in technology transfer from the university. A University Employee may participate in the SBIR/STTR project only through a written contract between the University and the Company approved in accordance with University policy that outlines the Employee's responsibilities and/or University benefits. The Conflict of Interest Committee shall establish University policies and rules to regulate the circumstances under which the referenced employment relationships may be permitted.

SUPPLEMENT 3: OTHER UNIVERSITY POLICIES RELATED TO CONFLICTS OF INTEREST

Conflicts of Interest may take various forms but exist when there is contradiction between the private interests and professional obligations of a University employee. In addition to being addressed directly in this policy, such Conflicts are addressed in other University policies which govern conduct of employees' professional activities. A non-exhaustive listing of such policies follows. A University employee should consult specific University policies presented in the faculty and staff handbooks of their respective campuses for guidance and information regarding specific situations which may relate to Conflicts of Interest.

Academic Freedom and Responsibility

Acceptable Use of Information Resources

Candidacy for Public Office

Compliance Policies

Conducting Private Business from University Facilities
Consensual Sexual Relationship Policy
Ethics in Research Policy
Fraud Prevention, Reporting, and Whistleblower Protection Policy
Fundraising or Solicitation
General Purchasing Policies
Intellectual Property Policy
IRB Conflict of Interest Policy (researchers)
Nepotism Policy
Off-campus Use of University Property
Participating in Political Campaigns
Professional Practice Plans – HSC
Sabbatical Leave
Sale of Required Instructional Material
Service as Promotional Speaker for Private Industry – HSC
Use of State Vehicles for Private Purposes

**SUPPLEMENT 4: OKLAHOMA STATE ETHICS RULES, RULE 4: CONFLICTS OF INTEREST
(EXCERPTS)**

Rules regarding conflicts of interests have been promulgated by the Oklahoma Ethics Commission, not the legislature, but they have the force and effect of law and there are civil penalties available for violating them. In that the Commission may modify the rules, a non-exhaustive COI list, as of 8/14/2019, is set forth below by subject. As applicable to an employee's circumstances, go to the Commission's web site <<https://www.ok.gov/ethics/>> click on "Ethics Laws, Guides & Forms" and review the latest version (annotated) of the applicable rule.

Rule 4.1. Purpose of Rule 4.

Rule 4.2. Definitions.

Rule 4.4. Misuse of Office.

Rule 4.5. Misuse of Authority.

Rule 4.7. State Officer Impartiality.

Rule 4.8. Gifts from Vendors to Persons Engaged in Purchasing Decisions.

Rule 4.9. Gifts from Successful Vendors.

Rule 4.11. Gratuities Offered at Seminars, Conferences or Similar Events.

Rule 4.12. Modest Items of Food and Refreshments

Rule 4.13. Acceptance of Meals, Lodging, Transportation and Other Benefits as a Result of Spouse's Business Activities.

Rule 4.14. Acceptance of Meals, Lodging, Transportation and Other Benefits as a Result of Private Business Activities.

Rule 4.15. Acceptance of Meals and Other Benefits for Conference Presentations.

Rule 4.16. Acceptance of Meals for Professional, Civic or Community Events; Acceptance of Meals at Political Events.

Rule 4.17. Gifts to Superiors by State Officers or Employees.

Rule 4.18. State Officer or Employee Representation of Others in Transactions Involving the State.

Rule 4.19. State Officer or Employee Representation of Others Before Employing Agency.

Rule 4.23. State Officer or Employee Violation of Rules through Indirect Action.

(RM, 6-12-75, pp. 13478-80; 7-12-77, pp. 14537-39; 10-13-88, p. 20597; 1-16-89, p. 20834; 10-14-93, p. 23584; 9-26-95, p. 24570; 12-10-96, p. 25199; 9-11-01, p. 27693; 1-27-2004, pp. 28868, 28924; 6-23-04, p. 29151; 9-19/20-12, p. 33275; 10-23-19, p. 36806)

3.1.8—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 principal 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 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.

The full text of the Intellectual Properties policy is included in the Norman Campus and Health Sciences Center Faculty Handbooks and the Staff Handbook.

(RM, 11-13-80, pp. 16191-3; 10-14-82, p. 17246; 1-15-87, p. 19412; 1-16-89, p. 20834; 6-13-91, pp. 22461, 22458-59; 12-9-99, p. 26752; 12-7-2001, pp. 27808, 27809; 1-27-2004, p. 28924; 6-23-04, p. 29151; 6-21-16, p. 35207)

3.1.9—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, promotion, 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 Senior Vice President and Provost, or the appropriate vice president, and approved by the Board of Regents. In recommending the waiver, the Senior Vice President and 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 Senior Vice President and 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 Senior Vice President and Provost or appropriate vice president and the President. In the case where this policy is made applicable by a related party being selected to Committee A of an academic unit, approval of the Board of Regents is not required; however, all other provisions of this policy will continue to apply.

It is the responsibility of the head of the budget unit to seek a waiver before offering employment to any person whose employment without a waiver 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 and if justified in writing by the appropriate vice 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.

(RM, 4-8-71, pp. 10837-38; 10-17-90, p. 22024; 2-20-92, p. 22780; 1-27-2004, p. 28924)

3.1.10—PREVENTION OF ALCOHOL ABUSE AND DRUG USE ON CAMPUS AND IN THE WORKPLACE

The University recognizes its responsibility as an educational and public service institution to promote a healthy and productive community and 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 program includes this policy which prohibits illegal use of drugs and alcohol in the workplace, on University property, or as part of any University-sponsored activities; and on the Norman Campus the Student Alcohol Policy, and the Three Strikes Policy. 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 laws 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 University premises, or as a part of any University-sponsored activities, or under the conditions set forth in the Three Strikes Policy and Student Alcohol Policy.
- 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, 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) Violation 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 certain career and professional opportunities. A current listing of applicable local, state, and federal sanctions can be obtained through the Offices 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 shall establish and maintain Employee Assistance Programs and Student Counseling Services for counseling and training programs to inform students and employees 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 an 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 annually 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, nausea, vomiting, a lowered immune system, damage to critical nerve cells, physical dependency, lung damage, heart problems, liver disease, cancer, elevated blood pressure, increased infection, physical and mental impairment, irreversible memory loss, personality changes, and thought disorders. Behavioral manifestations can include slowed reaction time, slowed reflex responses, loss of fine motor coordination, staggered gait, impairment of reasoning and rational thinking. Other less obvious risks associated with abuse of alcohol and other drugs include, but are not limited to, sustaining or causing personal injury, risk to fetal development, unwanted sexual activity, unintended pregnancies, sexually transmitted diseases, family and dating violence, poor academic or work performance.

The appropriate Senior Vice President and Provost or Executive Officer is responsible for notifying 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 are subject to the grievance procedures stated elsewhere in the Board of Regents' policy.

STUDENT ALCOHOL POLICY

All campus-affiliated student organizations and all students who are currently enrolled at the University of Oklahoma or are pre-enrolled for subsequent semesters and have attended the institution for at least one semester in the current or past academic year are responsible for following federal, state and local laws, the Student Rights and Responsibilities Code, and the Student Alcohol Policy.

- (1) All fraternities, sororities and residence halls will be dry. Alcoholic beverages will not be allowed inside fraternity houses, sorority houses and OU residence halls or on the grounds surrounding them. Fraternity officers and members will sign an agreement to abide by this

policy, which will be strongly enforced. Enforcement for Campus alcohol violations and punishments has been increased.

- (2) To curtail alcohol abuse on and off Campus, the University has adopted a mandatory, minimum “Three Strikes” policy. The first alcohol violation, whether off Campus or on Campus, automatically will result in appropriate parent/guardian notification and further alcohol education. A second violation will also automatically carry parent/guardian notification and an appropriate sanction. A third violation will result in automatic suspension from the University for a minimum of one semester. Parents/guardians will be informed of this policy at the time their son or daughter enrolls at OU.
- (3) Events where alcohol is served, which are sponsored by Campus-affiliated student organizations, shall be restricted to only Friday nights and Saturday nights.
- (4) Transportation to and from off-Campus parties sponsored by Campus-affiliated student organizations shall include designated drivers or bus transportation provided by the sponsoring group.
- (5) Alcohol education programs have been expanded and all entering undergraduate students, age 22 and under, are required to complete these programs to remain in good standing. In addition, upon joining a fraternity or sorority, new members will participate in a University-approved alcohol education program before their new member program begins.
- (6) An anonymous, confidential hotline has been established where violations of the anti-hazing and dry fraternity, sorority and residence hall policies may be reported.
- (7) All fraternity and sorority recruitment events are alcohol-free. In addition, regulations have been established for IFC fraternities to regulate summer recruitment activities. These regulations include: mandatory registration of recruitment-related facilities, notification one calendar week prior to recruitment events, and open invitations to IFC and University representatives to attend any recruitment activities.
- (8) Campus-affiliated student organizations are required to present a plan annually for organizationally-sponsored events prior to any activities where alcohol is served.
- (9) Fraternity and Sorority Student Life has enhanced the University’s statement on prohibited hazing activities. Fraternity and sorority officers will sign a pledge to abide by this policy and report violations. It also will be provided to new members who will sign a statement promising to report violations. This statement on prohibited hazing activities also will be given to the new member’s parents/guardians, who will be urged to report any violations.
- (10) The University has established a formal relationship with licensed alcohol counselors for immediate student referrals.
- (11) The University has established the SafeRide program is contracted with local taxi or public transportation companies to provide safe rides to discourage drinking and driving.
- (12) Because of the critical student health and safety issues, any conflicting policy or process will be waived.

THREE STRIKES POLICY

Definition of a Strike

A “strike” is the University’s official recognition of a student’s or organization’s violation of the University’s Student Alcohol Policy. Nothing herein shall waive a student’s right to due process. A strike is a final University disciplinary action that finds the accused guilty of an alcohol-related violation. A student or organization may be charged with an alcohol-related violation based on the following:

1. A conviction, deferred sentence, or a plea that has the effect of conviction of an alcohol-related violation of which the University is made aware;¹ or
2. A University finding or allegation that a student or organization may have committed an alcohol-related violation prohibited by the Student Rights and Responsibilities Code. Such violations include, but are not limited to, the conduct prohibited by Title 16 of the Student Rights and Responsibilities Code, the Student Alcohol Policy, incident reports and citations.

Upon notification of the foregoing, or any other violation reasonably related to alcohol, the University may charge the student pursuant to the Student Rights and Responsibilities Code and the student shall be entitled to an appropriate hearing as defined by the Student Rights and Responsibilities Code. Whether by decision of an appropriate disciplinary body, administrative official, or by a negotiated settlement, any final University disciplinary action resulting in a finding of guilt for an alcohol-related violation shall be considered a strike.²

Reporting Mechanisms

The University may act on any reliable information it receives. Although not an exhaustive list, the University may be notified of prohibited conduct in the following ways:

1. A police report from the University of Oklahoma Police Department;
2. A police report from the Norman Police Department;
3. Reports from other law enforcement or security agencies that are received by the University;
4. Notification by a University official that an alcohol violation occurred; or
5. Any other information deemed reliable by the University that comes to the attention of a University official.

Once notified of alleged prohibited conduct, the University may investigate the information received to determine if the conduct constitutes a violation prior to taking action. Nothing herein shall waive a student’s right to due process.

¹ Alcohol violations and misconduct shall include, but shall not be limited to, minor in possession; public intoxication; manufacture, use or possession of false identification; driving under the influence, driving while intoxicated, actual physical control and involvement in a crime while under the influence. Student Affairs, by and through the Student Conduct Office, shall determine if a charge is alcohol-related; however, the final determination shall be made by an appropriate disciplinary body or administrative official.

² A final disciplinary action shall be a decision to which no further right of appeal exists in the Student Rights and Responsibilities Code.

The University strongly supports and encourages any student seeking transportation assistance in the event he/she cannot safely operate a motor vehicle. Further, the University strongly supports and encourages students seeking medical and/or mental health care in the event of alcohol-related illness or other concerning behavior related to alcohol use. To ensure students prioritize their own safety and health, the University shall not utilize information that a student has sought or accessed medical/mental health treatment or the SafeRide program as a basis upon which to initiate disciplinary action or as evidence in any disciplinary proceeding.

SANCTIONS

INDIVIDUAL SANCTIONS:

The following sanctions are mandatory minimum sanctions for alcohol violations. Based on the severity of the infraction, the University reserves the right to impose any appropriate additional sanction(s). Any violation by an individual student remains part of the individual's record until graduation. If a student is suspended after the 3rd strike and is readmitted to the University of Oklahoma, the student is readmitted with 2 strikes.

1st Strike

- Parent/Guardian notification via return receipt certified mail.
- \$75.00 administrative fee.
- Satisfactorily complete a defined alcohol education program.
- Censure. The notation of Censure shall be removed upon graduation from the University of Oklahoma subject to completion of disciplinary sanctions.

2nd Strike

- Parent/Guardian notification via return receipt certified mail with a follow-up telephone call.
- \$150.00 administrative fee.
- Satisfactorily complete an approved alcohol counseling program.
- Satisfactorily complete 20 hours of approved community service.
- Disciplinary probation. The notation of Disciplinary probation shall be removed upon graduation from the University of Oklahoma subject to completion of disciplinary sanctions.

3rd Strike

- Parent/Guardian notification via return receipt certified mail with a follow-up telephone call.
- Automatic suspension.

Deferred Strike

The following individual alcohol violations shall be entitled to an automatic deferred first strike: minor in possession and/or public intoxication. In other similar, limited circumstances the University Vice President for Student Affairs, at his/her sole discretion, may grant a deferral for a first strike. A first strike based on a Driving Under the Influence (DUI) incident is not eligible for deferral. A deferred first strike will not be considered an "violation" and will not be maintained as a disciplinary record of the University unless the student commits another alcohol offense violation of any nature, within the 12-month period of deferral. In such event, the deferral of the first strike shall be revoked and the second alcohol violation

shall be considered a second strike. To qualify for the ultimate removal of the deferred first strike, the student must not commit any other alcohol offense violation for a period of 12 months from the date the student is found responsible by the University for the deferred alcohol violation. Moreover, students are only entitled to one deferred strike during their attendance at the University.

Removal of Individual Strike

A student who has received a first strike may request that the strike and the record be removed from his/her student file provided the student meets the relevant eligibility criteria and provides documents evidencing the following criteria. This request must be made in writing to the Student Conduct Officer. In order to be eligible to request to have the strike and the record removed from his/her student file at the University, the student must present documentation of the following:

- (1) it has been one year since the student was found responsible by the University for an alcohol violation;
- (2) the student has not received any additional charges or alcohol related violations on or off campus, since the student was found responsible by the University for the alcohol violation at issue;
- (3) the student timely completed all agreed-upon sanctions required by the University.

Removal of the strike is at the sole discretion of the University Vice President for Student Affairs or his/her designee. Additionally, this opportunity for a student to have a first strike removed from his/her University record does not apply to DUIs, applies only to charges under the University's Three Strike Policy, and in no way limits any other available action by the University including, but not limited to, any violation of the Student Rights and Responsibilities Code. Moreover, a student is only entitled to one strike removal during his/her attendance at the University.

ORGANIZATIONAL SANCTIONS:

Organizational sanctions will be administered based on the possession and use of alcohol in an organization's residence facility or the illegal or prohibited use of alcohol at an organizational event.

Before imposing an organizational sanction, as opposed to solely an individual sanction, the University will consider the entirety of the circumstances surrounding the organizational event, including, but not limited to, whether:

- (1) the alcohol violation was endorsed, sponsored, sanctioned, enabled, furthered, or funded, in whole or in part, by the organization, its officers, or the officers of its local, state, or national organization acting with actual or apparent authority, and any of them knew or should have known of the alcohol violation and they took insufficient action to prevent or cease the violation; or
- (2) the alcohol violation occurred on property owned, leased, rented or occupied by the organization, and the officers of the organization took insufficient action to prevent or cease an alcohol violation they knew or should have known existed; or
- (3) alcohol is located in the organization's campus or campus-affiliated residence facility (e.g. fraternity/sorority chapter houses), unless otherwise exempted; or

- (4) regardless of its location, the alcohol violation occurred at an event or any gathering of two or more individuals of the organization conducted in furtherance of the mission, or purpose of the organization, including any event, program or ceremony; or
- (5) the alcohol violation occurred at any gathering utilizing the organization's name or logo, or that was advertised by the organization; or
- (6) the alcohol violation occurred at any gathering of two or more individuals that would typically be in furtherance of the organization's activities, but is designed to circumvent these rules.

The Vice President for Student Affairs has the discretion to determine whether, based on the criteria above and the totality of the circumstances, the alcohol violation occurred at an organization event and warrants an organizational sanction.

Any violation by the group remains part of the organization's "Three Strikes" record for a period of three calendar years, unless the organization requests and the University grants removal of an eligible first strike in accordance with the Student Alcohol Policy.

1st Strike

- At the discretion of the University and after considering all relevant information, the University will impose a minimum administrative fee of \$500.00 or a per capita rate of \$1.00 to \$20.00 based on the organization's membership at the time of the violation, whichever is more appropriate.
- 100% of the organization's membership must complete a defined alcohol education program.
- An aggregate community service requirement for the organization of 10-25 hours per capita based on the organization's membership at the time of the violation. It is at the discretion of the University as to whether pledges or associate members will be included in fulfilling the requirements of the sanction.
- Censure: A written reprimand for violation of specified regulations, including the possibility of more severe disciplinary sanctions in the event of the finding of a violation of any University regulation within a stated period of time. This type of action does not create new restriction for the organization.

2nd Strike

- At the discretion of the University and after considering all relevant information, the University will impose a minimum administrative fee of \$1,000.00 or a per capita rate of \$5.00 to \$20.00 based on the organization's membership at the time of the violation, whichever is more appropriate.
- 100% of the organization's membership must complete a defined alcohol education program.
- An aggregate community service requirement for the organization of 10 to 25 hours per capita based on the organization's membership at the time of the violation. It is at the discretion of the University as to whether pledges or associate members will be included in fulfilling the requirements of this sanction.
- Disciplinary Probation: Exclusion from participation in privileged or extracurricular University activities set forth in the notice for a period of time specified. Other conditions of the probation may apply to any other activities of the organization in the University community, except those

that would affect organization's academic pursuits.

3rd Strike

- At the discretion of the University and after considering all relevant information, the University will impose a minimum administrative fee of \$1,500.00 or a per capita rate of \$10.00 to \$20.00 based on the organization's membership at the time of the violation, whichever is more appropriate.
- 100% of the organization's membership must complete a defined alcohol education program.
- An aggregate community service requirement for the organization of 10 to 25 hours per capita based on the organization's membership at the time of the violation. It is at the discretion of the University as to whether pledges or associate members will be included in fulfilling the requirements of this sanction.
- Organizational Suspension: The organization will be suspended for a minimum of one year. University approval is required before the organization will be reinstated.

Removal of Organizational Strike

An organization that has received a first strike may request that the strike and the record be removed from its file provided the organization meets the relevant eligibility criteria and provides documents evidencing the following criteria. This request must be made in writing to the Student Conduct Officer. In order to be eligible to request to have the strike and the record removed from its file at the University, the organization must present the following documentation:

- (1) it has been one year since the organization was found responsible by the University for an alcohol violation;
- (2) the organization has not received any additional charges or alcohol related violations on or off campus, since receiving the alcohol violation at issue;
- (3) the organization timely completed and exceeded all sanctions required by the University.

Removal of an organizational strike is at the sole discretion of the University Vice President for Student Affairs. Additionally, this opportunity for an organization to have a first strike removed from its University record applies only to charges under the University's Three Strikes Policy and in no way limits any other available action by the University including, but not limited to, any violation of the Student Rights and Responsibilities Code.

If removal of the strike is granted, the Organization cannot request the removal of another strike for a period of three calendar years from the date the strike is removed. Organizations are not eligible for deferred strikes.

(RM, 4-6-89, pp. 20998-21001; 9-5-90, p. 21978; 12-06-04, p. 29435; 6-23-04, p. 29151; 12-5-06, p. 30409, 30423; 9-19-11, p. 32774)

3.1.11—FIREARMS POLICY

Firearms and munitions of all types, as well as other weapons as identified in 21 O.S. §1277, are prohibited on all property owned, leased, or occupied by the Board of Regents at all times except as specifically authorized.

The text above will appear in Faculty, Staff and Student Handbooks.

- 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 officers employed by the University who are performing their assigned duties. The Chief of Police at the Norman Campus, the Chief of Police at the Oklahoma City Campus, or the Chief of Police at the Tulsa Campus 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 Reserve Officer's Training Corps ("ROTC") participants when under the supervision of authorized members of the regular armed services.
 - 4. In the possession of members of the RUF/NEKS organization certified by the University Police Department as having satisfactorily completed a handling safety class, subject to the following additional conditions:
 - a. The University Police Department shall inspect and approve the firearms.
 - b. Blank ammunition only will be used in these weapons; live ammunition will not be present with these weapons at any time.
 - c. Violation of the safe handling procedures established by the University Police Department will result in withdrawal of the offending individual's Certification.
 - d. Possession of these firearms will be limited to use during official RUF/NEKS functions.
 - 5. For use during a public performance, subject to the following conditions:
 - a. Firearms must be approved by the appropriate campus University Policy Department prior to the performance.
 - b. Firearms for use in a public performance shall be rendered inoperable whenever discharge is not required as an integral part of the performance.
 - c. When discharge is necessary as part of a performance, blank ammunition shall be used. No weapons shall be pointed at performers at any time during the production.

- d. Weapons present for a performance shall be kept secure by means acceptable to the appropriate campus University Police Department and in the possession and control of a designated staff member at all times when not actively in use.
6. For display in support of the educational mission of the University. Such firearms must be inoperable and approved and secured by means acceptable to the appropriate campus University Police Department.
7. For use as a teaching aid, subject to the following conditions:
 - a. Permission for such use must be granted by the academic department head and prior written notice of the presence of the firearm on campus must be given to the appropriate Campus Chief of Police (i.e., Chief of Police at the Norman Campus, the Chief of Police at the Health Sciences Center Campus in Oklahoma City, or the Chief of Police at the Tulsa Campus).
 - b. Such firearms must be approved and secured by means acceptable to the appropriate Campus Chief of Police.
 - c. Munitions shall not be present with firearms when used as a teaching aid in class.
8. As “starter pistols” that are 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 control of appropriate staff or athletic officials when in use.
9. As construction equipment employing blank ammunition as a propellant for setting fasteners only when used by or under the supervision of authorized and trained personnel.
10. The cannon known as “Old Trusty” used by members of the group “Loyal Knights of Old Trusty” or “LKOT”, and the 75mm howitzer used by the Army ROTC detachment may continue in their respective traditional uses, subject to the following conditions:
 - a. The safe use of these pieces is the responsibility of the designated faculty sponsor(s).
 - b. The LKOT and the Army ROTC will notify the University Police Department of intended use of their respective pieces sufficiently in advance of a use to enable notification of other public safety agencies.
11. For ceremonial purposes, other than those specifically identified in Section B.10 above, any group desiring to use a firearm and/or munitions on the campus will tender a written request to the appropriate Campus Chief of Police.
 - a. The Chief of Police at the Norman Campus, the Chief of Police at the Health Sciences Center Campus in Oklahoma City, or the Chief of Police at the Tulsa Campus will review the request and forward it to his/her immediate supervisor with a recommendation for approval or disapproval based upon public safety considerations.

- b. The immediate supervisor will then notify the appropriate Campus Chief of Police and other appropriate officers of any approvals that are granted for the use of ceremonial firearms.
- 12. Upon approval and for a specific purpose and limited time by the University President.
- 13. Persons who possess a handgun pursuant to 21 Okla.Stat. §1272 and/or the Oklahoma Self Defense Act, 21 Okla.Stat. §1290.1 et seq. may possess a handgun on University property as long as the handgun remains in their vehicle (whether attended or unattended), provided the handgun is carried or stored as required by law and the handgun is not removed from the vehicle without the prior consent of the University President while the vehicle is on University property.
- C. 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 rendered inoperable, the appropriate Campus Chief of Police shall inspect and certify that it is inoperable.
- D. Where permitted on campus for use other than by law enforcement or armed forces, all firearms shall be secured by means approved by the appropriate Campus Chief of Police.
- E. When employees are authorized to carry, use, and/or discharge firearms within the course and scope of their employment, University departments shall have written policies governing such use. Any departmental policies relating to firearms shall be reviewed and approved by the campus Risk Management office, the Office of Legal Counsel, and the campus Chief of Police.
- F. The appropriate Campus Chief of Police will respond to reports of alleged violations, investigate alleged violations, and submit reports of findings of alleged unauthorized presence, possession, or use of firearms on campus in accordance with this policy and Oklahoma law.
 - 1. The appropriate Campus Chief of Police will initiate criminal prosecution if they believe an individual has violated a local, state, or federal law.
 - 2. Upon determination made by the appropriate Campus Chief of Police that a currently enrolled student, faculty member, or staff member, or a visitor has violated this policy, the appropriate administrative office, including the Provost’s Office, University Operations, Human Resources, and/or Student Conduct Office may initiate action including but not limited to the following:
 - a. Immediately suspend or expel the student, and/or
 - b. Immediately suspend from employment the student, staff or faculty member, or
 - c. Ban the visitor from campus.
 - 3. Student or employee disciplinary action may be imposed in addition to criminal prosecution arising from unauthorized possession or use of firearms and/or

munitions. Disciplinary action may be initiated prior to the completion of criminal prosecution.

4. The Oklahoma State Bureau of Investigation may be notified of a violation in accordance with Oklahoma law.

(RM, 4-25-96, p. 24902; 3-29-00, p. 26909; 1-27-2004, p. 28924; 6-23-04, p. 29151; 3-9-16, p. 35057; 9-11-19, p. 36726)

3.1.12—CANDIDATES FOR POLITICAL OFFICE

Any employee of the University who makes the determination to run for any county, state or federal elected office, shall resign or, upon approval from the Candidacy Review Committee (comprised of a representative from the Office of Legal Counsel and a representative from each of the following from the employee's respective campus: Human Resources, Faculty Senate, Staff Senate and either the candidate's supervisor or if the candidate is a faculty member, the Dean of the faculty member's College and the Provost's Office) selected to review the request and upon final review by the University President and/or the Board of Regents, take an unpaid leave of absence from the University during their candidacy for office. The employee shall follow the applicable protocol set forth in section 3.22 of the Norman Faculty Handbook, Section 3.23 of the HSC Faculty Handbook and Section 5.14 of the Staff Handbook. In the event the leave of absence is approved, if the employee is elected to such office, the employee shall resign from the University before taking office.

(RM, 9-14-43, p. 1427; 1-27-2004, p. 28924; 6-16-18, p. 36172)

3.1.13—STAFF SENATES

Staff on the Norman, Health Sciences Center, and Tulsa Campuses are hereby authorized to organize "Staff Senates" on their respective campuses as representative bodies to participate in University governance with respect to such policy matters of the University as directly affect staff employees. The purpose of the Staff Senates shall be to advance the welfare of the University and the staff employees they represent. They shall function as advisory and policy referral bodies to the University administration and to their respective staff membership.

Member groups within the Staff Senates shall include such staff employees within their membership as share common employment interests and concerns; for example, administrative employees, hourly employees, and professional employees.

The President is authorized to approve changes in the Charters, Constitutions, and/or By-Laws of the Staff Senates that do not change these purposes and/or functions of the Staff Senates or the role of the Staff Senates in governance of the University.

(RM, 11-11-71, pp. 11207-12, edited; amended 7-24-75, pp. 13535-40; 12-14-78, p. 15335; 3-29-00, p. 26909; 1-27-2004, p. 28924; 6-23-04, p. 29151; 3-28/29-07, p. 30517; 5-10-07, p. 30648; 1-30-20, p. 36918)

3.2 — OFFICE OF EQUAL OPPORTUNITY POLICIES

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, sexual orientation, genetic information, gender identity, gender expression, age (40 or older), religion, disability, political beliefs, or status as a veteran in any of its policies, practices, or procedures. This includes but is not limited to admissions, employment, housing, financial aid, and educational services.

Inquiries regarding non-discrimination policies may be directed to: Christine Taylor, University Equal Opportunity Officer and Title IX Coordinator, 405-325-3546, christine.taylor@ou.edu, or visit <http://www.ou.edu/eoo.html>.

UNIVERSITY'S STATEMENT OF COMMITMENT TO AFFIRMATIVE ACTION

The University of Oklahoma, recognizing its obligation to guarantee equal opportunity to all persons in all segments of University life, reaffirms its commitment to the continuation and expansion of positive programs which reinforce and strengthen its affirmative action policies. This commitment stems not only from compliance with federal and state equal opportunity laws but from a desire to ensure social justice and promote campus diversity. The University will continue its policy of fair and equal employment practices for all employees and job applicants without insidious discrimination on the basis of race, color, national origin, sex, sexual orientation, genetic information, gender identity, gender expression, age, religion, political beliefs, disability or status as a veteran. The University will maintain a critical and continuing evaluation of its employment policies, programs and practices. Each budget unit bears a responsibility for constructive implementation of this Plan, and whenever possible, to the overall progress toward employment opportunity and participation in all University programs and activities. Our commitment to the concept of affirmative action requires sincere and cooperative efforts throughout all levels of our employment structure. We will continue to strive to reach the goals of fair and equal employment opportunities for all.

(RM, 3-24-70, pp. 10238-39; amended, 4-8-76, pp. 13890-91; revised, 7-12-77, p. 14537; amended, 12-10-81, pp. 16769-70; 1-27-93, p. 23220; 1-27-2004, p. 28924; 9-19-11, p. 32775; 6-24-15, p. 34749)

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, sexual orientation, genetic information, gender identity, gender expression, 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 Senior Vice President and Provosts for academic employment and the Vice Presidents for Administrative Affairs for nonacademic employment. These officials are designated Equal Employment Opportunity Officers for their respective areas of responsibility.

(RM, 3-18-76, edited; 3-29-00, p. 26909; 9-19-11, p. 32775; 6-24-15, p. 34749)

3.2.3—STAFFING PLAN PROCEDURE AND AFFIRMATIVE ACTION PLAN

The University's staffing procedure and Affirmative Action Plan are designed jointly to (1) assure maximum utilization of available human resources, and (2) reaffirm the University's policy that all appointments, promotions, and transfers will be conducted on the basis of individual qualifications and merit without regard to race, color, national origin, sex, sexual orientation, gender identity, gender expression, genetic information, age, religion, disability, political beliefs, or status as a veteran.

The plan includes four broad categories, and the criteria for membership in categories II through IV are outlined in the Staff Handbook.

I. EXECUTIVE

EXECUTIVE OFFICERS

Executive Officers of the University shall include the President, Vice President for Executive Affairs, Senior Vice President and Provosts, Vice Presidents, Executive Secretary of the Board of Regents and Secretary of the University, and such other positions as the President may designate from time to time.

II. ADMINISTRATIVE

ADMINISTRATIVE OFFICERS

ADMINISTRATIVE STAFF

MANAGERIAL STAFF

III. PROFESSIONAL

PROFESSIONAL STAFF

IV. NON EXEMPT & SUPERVISORY

(RM, 6-13-74, pp. 13001-04, edited; 3-29-00, p. 26909; 1-27-2004, 28924; 6-23-04, p. 29151; 9-19-11, p. 32775; 6-24-15, p. 34749)

3.2.4—NONDISCRIMINATION POLICY

I. 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 is committed to maintaining employment, educational, and health care settings that are multicultural, multiracial, multiethnic, and all-inclusive. Respecting differences is one of the University's missions.

The University does not discriminate or permit discrimination by any member of its community against any individual based on the individual's race, color, religion, political beliefs, national origin, age (40 or older), sex (see the Sexual Misconduct, Discrimination and Harassment Policy at <http://www.ou.edu/content/eoo/policies/misc.html>), sexual orientation, genetic information, gender identity, gender expression, disability, or veteran status in matters of admissions, employment, financial aid, housing, services in educational programs or activities, or health care services that the University operates or provides.

University policy also prohibits retaliation against a person for filing a complaint of discrimination or harassment under this policy or other applicable federal, state or local laws. This policy also prohibits retaliation against any person who assists someone with a complaint of discrimination or harassment or who participates in any manner in an investigation or resolution of a complaint of discrimination or harassment.

II. POLICY STATEMENT

Principles of academic freedom and freedom of expression require tolerance of the expression of ideas and opinions that 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 constituting unlawful discrimination 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, religion, political beliefs, national origin, age (40 or older), sex, sexual orientation, genetic information, gender identity, gender expression, disability or veteran status in the context of an employment or educational program or activity without a legitimate nondiscriminatory reason, and,

The University shall not subject an individual to different treatment on the basis of race, color, religion, political beliefs, national origin, age (40 or older), sex, sexual orientation, genetic information, gender identity, gender expression, disability, or veteran status by effectively causing, encouraging, accepting, tolerating, or failing to correct a racially or ethnically hostile environment of which it has notice.

The full text of the Nondiscrimination Policy may be found online at <http://www.ou.edu/content/eoo/policies-procedures/non-discrimination.html>. Hard copies may be requested through the Equal Opportunity Office: (405) 325-3546.

III. CORRECTIVE ACTIONS

Violations of this policy shall result in corrective action(s) designed to reestablish an employment or educational environment 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 Student Rights and Responsibilities Code and will subject student offenders to the corrective action(s) provided by the Code.

IV. ADMINISTRATIVE ACTION

The University recognizes its obligation to address incidents of discrimination and harassment on campus when it becomes aware of their existence even if no complaints are filed; therefore, the University reserves the right to take appropriate action unilaterally under this procedure.

With respect to students, the University Vice President for Student Affairs and Dean of Students or other appropriate persons in authority may take immediate administrative or disciplinary action deemed necessary for the welfare or safety of the University community.

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 these duties or responsibilities or place the individual on a leave of absence pending the completion of the investigation or grievance procedure.

VII. RESPONSIBLE OFFICIAL

The University Institutional Equity 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 University Institutional Equity Officer is the overall coordinator of all University activities dealing with discrimination in employment or education.

To contact the University Equal Opportunity Office:

Norman Campus and Norman Campus
Based Programs
Room 102, Evans Hall
(405) 325-3546

Health Sciences Center Campus and Health Sciences
Center Based Programs
Room 164H, Bird Library
(405) 271-2110

(RM 12-19-90, p. 22121; 6-13-91, p. 22467; 7-27-95, p. 24622; 1-14-97, p. 25263; 1-26-99, p. 26226; 3-29-00, p. 26909; 1-27-2004, p. 28924; 6-23-04, p. 29151; 9-19-11, p. 32775; 6-24-15, p. 34749; 3-8-17, p. 35516)

3.2.5—SEXUAL MISCONDUCT, DISCRIMINATION AND HARASSMENT POLICY

STATEMENT

The University is committed to creating and maintaining a community where all persons who participate in University programs and activities can work and learn to gather in an atmosphere free from all forms of harassment, exploitation, or intimidation. The University condemns discrimination based on sex or gender, sexual harassment, sexual assault, sexual orientation discrimination, discrimination based on gender identity or expression, and sexual misconduct, including but not limited to dating violence, domestic violence, and stalking. Any such activity committed by a member of the University community may subject the individual to University sanctions as well as civil and criminal penalties. Persons who have complaints alleging discrimination based upon sex or gender, which may include sexual harassment, sexual assault, sexual orientation discrimination, discrimination based on gender identity or gender expression, and sexual misconduct may file their complaints in writing with the University Equal Opportunity Officer (EOO), the Institutional Equity and Title IX Coordinator, or the University's Sexual Misconduct Officer(s) identified below (collectively referred to as the "Sexual Misconduct Officer"). The EOO will work in conjunction with the Institutional Equity and Title IX Office to implement this policy.

This policy covers unwelcome conduct of a sexual nature or gender-based nature, whether committed on-campus, or off-campus where the University has control over the perpetrator or the context of the harassment. Consensual romantic relationships between members of the University community are subject to other University policies, but alleged violations of such policy are investigated under this

process and procedure. See Section 5.23 of the Staff Handbook: (<http://hr.ou.edu/documents/files/handbook/pdf>), and Section 3.2.7 of the Regents' Policy Manual, as well as the respective campuses Faculty Handbooks.

The full Sexual Misconduct, Discrimination and Harassment Policy and the associated complaint and grievance procedures are located online at: <http://www.ou.edu/content/eoo/policies.html>.

Hard copies may be obtained from the Title IX/Sexual Misconduct Office: (405) 325-2215.

**DEFINITION OF SEXUAL MISCONDUCT, INCLUDING SEXUAL ASSAULT, DISCRIMINATION
AND HARASSMENT**

Sexual Misconduct offenses include, but are not limited to, but are not limited to sexual harassment, sex discrimination (including sexual orientation discrimination and gender identity or gender expression discrimination), non-consensual sexual intercourse (or attempts to commit same), non-consensual sexual contact (or attempts to commit same), sexual coercion, dating violence, domestic violence, stalking, and sexual exploitation, and any attempts to commit the same.

A. Sex Discrimination: includes sexual harassment and is defined as conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their employment or education, or institutional benefits, on account of sex or gender (including sexual orientation, gender identity, and gender expression discrimination). It may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

B. Sexual Harassment: Sexual harassment is a form of sex discrimination. Sexual harassment is unwelcome and discriminatory speech or conduct undertaken because of an individual's gender or is sexual in nature and is so severe, pervasive, or persistent, objectively and subjectively offensive that it has the systematic effect of unreasonably interfering with or depriving someone of educational, institutional, or employment access, benefits, activities, or opportunities. Students, employees, and visitors who are subject to or who witnesses unwelcome conduct of a sexual nature are encouraged to report the incident(s).

1. Hostile Environment Sexual Harassment includes conduct that is sufficiently severe, pervasive, or persistent, objectively and subjectively offensive that it alters the conditions of education or employment or institutional benefits of a reasonable person with the same characteristics of the victim of the harassing conduct. Whether conduct is harassing is based upon examining a totality of circumstances, including but not limited to:
 - a. the frequency of the conduct;
 - b. the nature and severity of the conduct;
 - c. whether the conduct was physically threatening;
 - d. whether the conduct was deliberate, repeated humiliation based upon sex;
 - e. the effect of the conduct on the alleged victim's mental or emotional state from the perspective of a reasonable person;
 - f. whether the conduct was directed at more than one person;
 - g. whether the conduct arose in the context of other discriminatory conduct;

- h. continued or repeated verbal abuse of a sexual nature, such as gratuitous suggestive comments and sexually explicit jokes; and
 - i. whether the speech or conduct deserves constitutional protections.
 - 2. Quid Pro Quo Sexual Harassment exists when individuals in positions of authority over the reporting party:
 - a. make unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and
 - b. indicate, explicitly or implicitly, that failure to submit to or the rejection of such conduct will result in adverse educational or employment action or where participation in an educational program or institutional activity or benefit is conditioned upon the reporting party's submission to such activity.
- C. Retaliation is any attempt to penalize or take an adverse employment, educational or institutional benefit action, including but not limited to making threats, intimidation, reprisals or other adverse action, against a person because of the participation in a complaint or the investigation of discrimination, sexual harassment or sexual misconduct.
- D. Sexual Violence means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion.
 - 1. Non-Consensual Sexual Intercourse is defined as any sexual intercourse or penetration of the anal, oral, vaginal, genital opening of the victim, including sexual intercourse or penetration by any part of a person's body or by the use of an object, however slight, by one person to another without consent or against the victim's will. This definition includes rape and sexual assault, sexual misconduct, and sexual violence.
 - 2. Non-Consensual Sexual Contact is any intentional touching, however slight, whether clothed or unclothed, of the victim's intimate body parts (primarily genital area, groin, inner thigh, buttock or breast) with any object or body part, without consent and/or by force. It also includes the touching of any part of a victim's body using the perpetrator's genitalia and/or forcing the victim to touch the intimate areas of the perpetrator or any contact in a sexual manner even if not involving contact of or by breasts, buttocks, groin, genitals, mouth or other orifice. This definition includes sexual battery and sexual misconduct.
 - 3. Sexual Coercion is the act of using pressure (including physical pressure, verbal pressure or emotional pressure), alcohol, medications, drugs, or force to have sexual contact against someone's will or with someone who has already refused. This includes rape, sexual assault, sexual exploitation and sexual misconduct.
- E. Sexual Exploitation occurs when a person takes non-consensual, unjust or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior may not otherwise constitute one of the other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

- non-consensual video or audio-taping of any form of sexual activity going beyond the boundaries of consent (such as letting a person or people hide in the closet to watch you having consensual sex without your partner's knowledge or consent);
 - engaging in non-consensual voyeurism, such as observing sexual acts or body parts of another from a secret vantage point;
 - knowingly transmitting a sexually transmitted disease or illness to another;
 - exposing one's genitals in a non-consensual circumstance, or inducing another to expose his or her genitals;
 - prostituting another person;
 - other forms of invasion of sexual privacy.
- F. Consent is the act of willingly agreeing to engage in sexual contact or conduct. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and the absence of "No" may not mean "Yes".
- Consent is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.
 - Consent to one form of sexual activity cannot imply consent to other forms of sexual activity.
 - Previous relationships or consent cannot imply consent to future sexual acts.
 - Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion.
 - Use of alcohol, medications, or other drugs will not excuse behavior that violates this policy.

(RM 9-27-95, p. 24621; 1-14-97, p. 25260 and 25263; 1-27-2004, p. 28924; 6-23-04, p. 29151; 9-19-11, p. 32775; 6-24-15, p. 34749; 3-8-17, p. 35516)

DUTY TO REPORT SEXUAL HARASSMENT

Any member of the University community may report conduct that could constitute sexual misconduct, discrimination and harassment under this policy. Additionally, supervisors, managers and other designated employees are responsible for taking all appropriate action to prevent sexual misconduct, discrimination and harassment, to correct it when it occurs, and to promptly report it to the Sexual Misconduct Officer or other appropriate University official. Failure to do so may result in disciplinary action up to and including termination.

3.2.6—RETALIATION

University policy also prohibits retaliation against a person for filing a complaint of discrimination or harassment under the Non-discrimination Policy and/or the Sexual Misconduct, Discrimination and Harassment Policy or other applicable federal, state or local laws. This Retaliation Policy also prohibits retaliation against any person who assists someone with a complaint under these laws or policies or who participates in any manner in an investigation or resolution of such a complaint.

3.2.7—COMPLAINT PROCESS

Any individual who at the time of the actions complained of was employed by the University or was an applicant for University employment or was enrolled as a student or an applicant for admission at the University may file a complaint concerning violations of the Non-discrimination Policy with the Equal Opportunity Officer, and with respect to violations of the Sexual Misconduct, Discrimination and Harassment Policy with the Sexual Misconduct Officer and/or the Equal Opportunity Officer for review and investigation regarding complaints against University students, faculty, staff or those third parties utilizing University services or third parties on University premises. For the Non-discrimination Policy, please refer to: <http://www.ou.edu/content/eoo/policies-procedures/non-discrimination.html> and for the Sexual Assault, Discrimination and Harassment Policy, please refer to: <http://www.ou.edu/content/eoo/policies.html>. Hard copies may be requested through the Equal Opportunity Office: (405)-325-3546 or the Sexual Misconduct Office: (405) 325-2215.

(RM 9-27-95, p. 24621; 1-14-97, p. 25260 and 25263; 1-27-2004, p. 28924; 6-23-04, p. 29151; 9-19-11, p. 32775; 3-8-17, p. 35516)

3.2.8—SANCTIONS

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

3.2.9—CONSENSUAL SEXUAL RELATIONSHIPS POLICY

RATIONALE

Consensual amorous, dating, or sexual relationships have inherent risks when they occur between a faculty member, supervisor, or other member of the University community and any person over whom he or she has a professional responsibility. As noted in the sex discrimination and sexual harassment policy, the risks include a student or subordinate's feeling coerced into an unwanted relationship to ensure they receive a proper educational or employment experience; potential conflicts of interest in which the person is in a position to evaluate the work or make personnel or academic decisions with respect to the individual with whom he or she is romantically involved; a perception by students or employees that a fellow student or coworker who is involved in a romantic relationship with his or her supervisor or

professor will receive an unfair advantage; either or both of the parties engaging in behavior destructive to the other or their academic or working environments if the relationship ends; and the potential that University/state resources are used inappropriately to further the romantic relationship.

Those with professional responsibility over others and with whom they have a romantic relationship should be aware that their involvement may subject them and the University to legal liability; consequently, such relationships are strongly discouraged. “Professional responsibility” is defined as performing functions including but not limited to teaching, counseling, grading, advising, evaluating, hiring, supervising, and making decisions or recommendations that confer benefits such as promotions, financial aid awards, or other remuneration, or that may impact upon other academic or employment opportunities.

DEFINITIONS

As used in this policy, the terms “faculty” and “faculty member” mean all those who teach at the University, and include graduate students with teaching responsibilities and other instructional personnel. The terms “staff” or “staff members” mean all employees who are not faculty, and include academic and non-academic administrators as well as supervisory personnel. The term “consensual sexual relationship” may include amorous or romantic relationships, and is intended to indicate conduct that goes beyond what a person of ordinary sensibilities would believe to be a collegial or professional relationship.

POLICY

A. FACULTY/STUDENT RELATIONSHIPS

WITHIN THE INSTRUCTIONAL CONTEXT

It is considered a serious breach of professional ethics for a member of the faculty to initiate or acquiesce in a sexual relationship with a student who is enrolled in a course being taught by the faculty member or whose academic work (including work as a teaching assistant) is being supervised by the faculty member.

OUTSIDE THE INSTRUCTIONAL CONTEXT

Sexual relationships between faculty members and students occurring outside the instructional context may lead to difficulties. Particularly when the faculty member and student are in the same academic unit or in units that are academically allied, relationships that the parties view as consensual may appear to others to be exploitative. Further, in such situations, the faculty member may face serious conflicts of interest and should be careful to distance himself or herself from any decisions that may reward or penalize the student involved. A faculty member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the faculty member has or has had an amorous relationship will be deemed to have violated his or her ethical obligation to the student, to other students, to colleagues, and to the University.

B. STAFF/STUDENT RELATIONSHIPS

Consensual sexual relationships between staff and students are prohibited in cases where the staff member has authority or control over the student. A staff member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the staff member

has or has had an amorous relationship will be deemed to have violated his or her ethical obligation to the student, to other students, to colleagues, and to the University. Failure to abide by this policy may result in disciplinary action, up to and including termination.

C. STAFF/SUBORDINATE RELATIONSHIPS

Supervisors, or those with professional responsibility, over someone with whom they have or have had an amorous, consensual, romantic, or sexual relationship must notify their direct supervisor that a management-control plan needs to be implemented, or that the supervisor wishes a transfer so that he or she is no longer in a position of professional responsibility over the affected individual. To avoid the severe risks noted, supervisors in such relationships may not manage, supervise, evaluate, or make other employment decisions concerning the individual with whom they are engaged in a romantic relationship. If the relationship ends, the management-control plan must remain in effect. Failure to notify a supervisor to ensure a plan is in place may result in disciplinary action, including termination, for that supervisor.

COMPLAINT PROCEDURE

Complaints alleging a violation of the Consensual Sexual Relationships Policy shall be handled in accordance with the Grievance Procedure for Complaints Based upon Sexual Misconduct, Discrimination and Harassment Policy. Complainants should contact the Sexual Misconduct Officer:

Norman Campus based programs
301 David L. Boren, 4PP, Suite 1000
Norman, Oklahoma
(405) 325-2215

Health Science Center based programs
Room 164H, Bird Library
Oklahoma City, Oklahoma
(405) 271-2110

and/or the Equal Opportunity Office:

Norman Campus based programs
Room 102, Evans Hall
(405) 325-3546

Health Sciences Center Campus based programs
Room 164H, Bird Library
(405) 271-2110

Other locations may be determined from time to time. Please refer to <http://www.ou.edu/content/eoo/html> for an updated listing.

3.2.10—GRIEVANCE PROCEDURE FOR EQUAL OPPORTUNITY

The investigative process, findings and recommendations and appeals process for claims brought under the Non-discrimination Policy and/or the Sexual Misconduct, Discrimination and Harassment Policy are handled through the University Institutional Equity Office. For the Non-discrimination Policy, please refer to <http://www.ou.edu/content/eoo/policies-procedures/non-discrimination.html> and for the Sexual Misconduct, Discrimination and Harassment Policy, please refer to <http://www.ou.edu/content/eoo/policies.html>.

Hard copies may be requested through the Equal Opportunity Office: (405) 325-3546 or the Sexual Misconduct Office: (405) 325-2215.

(RM 1-14-97, p. 25260; 1-26-99, p. 26226; 1-27-2004, p. 28924; 6-23-04, p. 29151; 9-19-11, p. 32775; 3-8-17, p. 35516)

3.2.11—REVISIONS OF THE EQUAL OPPORTUNITY POLICIES

Revisions to the Equal Opportunity Policies may be made automatically where necessary to comply with federal, state and local laws or applicable regulations or guidance.

(RM, 9-19-11, p. 32775)

3.3—RETIREMENT POLICY

The provisions of The University of Oklahoma Retirement Policy (“Policy”) shall be effective January 1, 2008.

I. SUPERSEDED

From the Effective Date, all previous versions of the Policy are hereby superseded.

II. GENERAL

Eligible Employees of the University are entitled to certain benefits following the completion of a designated number of years of employment, the attainment of specified ages, or satisfaction of other requirements as set forth in this Policy.

The full text of the Retirement Policy is included in the Staff Handbook.

The text below will be included in Handbooks as noted above.

III. DEFINITIONS

Unless a different meaning is clearly indicated by the context, certain terms used in this Policy will have the following meanings:

- A) “Benefits” means those benefits which are provided Eligible Retirees under this Policy.
- B) “Benefits Eligible” means the determination by the University in accordance with its standard personnel policies applicable to similarly situated Eligible Employees that an Eligible employee is eligible for benefits under this Policy.
- C) “Board” means the Board of Regents of The University of Oklahoma.
- D) “Defined Contribution Plan” means The University of Oklahoma Defined Contribution Retirement Plan which is a fully funded benefit program made available to Eligible Employees who satisfy the eligibility requirements set forth in the plan.
- E) “Disability” means either a Temporary Disability or a Permanent Disability incurred by an Eligible Employee with at least 10 Years of Service. A “Temporary Disability” is defined as the inability to perform on a full-time basis the essential, regular occupational duties because of sickness or injury for up to a 24-month period after paid leave and extended sick leave have been exhausted. “Permanent Disability” is defined as the inability to perform the essential, regular duties of any occupation for wage or profit due to an illness or injury of a terminal or degenerative nature.

- F) “Disability Benefits” means benefits provided under the Health Plan for the Eligible Employee and the right to elect to cover his/her dependents if the Eligible Employee pays the premium for such coverage and such Eligible Employee has participated in the Health Plan as required under Section VII.A.5 herein.
- G) “Eligible Employee” means any employee of the University who (i) is approved to work on a .50 full-time equivalency basis or more as determined under the University’s standard personnel policies, (ii) is designated by the University to be Benefits Eligible as determined under the University standard personnel policies, and (iii) is eligible to participate in the Defined Contribution Plan and/or TRS. The foregoing (i), (ii) and (iii) are the eligibility requirements to be covered by the Policy (“Eligibility Requirements”). However, the term Eligible Employee does not include a person whose employment is incidental to his or her educational program or whose employment is not continuous for a period of at least six months or more. Provided, the following employees shall also be included as Eligible Employees under the Policy if they satisfy the Eligibility Requirements:
- 1) Employees hired by the University and classified in accordance with the University standard personnel policies as “temporary employees” and who are regularly employed on a .50 full-time equivalency basis for a period of six months or more without a break in service of 90 consecutive days or more during such six-month period will be Eligible Employees and will enter the Policy as of the first day of the month coinciding with or next following the expiration of such six-month period;
 - 2) Employees hired by the University and classified as “post doctoral fellows” and located on the University’s Norman Campus; provided, post doctoral fellows hired by the University on or after January 1, 2002, shall not be eligible to participate in the Policy regardless of location;
 - 3) Employees hired (or rehired) by the University on or after attaining the age of 45 years, regardless of whether participating in TRS;
 - 4) Regular faculty members who are on sabbatical or other authorized leave of absence as provided in the University’s standard personnel policies;
 - 5) Employees hired by the University and funded through grants and classified as “academic researchers” in accordance with the University’s standard personnel policies; or, a regular faculty member at HSC approved to work on a .50 full-time equivalency basis or more and who earns \$9,000 or more from HSC; and
 - 6) Employees hired by the University and classified as visiting faculty in accordance with the University’s standard personnel policies and such individual elects to participate in TRS, in which event such individual will be an Eligible Employee while participating in TRS. Provided, the foregoing shall be applicable to visiting faculty hired by the University and located at HSC on or after October 1, 2001.
- H) “Eligible Retirees” mean those Eligible Employees retired from the Institution and are eligible to receive Benefits under the Policy. Provided, however, notwithstanding anything to the contrary herein, for purposes of Sections VI(4) (Health Insurance),

the words “Eligible Retiree” shall mean only an Eligible Employee who meets the criteria of the preceding sentence and was hired in a benefits eligible position before January 1, 2008, and has not been rehired by the Institution on or after January 1, 2008. Provided further for purposes of Section VI(5) (Retiree Health and Dental for Post 12/31/2007 Hires), the words “Eligible Retiree” shall mean only an Eligible Employee who meets the criteria of the first sentence of this paragraph and was hired by the Institution in a benefits eligible position on or after January 1, 2008.

- I) “HSC” means The University of Oklahoma Health Sciences Center located in Oklahoma City and Tulsa.
- J) “Health Plan” means the University’s medical benefits plan.
- K) “Member” refers to an Eligible Employee who is a member of TRS on an optional or mandatory basis. Eligibility for membership in TRS is defined by the Board of Trustees of TRS.
- L) “Phased Retirement” means retirement from the University as provided in Article IX hereof.
- M) “Policy” means The University of Oklahoma Retirement Policy.
- N) “Policy Administrator” means the University or its delegate who is charged with the administration of the Policy.
- O) “Retirement” is the termination of employment of Eligible Employees after satisfying certain criteria of length of service, age, and employment status as provided in this Policy and specifically Section V herein, entitling them to Benefits.
- P) “TRS” means the Teacher’s Retirement System of Oklahoma.
- Q) “Social Security” means the federal Social Security benefits program.
- R) “Supplement” means a monetary Benefit due certain retired University Employees hired before July 1, 1991, who are also eligible to receive retirement income from TRS. This Benefit is paid from the current operating funds of the University subject to the statutes of the State of Oklahoma as a “Supplement” to benefits from TRS, Social Security, and the Defined Contribution Plan. Effective July 1, 1991, the option for new Eligible Employees to qualify for a Supplement was eliminated. Additionally, any Eligible Employee participating in the Defined Contribution Plan who exercised the transferability option after October 1, 1992, would not qualify for a Supplement. Increases: Supplements for Eligible Retirees who qualify for the Supplement will be increased annually by whatever average percentage increase is provided for active Eligible Employees in the University where such Eligible Employee was working at the time payments of his/her Supplement commenced. The University has determined that no Eligible Employees will qualify for a Supplement under the Policy as it previously existed. Accordingly, the Supplement shall only be paid to those employees who have previously qualified for and/or are receiving the Supplement in accordance with the terms of the Policy prior to this amendment and restatement.

- S) “University” means The University of Oklahoma.
- T) “Vesting” means the date on which an Eligible Employee acquires, by satisfying the time and/or age requirements, the right to receive Benefits.
- U) “Years of Service” means for the purpose of calculating eligibility for Benefits under this Policy only those completed years, months and days for which the Eligible Employee was a “Benefits Eligible” Eligible Employee at all times or was on sabbatical and military leave from and approved by the University.
 - 1) One Year of Service credit will be received for each four years of verified employment service at any accredited institution of higher education other than the University, up to a maximum of five additional years. Other higher education employment must have been full-time and for not less than nine months each year of employment. Credit for service of fractions of less than four full years will not be given. This Section V. 1 shall not be applicable with respect to any Eligible Employee hired by the University on or after January 1, 2002.
 - 2) If an Eligible Employee terminates employment and is subsequently reemployed by the University, then, unless otherwise credited under this Policy, the period during which such Eligible Employee was absent shall be disregarded and the period of employment service both before and after such period of absence shall be aggregated to determine the total number of Years of Service earned by the Eligible Employee.

IV. RETIREMENT

An Eligible Employee may retire from the University and be eligible for Benefits due to Retirement after satisfying any of the requirements of the following Subsections A, B, C, D or E, as applicable. The requirement that an Eligible Employee must satisfy any of the following requirements to be eligible for Benefits does not require that any Eligible Employee retire or terminate employment with the University upon attainment of any specified age. Retirement from the University is a voluntary act by the Eligible Employee, and the University does not have any requirement mandating that an Eligible Employee terminate employment with the University solely by attainment of a specified age. However, Benefits will not be paid and/or provided until actual retirement from the University occurs except for Eligible Employees who qualify for Phased Retirement.

- A) Optional Retirement Age: An Eligible Employee can retire after attaining at least age 62 with at least 10 Years of Service.
- B) Disability Retirement: An Eligible Employee can retire after earning at least 10 Years of Service if the Eligible Employee incurs a Disability.
- C) Phased Retirement: An Eligible Employee may begin Phased Retirement on the first of any month after having attained at least age 55, subject to meeting other eligibility requirements as provided in Article VIII.
- D) 25 Years of Service: An Eligible Employee may retire regardless of age after earning at least 25 Years of Service.

- E) Rule of 80: An Eligible Employee may retire when actual age at last birthday plus Years of Service equals 80 or more.

V. RETIREMENT DATE:

The effective date of retirement for an Eligible Employee will be the first of any month following the attainment of the age and/or service requirement(s) as provided in V., above, as applicable, and the Eligible Employee ceases to be an employee of the University. The exception to this rule is Eligible Employees who qualify for Phased Retirement may still continue in the employ of the University.

VI. BENEFITS SOURCES

MONETARY

SOCIAL SECURITY:

For those fully insured and eligible under Social Security, a monthly retirement amount is available.

- 1) Participation. All Eligible Employees, irrespective of age, except students and non-resident aliens, are mandatory contributors to Social Security.
- 2) Contributions. Contributions are made by payroll withholding. Each Eligible Employee is taxed at a fixed percentage on all salary/wages received on a calendar year basis as determined by the Social Security Administration. The University matches these contributions as required under Social Security.
- 3) Benefit. Responsibility for the calculation of the exact benefit to be paid is determined by Social Security.

TEACHERS' RETIREMENT SYSTEM OF OKLAHOMA (TRS)

TRS is administered by TRS, and all decisions regarding TRS including, by example, eligibility for amounts of benefits, is determined solely by TRS Participation. Membership is mandatory for all faculty, executive officers, administrative officers, and all administrative, professional and managerial staff Eligible Employees who work .50 full-time equivalency basis or more for six months or more.

- a) The following are optional Members:
 - Benefit Eligible hourly Eligible Employees;
 - Visiting faculty;
 - Temporary and intermittent instructors and lecturers on the Norman Campus, or
 - Eligible Employees hired on or after age 45.

- b) The following cannot participate in TRS: Benefit Eligible Oklahoma Health Sciences Center faculty where University salary is less than the salary provided by an institution affiliated with the University, whether such affiliation is by common governance or by contract.
 - c) Enrollment is automatic the month after the Eligible Employee achieves eligibility. However, Eligible Employees need to enroll formally in order to designate a beneficiary.
- 2) Contributions
- Rate and base for TRS contributions are determined by the TRS Trustees and announced each fiscal year.
- 3) Benefits. The retirement formula used to determine the maximum monthly retirement benefit is determined by the TRS Trustees.
- Actuarial reductions are made for earlier retirement. Special TRS rules exist for 30-year retirements and "Rule of 80" retirements. Members joining TRS on or after July 1, 1992, must satisfy the "Rule of 90." Also, special provisions exist for purchasing credit for out-of-state and military service.

DEFINED CONTRIBUTION PLAN:

- 1) Participation.
- All "eligible employees" as defined in the Defined Contribution Plan who are age 28 and older or who have three or more Years of Service participate in the Defined Contribution Plan. The age 28/3-year rule will be waived for any individual entering University employment from another institution in which he/she participated in a TIAA-CREF or similar plan. Waivers are also granted for those individuals who do not qualify for TRS membership because of age or because they are geographic full-time faculty members at the Health Sciences Center whose base salary distributions do not qualify them for TRS membership. See the Defined Contribution Plan for a description of and eligibility for benefits under the Defined Contribution Plan.
- 2) Contributions. Based on rules of the Defined Contribution Plan.
- 3) Benefits. The retirement benefit will be based on total accumulations and age at the time of Retirement or other termination of employment from the Institution.

DISABILITY

An Eligible Employee who has completed 10 Years of Service with the University is eligible to apply for Disability Benefits under this policy. Written proof of disability by a physician is required by the University.

- 1) To apply for the Disability benefits with the University, an Eligible Employee should contact the University's Benefits Office to schedule a counseling session. Disability statements must be completed by the employee and the physician(s). The physician(s) must provide medical documentation to substantiate the diagnosis of Disability. When all statements are completed, they should be returned with medical records to the University's Benefits Office for processing.
- 2) Disability applications are reviewed and the final determination of Disability is derived primarily from medical documentation but may also be inclusive of other pertinent information (i.e., administrative, environmental). Approval or denial of Disability Benefits may be recommended by the University's Director of Human Resources. Legal Counsel and the Medical Director of the University's Goddard Health Center may be asked to review applications and assist in the determination of eligibility in more complex or questionable cases. When an application review is completed, the University will make a Disability determination based on three options:
 - (a) Temporary Disability;
 - (b) Permanent Disability; or
 - (c) Not Eligible for Benefits due to Disability.
- 3) At any time deemed reasonable and necessary, the University reserves the right to review an active Disability case to determine whether the recipient continues to qualify for Disability Benefits.
- 4) Disability Benefits recipients will be responsible for notifying the University in the event gainful employment is obtained. Upon receipt of notification, the University will terminate Disability Benefits immediately. If the Disability recipient fails to notify the University, and notification of the recipient's employment is otherwise received, Disability Benefits will terminate retroactively to the date employment began. The University will send written notification to the Disability recipient that Disability Benefits received on and/or after the recipient's employment date are due and payable to the University.
- 5) All decisions with regard to whether an Eligible Employee has a Disability and is entitled to Benefits due to Disability and shall be made in the sole discretion of the University.

RETIREE HEALTH INSURANCE

Eligible Retirees as described in Subsection (a) below, may continue coverage under the Health Plan as provided in Subsection (d) below if they meet the requirements for University Retirement. If an Eligible Retiree meets the conditions in this policy for coverage under the Health Plan, the Eligible Retiree shall be eligible for the standard coverage under HealthChoice High Option, at the University's expense in addition to any Coverage options available to Eligible Retirees under the Health Plan. If an Eligible Retiree shall elect coverage ("Elected Coverage") other than Standard Coverage, the Eligible Retiree shall pay the cost difference between Standard Coverage and Elected Coverage. The University shall notify each Eligible Retiree of the total cost for Elected Coverage, the amount contributed by the University for Standard Coverage and the amount due, if any, for the Eligible Retiree for Elected

Coverage (the 'Eligible Retiree's Share'). The Eligible Retiree's cost for Elected Coverage and Standard Coverage may be different for Eligible Retirees and Eligible Employees and may vary year to year. The University is committed to providing the same health coverage options to Eligible Retirees as is available for Eligible Employees; however, the University reserves the right to amend, modify, or terminate any provisions of the policy by Board of Regents' resolution at any time. Eligible Retirees will continue to be able to insure eligible dependents in accordance with the rules of the Oklahoma State and Education Employees Group Insurance Board (OSEEGIB) that administers the Health Plan. See the Summary Plan Description which relates to the Health Plan for a description of and eligibility for benefits under the Health plan.

- 1) Any Eligible Employees who are eligible for the State and Education Employees Group Health Plan through TRS will have their health benefits in accordance with that plan. Retiree health coverage is a University-paid Benefit for this type of Eligible Employee (but not his/her dependents). This type of Eligible Employee must be enrolled in the State Health Plan and if eligible for Medicare, be enrolled in both Part A and B. Medicare will be primary with the State Health Plan being secondary. If the Eligible Employee or an insured dependent is not yet eligible for Medicare, the State Health Plan is primary.
- 2) Eligible Employees who are retiring with TRS but do not meet the requirements for Retirement and Benefits under this Policy may qualify to purchase health and dental insurance under the Health Plan. Depending on the number of Years of Service, a portion of the premium may be paid by the University in accordance with the University's standard personnel policies.
- 3) To be eligible to purchase this coverage under the Health Plan as described in Subsection (b) above, the Eligible Employee must have at least 10 Years of Service that is "Benefits Eligible" employment with the University and provide a copy of the TRS final contract evidencing retirement under TRS. The cost to the Eligible Employee for this coverage will be as follows:

With 10-14 Years of Service and eligible to retire from TRS:	Eligible Employee to purchase health and dental coverage (University Health Care Plan & Basic Dental Plan) by paying 100% of the cost, Coverage must be elected within 30 days of beginning TRS retirement benefit.
With 15-19 Years of Service and eligible to retire from TRS:	University will provide coverage (University Health Care Plan & Basic Dental Plan) and pay 25% of the portion of the retiree premium for Standard Coverage otherwise paid by the University. An Eligible Employee will pay the remaining Cost. Coverage must be elected with 30 days of beginning TRS retirement benefit.
With 20 or more Years of Service and eligible to retire from TRS:	University will provide coverage (University Health Care Plan & Basic Dental Plan) and pay 50% of the portion of the retiree premium for Standard Coverage otherwise paid by the University. Eligible Employee will pay the remaining cost. Coverage must be elected within 30 days of beginning TRS retirement benefit.

- 4) In order for the University to pay for the retiree-only Standard Coverage health insurance under the University Health Plan after Retirement or to be eligible for the University to pay for such coverage upon incurring of a Disability, the Eligible Retiree or Eligible Employee must have been participating in the University Health Plan immediately prior to Retirement (including Disability Retirement) for the required periods as follows:

RETIREMENT DATE	BENEFIT
July 1, 2003, through June 30, 2004	To be eligible for retiree medical insurance, the Eligible Retiree must have at least one year of continuous participation in the Health Plan immediately prior to Retirement
July 1, 2004, through June 30, 2005	To be eligible for retiree medical insurance, the Eligible Retiree must have at least two years of continuous participation in the Health Plan immediately prior to Retirement.
July 1, 2005, through June 30, 2006	To be eligible for retiree medical insurance, the Eligible Retiree must have at least three years of continuous participation in the Health Plan immediately prior to Retirement
July 1, 2006, through June 30, 2007	To be eligible for retiree medical insurance, the Eligible Retiree must have at least four years of continuous participation in the Health Plan immediately prior to Retirement.
July 1, 2007, through June 30, 2008	To be eligible for retiree medical insurance, the Eligible Retiree must have at least five years of continuous participation in the Health Plan immediately prior to Retirement.
July 1, 2008, and later	To be eligible for retiree medical insurance, the Eligible Retiree must have at least five years of continuous participation in the Health Plan immediately prior to Retirement.

For purposes of calculating years of continuous participation in the Health Plan, the same rules which are applicable for calculating whether the Eligible Employee has earned Years of Service will be applied.

- 5) Retiree Health and Dental for post December 31, 2007 hires: Eligible Retirees hired on or after January 1, 2008, are eligible to purchase health and dental coverage under the University Health Care Plan and Basic Dental Plan, and will be required to pay 100% of the cost of coverage elected.

Dental Insurance

University-paid dental coverage is provided for Eligible Retirees (but not dependents) meeting the specified age and service requirements for Retirement. Eligible Retirees will continue to be able to insure their eligible dependents by paying the premiums. Additional dental coverage through the State Health Plan is also available at retiree expense for Eligible Retirees or their dependents eligible for the State Health Plan.

SURVIVING SPOUSE:

If the Eligible Retiree dies and he or she has a surviving spouse, such surviving spouse shall be eligible for continued coverage under the Health Plan as a “dependent” until the earlier of (i) the remarriage of surviving spouse, or (ii) the surviving spouse becomes eligible for other group health insurance coverage. Once such coverage of the surviving spouse ceases, it may not be again provided under this Policy as a Benefit for such “surviving spouse”.

- A) Additional Benefits: Eligible Retirees, including Eligible Employees who otherwise meet the age and service requirements of this Policy but who are not Members of the TRS, are entitled to receive and participate in the additional Benefits.
 - 1) Life Insurance Conversion: All life insurance ceases upon retirement. However, Eligible Retirees who apply within 31 days of retirement are entitled to convert to a whole life policy for coverage up to a percentage of the final life insurance amount by paying a premium which is based on the attained age.
 - a) Eligible Retirees less than age 62 may purchase up to 50% of the coverage in force at retirement to a maximum of \$60,000. The minimum amount which can be purchased is \$10,000.
 - b) Eligible Retirees age 62 to 65 may purchase 25% of their pre-retirement amount with a maximum of \$25,000 and a minimum of \$5,000.
 - c) Insurance may be continued to age 65 or whenever the Eligible Retiree becomes eligible for another group life policy, whichever is earlier.
 - d) Application for life insurance after age 65 must be made within sixty days after attaining age 65. Premium is due from the effective date of continuation. Insurance will be continuous from the first day of the month following date of retirement.

PARKING

Eligible Retirees are entitled to fee-free parking permits enabling them to park in campus lots.

ID CARDS

Eligible Retirees are issued identification cards which allow them to access various retirement Benefits.

ATHLETIC TICKETS

Eligible Retirees who maintain residence in the State of Oklahoma are entitled to continue purchasing tickets to athletic events at reduced rates.

LIBRARY

Eligible Retirees can use University Libraries after retirement.

COURSE ENROLLMENT

Eligible Retirees may participate in University academic courses subject to the fee waiver rules applicable to active Eligible Employees.

UNIVERSITY CLUB/FACULTY HOUSE

Eligibility for membership to the University Club or Faculty House remains for Eligible Retirees.

EMPLOYEE SEMINARS/FUNCTIONS

Continued participation in employee seminars and functions is available for Eligible Retirees.

RECREATIONAL FACILITIES

University-operated recreational facilities are available to Eligible Retirees on a fee-free basis. Some restrictions apply to golf privileges for those retiring on or after January 1, 1994.

VII PHASED RETIREMENT

GENERAL

This is a program which, with approval by the University, may be made available to any Eligible Employee with 10 or more Years of Service and retired under TRS effective the month after the individual attains age 55. Benefits cease on the June 30th following age 65. Its objective is to provide decreasing teaching/work responsibilities as the Eligible Employee approaches full retirement while providing insurance and other benefits at attractive levels.

APPLICATION

An individual who wishes to participate in Phased Retirement will be required to sign an agreement acknowledging the terms of the Phased Retirement. The agreement also will be signed by Chair/Account Sponsor of the paying account(s) and will include the negotiated “full-time equivalent” (“FTE”) and rate for the first and each ensuing year of the Phased Retirement. It will detail if and when the individual would be eligible to retire if he/she did not continue through the entire phasing.

BENEFITS

Effective Year	Maximum that may be Negotiated		
	FTE*	Salary*	TIAA
First Year	90%	90%	100%
Second Year	85%	85%	100%
Third Year	80%	80%	100%
Fourth Year	75%	75%	100%
Fifth Year	70%	70%	100%
Sixth Year	70%	70%	100%
Seventh Year	70%	70%	100%
Eighth Year	50%	50%	100%
Ninth Year	40%	40%	80%
Tenth Year	30%	30%	60%

*Notes: An employee can enter the matrix at the beginning of any month after becoming eligible and attaining age 55. The FTE and the salary for the years indicated above are the maximums authorized for these respective years and are to be the results of the negotiation between Eligible Employee and the Account Sponsor or Committee "A" concerned and will be reflected in the Phased Retirement agreement. Under no circumstances will Phased Retirement be continued beyond June 30th of the fiscal year in which the Member attains age 65. In the event of withdrawal from Phased Retirement, no Benefits would be available unless the individual has attained age 62 or has 25 Years of Service, or is eligible for Disability Benefits. Whenever FTE/Salary drops below 75% FTE, TRS credit for each subsequent Year of Service will be proportional to the FTE so long as FTE remains at 50% or higher.

SALARY

For the purpose of Phased Retirement, the percentage is applied against the individual's last annual appointed base salary prior to entering the Phased Retirement as adjusted by the average salary increase for the Eligible Employee since phasing began. Actual salary based upon merit considerations may exceed the appointed base salary, except that any additional salary increment above that described in the table above will not be considered for computation of Benefits.

LIFE INSURANCE

Sooner Credits under The University of Oklahoma Sooner Options Plan will be provided in an amount equal to 1.5 times last annual appointed base salary prior to entering Phased Retirement rounded to nearest thousand.

HEALTH AND DENTAL INSURANCE

Full Sooner Credits, regardless of FTE will be provided by the University. If the individual is enrolled in the HMO, Sooner Credits up to the amount required for the primary health program will be provided by the University.

AD&D INSURANCE

Sooner Credits will be provided for \$ 20,000 of AD &D Insurance coverage.

DEFINED CONTRIBUTION PLAN:

Percentage is percent of the final full worked year preceding the calendar year in which the Eligible Employee enters Phased Retirement. The Defined Contribution Plan contribution is made for the individual (adjusted by the average percent increase given the Eligible Employee since the individual began Phased Retirement). See Defined Contribution Plan for details of Defined Contribution Plan contribution during Phased Retirement.

LONG-TERM DISABILITY:

Salary continuance insurance upon occurrence of long-term disability, if elected, will be at the rate actually being paid, not to exceed policy limitations.

PAID LEAVE AND EXTENDED SICK LEAVE BENEFITS:

The accrual rate will be based on the appointed FTE. However, eligibility for maximum paid leave accumulation will not be reduced as a result of entering into this Policy. An Eligible Retiree participating in the Phased Retirement will remain eligible and entitled to the University's extended sick leave benefits.

VIII. RETURNING TO EMPLOYMENT

POLICY:

Based on needs of the University, Eligible Retirees may be appointed without affecting their University retired status. However, these individuals should familiarize themselves with the earnings constraints of both Social Security and TRS which could adversely impact monetary benefits payable from these authorities. Also TRS requires a 60-day waiting period before a retiree can accept employment with a State educational institution.

BENEFITS:

Those Eligible Retirees who elect to return to employment with the University will be provided the option to (i) be eligible for those benefits which are provided to other similarly situated or classified employees of the University and such benefits will be determined in accordance with the terms of the applicable benefit plans, programs and arrangements, or (ii) continue the Benefits under this policy and will not be eligible for the benefits described in (i) above. This election by the Eligible Retiree is irrevocable and must be made in writing prior to commencement of reemployment with the University.

IX. AMENDMENTS AND TERMINATIONS

The University reserves the right to amend, modify, or terminate this policy at any time; any such amendment and modification may affect Benefits which have been earned or will be earned in the future. Any Eligible Employee who elects to receive the Benefits or who is covered by this policy agrees that as a condition for such participation, the University shall at all times retain such right to amend, modify, or terminate this Policy.

X. STANDARD OF REVIEW

The Policy Administrator (or such other party to whom duties of administration have been delegated by the Board of Regents) shall perform its duties of administration as it determines in its sole discretion is appropriate in light of the reason and purpose for which the policy is established and maintained. In particular, the interpretation of all policy provisions and the determination of whether an Eligible Employee is entitled to any benefit pursuant to the terms of the policy shall be exercised by the Policy Administrator (or other party referred to above) in its sole discretion. Any construction of the terms of the policy for which there is a rational basis that is adopted by the Policy Administrator (or other party referred to above) in good faith shall be final and legally binding on all parties.

Claims and Review Procedures**If a Claim is Denied**

If for any reason a claim for benefits is denied, normally within 90 days, the Eligible Employee will receive a written notice containing:

- The reason(s) why the claim, or a portion of it, was denied;
- Reference to policy provisions on which the denial was based;
- What additional information, if any, is required to process the claim and why the information is necessary; and
- What steps may be taken if the Eligible Employee wants to appeal the decision.

In many cases, disagreement about benefit eligibility or amounts can be handled informally by calling the University's Benefits Office. If a disagreement is not resolved, there is a formal procedure the Eligible Employee can follow to have his/her claim reconsidered.

Under the agreements creating the terms of the Policy, the University has sole authority to make final determinations regarding any application for Benefits, the interpretation of the Policy, and any administrative rules adopted by the University. Benefits under this Policy will be paid only if and when the University or persons to whom such decision-making authority has been delegated by the University, in their sole discretion, decide the Eligible Employee or beneficiary is entitled to Benefits under the terms of the Policy. The University decisions in such matters are final and binding on all persons dealing with the Policy or claiming a Benefit from the Policy. If a decision is challenged in court, it is the intention of the University that the decision is to be upheld unless it is determined to be arbitrary or capricious by the court or an arbitrator having jurisdiction over such matters.

Appeal of Denied Claim.

The Eligible Employee may ask the Policy Administrator to review decisions involving requests for claims for Benefits. Depending on the nature of the particular appeal, some or all of the following three levels of review will be available to the Eligible Employee:

- Level 1: Administrative Review
- Level 2: Director of the Office of Human Resources Review
- Level 3: Claims Appeal Committee

To request any level of review, Eligible Employee may contact the Policy Administrator, who will be the final initial contact and is primarily responsible for the overall review process. Send requests to:

**Director of the Office of Human Resources
905 Asp Avenue, Room 225
Norman, Oklahoma 73019**

The notices and decision letters will contain the name, title, address, telephone number, and fax number of the person who is responsible for processing the Eligible Employee's particular request for review. The Eligible Employee should contact that person with any questions regarding review.

If the Eligible Employee decides to file an appeal, he or she must give the person who will be responsible for processing the appeal any material justification or documentation for the appeal at the time the appeal is filed. The Eligible Employee must also give that person the address and phone number where the Eligible Employee can be contacted.

Level 1: Administrative Review

Within 60 days after the Eligible Employee receives notice of a claim denial, or if the Eligible Employee disagrees with a determination under the Policy, the Eligible Employee may make a written request for an Administrative Review. The Eligible Employee must submit his/her written request to:

**Director of the Office of Human Resources
905 Asp Avenue, Room 225
Norman, Oklahoma 73019**

The written request should state the reason why the claim should be reconsidered and include copies of any relevant documentation, including related background information, that the claimant feels justifies a reversal of the claim denial. The Eligible Employee may also request an inspection of designated, pertinent documents on file related to the claim.

The Policy Administrator will review the request and provide the Eligible Employee with a written determination within 60 days. If the claim denial is reversed, the Policy Administrator will authorize payment of the claim. If the claim is again denied, the Eligible Employee will receive a written notice containing:

- The reason(s) why the claim, or a portion of it, was denied;
- Reference to Policy provisions on which the denial was based;
- What additional information, if any, is required; and
- What steps may be taken if the Eligible Employee wants to proceed to a Level 2 appeal.

Level 2: Director of the Office of Human Resources Review

Within 30 days after the Eligible Employee receives notice of a Level 1 claim denial, the Eligible Employee may make a written request for a Level 2 Director of the Office of Human Resources Review. The Eligible Employee must submit a written request, as appropriate to:

**Director of the Office of Human Resources
905 Asp Avenue, Room 225
Norman, Oklahoma 73019**

The written request should state the reason why the claim should be reconsidered and include copies of any relevant documentation, including related background information.

The Director or designee will review the request within 20 days. The Eligible Employee will be notified if more information is necessary. The Eligible Employee will receive confirmation of the decision within 10 days of the review. The Director may affirm or reverse the decision of the Administrative Review, or the Director may issue a “no action” letter, which is without prejudice to either party. If the Eligible Employee receives a “no action” letter, he/she should proceed by requesting a Level 3 review.

- If the claim denial is reversed, the Director will authorize payment of the claim.
- If the claim is again denied, the Eligible Employee may proceed to a Level 3 review.

Level 3: Claims Appeal Committee Review

Within 45 days of the Level 2 decision (including a determination of “no action”) by the Director of the Office of Human Resources, the Eligible Employee may make a written request for a Level 3 Claims Appeal Committee Review. The Eligible Employee’s request should be submitted to the Office of Human Resources.

The University’s Claims Appeal Committee consists of the Vice Presidents for Administrative Affairs or their designees.

A request for a Level 3 appeal must be made within 45 days of postmark of the Level 2 decision.

The hearing before the University’s Claims Appeal Committee to review the denial will be held within 30 days after the receipt of a written appeal, unless special circumstances require an extension of time, in which case a decision shall be made no later than 90 days after receipt of the appeal. The hearing is informal and the Eligible Employee is entitled to have a representative present at his/her own expense.

(RM, 6-10-82, p. 17020; amended 3-8-84, 5-10-84, 8-1-85, 5-8-86, 12-11-86, 4-9-87, 1-21-88, 12-8-88, 6-14-89, 5-9-91, 6-13-91, 7-1-91, 7-9-92, 11-10-92, 6-17-93, 9-16-93, 6-21-94, 6-27-95, 5-14-97, 9-11-01, 12-2-02, 12-2-03, 1-27-2004, 12-12-2007)

3.3.1—RETIREES ASSOCIATION

A University of Oklahoma Retirees Association was established in 1991. The Association functions for the benefit of the University and for the retired faculty and staff comprising its membership. Activities include, but are not limited to, assisting in fulfilling University goals and objectives, assisting

in fund raising and student recruiting activities, providing informational and social opportunities for retirees, participating in appropriate University organizations, and providing such other services as may be requested by the University or the Association membership. It shall not function as a lobbying organization for the sole benefit of its members.

All persons meeting the University's policy requirements for retirement from active service are eligible for membership.

The President is authorized to approve changes in the Constitution and Bylaws of the Association that do not change the purpose or role of the Association.

(RM, 3-7-91, p. 22258, edited; 1-27-2004, 28924)

3.4—PUBLIC RELATIONS POLICIES

3.4.1—PUBLICATIONS AND PROMOTIONAL MATERIALS POLICY

In order for all publications and promotional materials representing the University to convey a consistent and accurate message and image, externally disseminated publications must be reviewed by the Division of Public Affairs or the designated publications office. The full text of this policy is maintained by the Division of Public Affairs.

(RM, 4-4-91, p. 22307, edited; 3-29-00, p. 26909; 1-27-2004, p. 28924; 6-23-04, p. 29151)

3.4.2—ADVERTISING AND PROMOTION

The University will never knowingly accept or allow advertising that does not conform to industry standards and University guidelines. The University also adheres to specific guidelines in regard to alcoholic beverage advertising. This policy applies to all advertising and promotion in whatever format. Examples are books, brochures, posters, programs, directories, newspapers, signs, radio and television, videotape and audiotape, and electronically generated programming. Signs include those at the athletic facilities, on CART vehicles, and in other locations. This policy also applies to all events and activities organized by or sponsored by University departments or registered student organizations.

The full text of the Advertising and Promotion Policy is included in the Norman Campus and Health Sciences Center faculty handbooks.

(RM, 1-13-83, pp. 17355-6; 11-8-84, p. 18192; 12-8-88, p. 20808; 4-6-89, pp. 20995-8; 3-29-00, p. 26909; 1-27-2004, p. 28924; 6-23-04, p. 29151)

3.4.3—ENDORSEMENT PROHIBITED

The University does not endorse any commercial product, program, enterprise, or idea.

(RM, 1-27-2004, p. 28924)

3.4.4—PURCHASING ADVERTISING

The University from time to time may wish to reach a certain public by purchasing advertising in the media. The material contained in this advertising may include, among other things, matters related to increasing enrollments in regular or extension courses; promotional advertising, or informational material related to specific policies, projects, events, institutes, departments; and curricula. With the exception of employment advertising, no contracts for advertising should be entered into and no oral or written commitments may be made by any University employee without the prior written approval of the Vice President for Public Affairs or his/her authorized designee. Advance written approval of all layouts or copy must be obtained.

(RM, 1-27-2004, p. 28924; 6-23-04, p. 29151)

3.4.5—UNIVERSITY NAME, LOGOS, OTHER IDENTIFYING MARKS, AND SEAL

UNIVERSITY NAME, LOGOS, OTHER IDENTIFYING MARKS, AND SEAL

(A) Trademark Administrative Committee – Responsibility for management of the University's name, logos, other identifying marks, and seal (collectively "marks") shall rest with a Trademark Administrative Committee ("TAC"). The Vice President for Public Affairs, the General Counsel, and the Athletic Director shall each appoint a representative to the three-member TAC.

(B) Trademark Policies and Procedures – The TAC shall adopt, publish and implement policies and procedures to ensure that the marks are utilized in a manner that best serves the interests of the University of Oklahoma. In no event should such uses be disparaging, misleading as to sponsorship/affiliation, contradict public morals or decency, or reflect unfavorably upon the University.

Such policies and procedures should address mechanisms for non-commercial and commercial uses of the marks, both internal and external to the University. Additionally, the TAC should implement a style guide or other instrument for implementation University-wide that establishes uniform and consistent usage of the University's marks.

(C) Trademark Office – The TAC shall establish and oversee a University Trademark Office, which shall be responsible for implementation of policies and procedures regarding the University's marks, including but not limited to, the protection, licensing, management and enforcement of the University's marks. If desired and consistent with other applicable policies, the Trademark Office may contract with an official licensing agent to assist in one or more of these responsibilities.

(RM, 6-25-70, pp. 10383-84, edited; 1-23-91, p. 22207; 6-27-95, p. 24460; 3-5-97, p. 25119; 3-29-00, p. 26909; 1-27-2004, p. 28924; 6-23-04, p. 29151; 6-23/25-08, p. 31292)

COAT OF ARMS

There is authorized for general use a University Coat of Arms, which shall serve as the emblem of the University in lieu of the official University Seal.

(RM, 4-9-52, p. 4306, edited)

3.4.6—OFFICIAL UNIVERSITY JEWELRY

Official University graduation rings for the students and alumni of the University shall be produced exclusively by a designated vendor. The sale of such rings is limited to students who have completed a minimum of 72 hours and are in good standing with the University and to alumni.

Other University jewelry may be produced and sold if its design and production meet the University's criteria and standards and the vendor is so licensed.

(RM, 10-8-58, p. 6125; 1-27-2004, p. 28924)

3.5 — COMPLIANCE POLICIES

3.5.1—UNIVERSITY COMPLIANCE AND QUALITY IMPROVEMENT PROGRAM

1—ADOPTION OF COMPLIANCE AND QUALITY IMPROVEMENT PROGRAM

1.1—PURPOSE OF THE PROGRAM

The University is committed to the highest standards of ethics, honesty, and integrity and to compliance with all applicable laws and regulations. The purpose of this Compliance and Quality Improvement Program (the "Program") is to call the attention of persons associated with the University to some of the laws and regulations applicable to academic institutions. The Program is intended to (a) promote legal and ethical behavior in the academic context and (b) prevent and detect violations of law. The Program is intended to provide for more effective and efficient compliance efforts and oversight.

1.2—PRE-EXISTING STANDARDS AND PROCEDURES

In addition to this Compliance and Quality Improvement Program, the University has established and maintains various practices, policies, and procedures which are incorporated into the Program. This Program does not supersede or diminish any other policy or program of the University that, in whole or in part, also addresses compliance issues, unless such other policies or programs are inconsistent with this Program.

1.3—COMPLIANCE WITH OTHER LAWS

University employees are required to comply with all applicable laws and regulations, whether or not specifically addressed in the Program. The standards of conduct set forth in this Program cannot cover every legal situation. It is the responsibility of each University employee to act honestly and with integrity in all dealings and to seek appropriate guidance when necessary.

1.4—MODIFICATION OF THE PROGRAM

This Program will be periodically updated or otherwise modified by the Board of Regents as necessary. In addition to this document, the University will periodically distribute memoranda or other policies, which supplement the Program.

1.5—GENERAL APPLICATION

This Program applies to all University colleges, departments, and employees that:

- submit claims for reimbursement of medical services;
- perform human and/or animal research; and/or
- handle or work with or around hazardous, controlled substances, and/or radioactive materials.

2—OFFICE OF COMPLIANCE

2.1—GENERAL PURPOSE

The University's Office of Compliance, under the direction of the Director of Compliance, is responsible for overseeing, monitoring, and assisting the University in its efforts to (i) raise awareness regarding legal and ethical issues; (ii) improve compliance training and quality improvement and review functions; and (iii) ensure adherence to the highest standards of conduct.

2.2—SPECIFIC PURPOSES

In addition to the general purpose stated above, the Office of Compliance will coordinate the University's efforts to:

- 1) inform University employees about the Standards of Conduct and Improvement;
- 2) implement and conduct training programs where needed and/or monitor existing training programs;
- 3) perform and/or arrange periodic compliance/quality improvement reviews;
- 4) conduct investigations of compliance complaints in coordination with the applicable University department and/or officer;
- 5) maintain a reporting and question hotline for compliance matters;
- 6) serve as a resource to the University on matters of compliance;
- 7) assist with the correction of compliance concerns; and
- 8) draft and implement, in coordination with the applicable department, any necessary policies and procedures.

2.3—STRUCTURE

The Office of Compliance will report to the University's General Counsel. However, the Director of Compliance may present time sensitive compliance issues or concerns directly to the President or the Board of Regents.

(RM 06-23-04, p. 29151)

3—COMPLIANCE ADVISORY COMMITTEE

3.1 ESTABLISHMENT OF COMMITTEE

The University shall establish a Compliance Advisory Committee consisting of: (i) the Senior Vice President and Provost - Norman Campus; (ii) the Senior Vice President and Provost - Health Sciences Center; (iii) the Vice President for Health Affairs and Associate Provost - Health Sciences Center; (iv) the

Vice President for Research - Norman Campus; (v) the Vice President for Research - Health Sciences Center; (vi) the Associate Vice President for Clinical Research; (vii) the Vice Presidents for Administrative Affairs; and (viii) any other University employees designated from time to time by the General Counsel.

3.2 PURPOSE OF COMMITTEE

The Compliance Advisory Committee will meet on a periodic basis to (i) provide advice and assistance to the Director of Compliance; (ii) discuss matters of policy applicable to the areas covered by the Program; and (iii) receive reports from the Director of Compliance regarding the activities of the Office of Compliance and developments regarding compliance issues.

The full text of the University Compliance and Quality Improvement Program is included in the Norman Campus and Health Sciences Center faculty handbooks.

(RM, 1-29-02, p. 27865; 12-2-02, p. 28374; 1-27-2004, p. 28924; 6-23-04, p. 29151)

3.5.2—INTERNAL AUDIT CHARTER

MISSION

The mission of University of Oklahoma Internal Audit is to assist management and staff of the universities under the governance of the University of Oklahoma Board of Regents in the effective discharge of its responsibilities by providing them and the Board with independent and objective analysis, appraisals, recommendations, and pertinent comments with reference to:

- the adequacy and effectiveness of the internal control structure,
- the safeguarding of assets,
- compliance with applicable laws, regulations and university policies, and
- the achievement of management's objectives.

DEFINITION OF INTERNAL AUDITING

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

AUTHORITY AND ORGANIZATION

Oklahoma law provides that the University of Oklahoma Board of Regents ('the Board') shall establish an internal audit function that employs a sufficient number of internal auditors to meet the Board's fiduciary responsibilities.

The internal audit function shall be responsible to the Board and the University of Oklahoma President. The Chief Audit Executive will report functionally to the Board and administratively (i.e. day-to-day operations) to the President.

University of Oklahoma Internal Audit ('Internal Audit') will govern itself by adherence to the Institute of Internal Auditors' guidance including the Definition of Internal Auditing, the Code of Ethics, and the International Standards for the Professional Practice of Internal Auditing.

The Chief Audit Executive is authorized by the Board to direct a broad, comprehensive program of internal auditing throughout the universities under the governance of the Board ('universities'). This includes University of Oklahoma activities in Norman, Oklahoma City and Tulsa, and activities at Cameron University, Rogers State University and at any other locations for which the Board has responsibility.

Internal Audit will determine whether the universities' control, risk management, and governance processes, as designed and implemented by management, are adequate and functioning. In order to accomplish these objectives, the Chief Audit Executive and the Internal Audit staff are authorized by the Board and the President to have full, free, and unrestricted access to all the universities' functions, records, property, and personnel. In the event any officer, agent, or employee of the universities shall fail to co-operate fully with the Chief Audit Executive or shall otherwise hinder or prevent or attempt to hinder or prevent any audit, the Chief Audit Executive shall immediately and simultaneously report the same to the President and to the Finance and Audit Committee of the Board. Under Oklahoma law, any person who alters or destroys records needed for the performance of an audit or causes or directs a subordinate to do such acts shall be guilty of a felony punishable by imprisonment and/or a fine, and also subject to immediate removal from office or employment.

The Board shall:

- With the advice of the President, appoint and terminate the Chief Audit Executive
- Approve the Internal Audit Charter
- Annually, review and approve the plan of work to be performed by Internal Audit
- Quarterly, receive communications from the Chief Audit Executive on the internal audit activity relative to the plan and other matters.
- Make enquiries of management and the Chief Audit Executive regarding scope and resources.

INDEPENDENCE AND OBJECTIVITY

The Chief Audit Executive and Internal Audit staff will have no direct operational responsibility or authority over the activities audited. Accordingly, they will not implement internal controls, develop procedures, install systems, prepare records, or engage in any other activity that may impair independent and objective judgment.

To permit the maintenance of a fully independent and objective approach, the internal audit activity will remain free from interference by any element in the organization, including matters of audit selection, scope, procedures, frequency, timing, or report content.

Internal auditors will exhibit professional objectivity in gathering, evaluating, and communicating information about the activity or process being examined. Internal auditors will make a balanced assessment of all the relevant circumstances and not be unduly influenced by their own interests or by others in forming judgments.

The Chief Audit Executive will confirm to the Board, at least annually, the organizational independence of the internal audit activity.

RESPONSIBILITIES

The Chief Audit Executive will have the responsibility for the direction, personnel, budget, and day-to-day operation of the internal audit function.

Internal Audit shall:

- Develop a risk analysis to identify the higher risk activities of the universities.
- Annually prepare and submit a risk-based Audit Plan for review by the Finance and Audit Committee and approval by the Board.
- In accordance with the annual Audit Plan, perform audits that review and evaluate internal controls and the quality of ongoing operations to help ensure management compliance with laws and regulations, university and departmental policies, plans and procedures.
- Prepare an Audit Report for each audit that will comment on the adequacy of internal controls and recommend action for management to correct any deficiencies. Obtain a written response from management with an agreed timetable for corrective action.
- Submit a copy of each final Audit Report to the President, and to the Vice President for University Governance for distribution to the Board, and to the executive officer responsible for the audited activity and appropriate administrative personnel. The Regents shall have the opportunity to discuss reports with the Chief Audit Executive.
- Perform follow-up procedures to ensure that recommended corrective action has been implemented. Report to the Finance and Audit Committee instances where recommendations have not been fully implemented by management after a reasonable period of time.
- Submit quarterly activity reports to the Finance and Audit Committee that summarize audit work performed.
- Report annually on the adequacy of the internal control structure for the universities according to the audit work carried out during the year.
- Conduct special reviews and consulting services as directed by the Presidents or the Board. Special reviews and consulting services requested by departmental management may be performed at the discretion of the Chief Audit Executive.
- Investigate reported or suspected acts of theft, fraud, or misuse, abuse or misappropriation of resources, and report to the Finance and Audit Committee accordingly.
- Serve as facilitator and coordinator for federal, state, and other external audit agencies. External audit agencies shall contact the Chief Audit Executive for entrance and exit audit conferences.

QUALITY ASSURANCE AND IMPROVEMENT PROGRAM

Internal Audit will maintain a quality assurance and improvement program. The program will include an evaluation of the conformance of the activities of Internal Audit with the Institute of Internal Auditors' Definition of Internal Auditing and the International Standards for the Professional Practice of Internal Auditing and an evaluation of whether internal auditors apply the Code of Ethics. The program will also assess the efficiency and effectiveness of the internal audit activity and identify opportunities for improvement.

The Chief Audit Executive will communicate to senior management and the Board on the internal audit activity's quality assurance and improvement program, including results of ongoing internal and external assessments.

FRAUD

University employees have a duty to report instances of suspected theft, fraud, or misuse of funds to Internal Audit or via the University Fraud Reporting Hotline. Internal Audit will coordinate internal investigations with the appropriate university officials (e.g., Office of Legal Counsel, Campus Police, the Compliance Office, university officers, and/or departmental personnel). The responsibility of the Chief Audit Executive and Internal Audit with regard to fraud investigation is set out in the Fraud Prevention, Reporting and Whistleblower Policy.

(RM, 2-12-86, pp. 18859-64; 3-8-90, p. 21624; 12-9-97, p. 25709; 12-10-98, p. 26195; 1-27-2004, p. 28924; 3-10-15, p. 34591; 6-21-16, p. 35208)

3.5.3—CONFIDENTIALITY OF LIBRARY RECORDS

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;
- 3) as otherwise required by law.

(RM, 6-13-85, pp. 18415-6; 1-27-2004, p. 28924)

3.5.4—ETHICS IN RESEARCH

INTRODUCTION

Research and other scholarly activity at the University must be above reproach. Each member of the University community has the responsibility to ensure the integrity and ethical standards in any activity with which he or she is associated directly, or any activity of which there is sufficient knowledge to determine its appropriateness. Misconduct in the conduct of research undermines the scholarly enterprise

and erodes the public trust in the University community to conduct research and communicate results using the highest standards and ethical practices. The University is responsible both for promoting scholarly practices that prevent misconduct and for developing policies and procedures for dealing with allegations or other evidence of scholarly or research misconduct.

The University's Ethics in Research policies establishes uniform policies and procedures for investigating and reporting instances of alleged or apparent misconduct involving research, including but not limited to, research or research training, applications for support of research or research training, applications for research or research training, or related research activities that are supported with funds made available under the Public Health Service Act. The policies and procedures apply, according to their terms, to faculty, staff, and students. They are not intended to address all scholarly issues of an ethical nature. For example, discrimination and affirmative action issues are covered by other University policies.

The full text of the Norman Campus and Health Sciences Center Ethics in Research policies are included in the Norman Campus and Health Sciences Center Faculty and Staff handbooks.

(RM, 5-9-85, p.18378; 12-20-89, p. 21508; 6-25-97, p. 25458; 3-29-00, p. 26909; 1-27-2004, p. 28924; 6-23-04, p. 29151; 10-24-17, p. 35830; 12-12-17, p. 35906)

3.5.5—OKLAHOMA GEOLOGICAL SURVEY

The law places the governance and control of the Oklahoma Geological Survey under the Board of Regents. In the administration of the Survey, the Director shall bear the same relation to the President as the deans of the several schools and colleges in the University, and all communications and recommendations to the Board of Regents from the Director, and all communications and recommendations from the Board of Regents to the Director, shall be transmitted through the President.

The general administrative officers of the University, such as the Vice Presidents, the Director of Purchasing, the Controller, the Accounting Office, the Bursar, the Physical Plant Department, and other officers of general administration have the same relation to the Survey that they have with other departments, colleges, or divisions of the University.

(RM, 6-6-27, p. 284; 9-10-53, pp. 4693-94; 1-27-2004, p. 28924)

3.6—PRESERVATION OF ELECTRONICALLY STORED INFORMATION AND RECORDS

- A. Policy – The University of Oklahoma shall maintain continued adherence to the applicable laws of the State of Oklahoma and the United States of America, including but not limited to the Federal Rules of Civil Procedure, with respect to the inventory, retention, destruction, preservation and production of all records and information existing as Electronically Stored Information (“ESI”).
- B. Electronic Discovery Steering Committee – To help meet its obligations, the University shall utilize an Electronic Discovery Steering Committee, co-chaired by the General Counsel and the University Vice-President for Information Technology, or their respective designees.

The co-chairs may, at their discretion, select other members from time to time to serve on the Electronic Discovery Steering Committee. Such representation may be from other areas of the University, including but not limited to:

- Human Resources/Employment/Benefits
- Faculty
- Records Office(s)
- Administrative and/or Finance Office(s)
- Other University staff as needed

The Electronic Discovery Steering Committee shall adopt, publish and implement procedures to ensure that the University meets its obligations regarding ESI in a manner that best serves the interests of the University of Oklahoma.

Such procedures should address both the legal and technical requirements of the University’s obligations in identifying, preserving and producing ESI.

(RM, 3-25-10, p. 32052)

3.7—INSTITUTIONAL CONFLICT OF INTEREST POLICY

Contents:

- I. Statement of General Policy
- II. Disclosing Institutional Conflicts of Interest
- III. Managing Institutional Conflicts of Interest
- IV. Additional Considerations
- V. Sanctions
- VI. Appendix A (Management Plans Involving Intellectual Property)

I. Statement of General Policy

The University of Oklahoma is responsible for handling public funds in a manner that ensures that all University activities reflect its mission of providing the best possible educational experience through excellence in teaching, research, creative activity and service to the state and society. As the University's collaboration and interaction with the private sector increases, so does the potential for institutional conflicts of interest. These conflicts involve situations in which the integrity of research, the University's educational mission, and/or the University's reputation may be compromised, or may appear to be compromised, by the University's financial interests.

Institutional conflicts of interest can occur whenever the external financial interests or business relationships of the University or of one of its officials are such that their actions could affect, or could reasonably appear to affect, the conduct, review or oversight of the University's research.

It is the policy of the University of Oklahoma that all institutional conflicts of interest, whether real or perceived, must be fully disclosed. The reported conflict must be properly identified and either managed or eliminated prior to initiating any contract, sponsored project, dedicated gift or transaction that might appear to be influenced by the conflict. This policy can be implemented by using a three-step approach:

1. Disclose always
2. Assess the potential for institutional conflicts of interest
3. Manage the conflict in most cases, and prohibit the activity when necessary to preserve the University's mission or protect the public's interests

This policy has been developed to protect the integrity of the research and development process at the University of Oklahoma. It is not intended to supersede or modify other Conflict of Interest policies, including those found in the Norman Campus Faculty Handbook (Sections 3.6, 3.83, 4.20.2, and 5.10) and those found in OU Health Sciences Center's Faculty Handbook Appendix E.

II. Disclosing and Identifying Institutional Conflicts of Interest

What to disclose

All institutional conflicts of interest, whether perceived, potential, or actual must be disclosed. Institutional conflicts of interest may occur when the institution, any of its senior management or regents, or a college, department, school, or other sub-unit, has an external relationship with, or financial interest in, a company that itself has an interest in a University research project.

Information to disclose

- Financial interests of all Board of Regents members and executive officers
- Single corporate or private donations exceeding \$1 million or cumulative gifts of \$5 million
- Changes in University equity or royalty holdings
- New University-held licenses

Who must disclose

- Individual disclosures of financial interests should be filed by:
 - o Executive officers
 - o Members of the Board of Regents
- Other disclosures are event-based, and include:
 - o New licenses and royalty or equity holdings, which should be disclosed by the Office of Technology Development
 - o Business contracts for goods or services in which the University generates revenue in excess of \$1 million, which should be disclosed by the college or department generating such revenue

All single donations to the University exceeding \$1 million or cumulative donations exceeding \$5 million in value, which should be disclosed by the Office of University Development

How to disclose

Annual disclosures of Significant Financial Interests (as defined in the University's Individual Conflict of Interest policies) must be filed by executive officers, vice presidents and members of the Board of Regents. Disclosure forms required of those individuals by the state ethics commission should also be submitted to the respective campus Provost by June 18th of each year. The Provost for each campus is responsible for collecting and maintaining records of such disclosures.

Event-based disclosures such as corporate donations exceeding \$1 million in value, contracts by which the University generates in excess of \$1 million in revenue and new licenses or equity holdings should be reported by the appropriate Dean or Vice President in sufficient detail to the appropriate Provost. Such disclosures should be made within a reasonable time after their occurrence, but in no event later than sixty (60) days following the acceptance of funds or change in equity or royalty status. The Provost for each campus is responsible for maintaining records of such disclosures.

Identifying Institutional Conflicts of Interest

Institutional conflicts of interest may be identified by cross referencing potential research engagements against the conflict of interest information disclosed. The Vice Presidents for Research on each University campus are responsible for cross referencing University research opportunities against the institutional conflict of interest information maintained by their respective Provost. If a potential institutional conflict of interest is identified, the Vice President(s) for Research shall notify the appropriate Provost, who shall evaluate and act upon the potential conflict in accordance with this policy.

All other employees shall promptly disclose any perceived, potential, or actual institutional conflict of interest of which he or she becomes aware to his/her unit head(s) (chair, center director and/or dean) or supervisor in writing. The unit head(s) will notify the Provost, who will evaluate and act upon the potential conflict in accordance with this policy.

III. Managing Institutional Conflicts of Interest

While there should be a presumption against allowing research to proceed when an institutional conflict of interest exists, such a presumption can be overcome if a management plan is developed that can appropriately address the conflict. The following steps are recommended for developing a management plan, and are described in greater detail below:

- Factual inquiry performed by Provost
- Factual report and recommendation to either eliminate or manage the conflict made by Provost to an ad hoc committee
- Ad hoc committee review of Provost's report and recommendation
- Ad hoc committee's adoption of a management plan that allows for complete elimination of the conflict, or acceptable management of it
- Implementation of the management plan

Upon receipt of a notice of a potential institutional conflict of interest, the Provost shall oversee an initial inquiry as to the facts of the situation. The inquiry shall include information regarding related individual conflicts of interest, if any. A report containing these facts as well as a recommendation to either eliminate or manage the institutional conflict of interest shall then be made to an ad hoc committee.

The ad hoc committee should be comprised of two executive officers of the University of Oklahoma appointed to serve by the President, a representative from the Office of Legal Counsel, from each campus office of the University Senior Vice President and Provost, and two members from outside organizations appointed to serve by the Chair of the Board of Regents. The ad hoc committee shall be called to meet by either the Norman Campus or Health Sciences Center Provost as needed.

Upon receipt of the factual report and recommendation from a Provost, the committee shall consider the recommended plan to either eliminate or manage the institutional conflict of interest with the following considerations in mind:

- The welfare of any human participants involved in the research
- The integrity of any research process involved
- The effect of the institutional conflict of interest on the University's reputation
- The effect of the institutional conflict of interest on the individual researcher's reputation

Additional considerations may be provided for the ad hoc committee's perusal, such as those articulated in Appendix B for management plans involving intellectual property. The ad hoc committee shall review all considerations when developing the management plan.

The committee's adopted plan should provide sufficient detail to allow for complete elimination of the conflict, or acceptable management of it. Such a management plan may include, but is not limited to, potential actions set forth in the University's Individual Conflicts of Interest Policies.

Plans for elimination of the conflict should be provided to the Provost for implementation. If the Provost disagrees with the ad hoc committee's recommendations, the Provost may, after consultation with the President, appeal the committee decision to a subcommittee of the Board of Regents for the University, which shall be specifically formed for this purpose.

The subcommittee of the Board of Regents may review the written materials associated with the potential institutional conflict of interest and make any investigation that it deems necessary. After considering all the facts and circumstances presented, the subcommittee may take any action that it believes necessary to preserve the integrity of the University, including an outright prohibition of the proposed research.

Plans for management of the conflict should be implemented in the following manner: After development of a final, acceptable management plan and commencement of the activity, the appropriate individuals with oversight responsibility will regularly report, in writing, to the appropriate Provost on the effectiveness of the plan. The frequency of such reports shall be determined by the ad hoc committee, but generally shall be made at least annually.

If, during the conduct of the activity, the appropriate Provost determines that the conflict has not been properly managed or has become unmanageable, he/she will then determine if the activity should cease, require further modification, or require employee divestment of the conflict. If outside agencies require notification of conflict resolution and management, they will be notified in accordance with their requirements.

IV. Additional considerations

Representing the University as a whole

Any individual representing the University as a whole in any activity shall make reasonable efforts to avoid institutional conflicts of interest. This includes identifying, acknowledging, and mitigating any institutional conflicts of interest that may arise when representing the University's interests.

Institutional conflict of interest database

The respective Office of the Provost should compile all event-based disclosures into a searchable database. This database should be made available to the respective campus office(s) of research administration, the College of Continuing Education and other offices at the discretion of the respective Senior Vice President and Provost. The database should be referenced and used when considering any new sponsored research agreement.

V. Sanctions

Disclosure of institutional conflicts of interest-apparent, potential, and actual-. is required for all persons who engage in activities that may involve such conflicts. Among other acts or omissions, failure to fully disclose conflicting relationships and/or interests or to follow a prescribed management plan may be a serious breach of this policy and may be itself considered research or ethical misconduct.

Persons who violate this policy shall be subject to applicable University policies relating to research or professional misconduct by faculty and staff. With due regard to inadvertent violations, University sanctions may include, without restriction: reprimand, restitution, loss of pay, suspension or dismissal.

Furthermore, persons who violate this policy also may be subject to civil and criminal penalties for violations of state or federal law, e.g., civil penalties for willful violations of state laws may reach \$50,000.00 or more per violation. Allegations against an employee for breach of this policy should be reported in a confidential writing to the appropriate Provost and, if against a staff employee, the appropriate executive officer.

VI. Appendix A

For all management plans involving intellectual property developed at the University, the following considerations, if applicable to the situation, should be addressed by the ad hoc committee:

- Any research agreement with a company may not contain any restrictions on publication, including student theses or dissertations, other than those sanctioned by the Faculty Handbook;
- All individuals working on a research project should be provided prior written notice that the research is being sponsored by a company in which a faculty member has an ownership interest, fiduciary relationship, and/or serves as a scientific officer or is on the board;
- Faculty members should provide the Provost and any other appropriate committee or University office a written description of the proposed research and a written assurance of his /her compliance with the restrictions set forth above;
- Faculty members should provide the Provost and any other appropriate committee or University office written reports on the progress of the research, listing related peer- reviewed publications and grants at least annually;
- Faculty members shall follow all management measures required under the management plan and as deemed appropriate by the Provost.

(RM, 3-25-10, p. 32051)

3.8—TOBACCO-FREE POLICY

The University of Oklahoma is committed to a healthy environment and has adopted policies limiting the use of tobacco on campus. The full text of the Tobacco-Free Policies is included in the Faculty, Staff and Student Handbooks on the Norman and Health Sciences Center campuses. The Norman Campus policy is effective July 1, 2012; the Health Sciences Center campus policy is already in effect.

(RM, 1-24-12, p. 32941; 3-28/29-12, p. 33025; 10-24/25-12, p. 33345)

3.9—FRAUD PREVENTION, REPORTING, AND WHISTLEBLOWER POLICY

The University prohibits fraudulent and dishonest behavior in the conduct of University business. It is the policy of the University to prevent, deter, and detect dishonest and fraudulent activities and consistently investigate suspected fraud. For the purposes of this policy, fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it. Fraudulent activities may include, but are not limited to:

- Misappropriation of University property or other fiscal irregularities;
- Intentional misrepresentation in, or forgery or inappropriate alteration of, any document used for University business, including, but not limited to: checks, promissory notes, or securities; purchasing and procurement materials; employee benefit or salary-related items such as time sheets, billings, claims, assignments, or changes in beneficiary; records relating to health; student-related items, such as grades, transcripts, loans, or fee/tuition documents; and
- Willful and unauthorized destruction of records, property, or equipment with the intent to conceal evidence of fraud, dishonest behavior, or irregularities in the conduct of University business.

Fraud detected or suspected by a University employee must be reported immediately to the University's Internal Audit or the University Fraud Reporting Hotline. University employees are prohibited from taking any retaliatory action against an individual for good faith reporting, or causing to be reported, suspected fraud. Any person who has been subjected to retaliation in violation of this policy should notify any of the following responsible offices: Internal Audit, Legal Counsel, the University President, or the Board of Regents. If confirmed, retaliation in violation of this policy shall result in appropriate disciplinary action, up to and including termination.

The Chief Audit Executive shall be responsible for managing investigations in response to reports of fraud, except when a real or reasonably perceived conflict of interest could compromise the validity of an investigation, as determined by the President of the University or the Board of Regents, in consultation with the General Counsel. In cases where a report of fraud implicates specialized subject matter or an area in which the University has established investigatory or review procedures (e.g., Academic Integrity, Compliance, Ethics in Research, Institutional Equity), the matter should be referred accordingly unless, as determined by the Chief Audit Executive in consultation with the General Counsel, such a referral is not in the best interest of the University.

Investigations of suspected fraud shall, to the extent reasonably practicable and to the extent permitted by law, be conducted in a manner that protects both the participants in an investigation and the reputation of the person(s) who are the subject of an investigation. If an investigation reveals evidence that supports a finding of fraud, the investigative report shall be referred to the executive officer over the area, the President, and/or the Board of Regents for corrective action. Corrective action may include, but is not limited to, disciplinary action against the perpetrator and/or adjustments to policies, procedures, or controls, or referral to law enforcement.

The Chief Audit Executive is empowered to 1) make recommendations to academic and administrative units to promote fraud prevention and deterrence, 2) adopt procedures consistent with generally accepted standards of fraud investigation to govern its conduct of fraud investigations, 3) manage the appropriate referral of reports.

(RM, 6-21-16, p. 35208)

3.10—POLICY MANAGEMENT POLICY

(A) Title & Purpose. This Policy will be known as the “Policy Management Policy.” Its purpose will be to standardize Policy development, management, and review and revision processes across the University.

(B) Definitions. For the purposes of the Policy Management Policy only, the following definitions apply:

- (1) “Academic Department” means an academic or research unit, center, or institute within a College. An Academic Department is usually administered by a director, chair, or like person who in turn reports to the College’s dean. In certain instances, an academic or research center or institute reports directly to a Senior Vice President and Provost. Such an academic or research center or institute constitutes an Academic Department for the purposes of the Policy Management Policy.
- (2) “Affected Party” means a group of people (such as students, faculty, or staff) or a designated representative of a Campus, College, Operational or Academic Department, or Operational Unit that stands to be affected by the proposed Policy or Policy revisions. For clarity, the Senior VP for Finance is an Affected Party for any Policy involving the University’s finances and each campus Senior VP and Provost is an Affected Party for any Campus Policy.
- (3) “Approval Authority” means the position(s) responsible for final approval and enactment of a Policy. The Approval Authorities for each type of Policy are as follows:
 - (a) Board of Regents Policy is the Board of Regents;
 - (b) University Policy is the President of the University or the appropriate committee or individual identified in a Board of Regents Policy;
 - (c) Campus Policy is the Senior Vice President and Provost for Policies that are primarily academic in nature; the appropriate executive officer for Policies that are primarily operational in nature; or the appropriate committee or individual identified in a Board of Regents Policy;
 - (d) College Policy is the Dean of the College;
 - (e) Operational Department Policy is the senior/vice president or equivalent individual in charge of the Operational Department;
 - (f) Academic Department Policy is the director or equivalent individual tasked with administering the Academic Department; and
 - (g) Operational Unit Policy is the director or equivalent individual in charge of the Operational Unit.
- (4) “Board of Regents” means the Board of Regents governing The University of Oklahoma, Cameron University, and Rogers State University.
- (5) “Campus” means one of the three campuses of the University: Norman campus, Health Sciences Center campus, or Tulsa campus.
- (6) “College” means an academic division of the University administered by a dean who in turn reports to the Senior Vice President and Provost for either the Norman or Health Sciences Center campuses.
- (7) “Exigent Circumstances” means a documented and justified emergency that can be clearly and reasonably articulated.
- (8) “Interim Policy” means a temporary Policy not subject to the normal policy development and approval process by reason of Exigent Circumstances.

- (9) “Interim Revision” means a temporary Policy revision not subject to the normal policy revision process by reason of Exigent Circumstances.
- (10) “Operational Department” means a non-academic division of the University responsible for some part of the University’s operation and which is directly overseen by a senior/vice president or similar University official who in turn reports to the University’s president.
- (11) “Operational Unit” means a non-academic division or office of an Operational Department responsible for some part of the University’s operation and which is directly overseen by a director or similar University official who in turn reports to the head of the Operational Department within which the Operational Unit is housed. A unit or program not academic in nature is an “Operational Unit” for the purposes of the Policy Management Policy.
- (12) “Policy” means a documented set of general principles or standards that guide individual or group actions or processes. This definition excludes operational processes necessary to implement a policy; protocols that govern routine, discretionary matters, such as dress codes, internal filing guidelines, etc.; or procedural standards that govern the workings of a body, such as bylaws.
- (13) “Policy Manager” means the Director of Policy Management designated by the University to implement and oversee the Policy Management Policy.
- (14) “Primary Contact” means the individual designated by the appropriate Responsible Office to aid in the creation and revision of a Policy or Interim Policy.
- (15) “Responsible Office” means the College, Operational Department, Academic Department, or Operational Unit or other body in charge of implementing and overseeing a particular Policy.
- (16) “University” means the University of Oklahoma, including all three campuses and subparts.

(C) Policy Development & Approval Process. The development and approval of all University Policies must follow this process, which will be overseen by the Policy Manager:

- (1) After the need for a new Policy is determined, the Responsible Office will appoint a Primary Contact from the Responsible Office.
- (2) The Primary Contact will complete the cover sheet detailing the information listed in paragraph (F)(1) and provide such cover sheet to the Policy Manager. The Primary Contact will provide subject-matter expertise throughout the development and approval process. The Primary Contact will also be responsible for drafting and making any necessary revisions to the Policy during the development and approval process.
- (3) The Policy Manager will work with the Primary Contact to identify all Affected Parties. The Policy Manager will contact the designated representative(s) of each Affected Party, obtain and coordinate their review and comment on the proposed Policy, and seek the advice of the Office of Legal Counsel, as necessary. The Policy Manager will also provide the Primary Contact with guidance throughout the development and approval process. The Policy Manager will work together with the Primary Contact to determine how often the Policy should be reviewed.
- (4) Once the proposed Policy is completed, the Policy Manager will forward the final Policy to the Approval Authority for review and signature. No Policy promulgated after the effective date (paragraph (K) below) of the Policy Management Policy will be effective until it has gone through the above development and approval process, including approval and signature by the appropriate Approval Authority.

(D) Policy Management.

- (1) Policy Manager Duties. After a Policy is approved, the Policy Manager will be responsible for uploading the Policy into the online policy repository and maintaining such repository. The Policy Manager will also maintain a backup calendar documenting when the Policy must next be reviewed.
- (2) Responsible Office Duties. The Responsible Office will be responsible for implementing and overseeing the Policy, including educating the University community on the Policy. The Responsible Office will hold primary responsibility for maintaining the primary calendar documenting the Policy's next review and for conducting periodic reviews. The Responsible Office will also maintain an up-to-date inhouse copy of the Policy.

(E) Policy Review & Revision.

- (1) Periodic Review Process. Each Policy must undergo periodic reviews to determine the Policy's continued validity and necessity and whether any revisions are necessary. The Responsible Office is responsible for initiating and conducting such periodic reviews. Periodic reviews will take the following form:
 - (a) The Responsible Office will appoint a Primary Contact who will initiate the review and revision process by contacting the Policy Manager. The Primary Contact will provide subject-matter expertise throughout the review and revision process. The Primary Contact will also be responsible for making any necessary revisions to the Policy during the review and revision process.
 - (b) The Policy Manager will work with the Primary Contact to identify all Affected Parties. The Policy Manager will contact the designated representative(s) of each Affected Party, obtain and coordinate their review and comment on the Policy under review, and seek the advice of the Office of Legal Counsel, as necessary. The Policy Manager will also provide the Primary Contact with guidance throughout the review and revision process.
 - (c) Once the review and revision process is completed, if revisions are made to the Policy, the Policy Manager will forward the revised Policy to the Approval Authority for review and signature. If no revisions are made, the Policy need not be submitted to the Approval Authority. No revisions made to any Policy after the effective date of the Policy Management Policy will be effective until such revisions have gone through the periodic review process, including approval and signature by the Approval Authority.
- (2) Minor Revisions. Minor revisions that do not affect the scope or intent of the original Policy, such as corrections of grammatical or typographical errors, or minor revisions that clarify without changing a Policy may be made by the Responsible Office at any time and do not require formal approval by the Approval Authority or input by Affected Parties. The Responsible Office must involve the Policy Manager prior to making any minor revisions. When such minor revisions are made to a Policy, the Responsible Office is required to notify the Policy Manager of such revisions and provide the Policy Manager with a copy of the revised Policy for uploading into the online policy repository. The Responsible Office will maintain an inhouse copy of the revised Policy.
- (3) Substantive Revisions. Substantive revisions require Policy Manager involvement, input from Affected Parties, and approval by the Approval Authority as outlined in paragraph (E)(1) above.

(F) Policy Documentation.

- (1) Policy Cover Sheet. The Policy cover sheet shall contain the following information:
 - (a) The level of the Policy in the policy hierarchy (paragraph (G) below);
 - (b) The Approval Authority;

- (c) The Responsible Office;
 - (d) The reason for the Policy;
 - (e) A brief description of the Policy; and
 - (f) The frequency of review.
- (2) Policy Information. At the end of each Policy, the following information shall be noted in a parenthetical:
- (a) The level of the Policy in the policy hierarchy (paragraph (G) below);
 - (b) The Approval Authority and approval date;
 - (c) The Responsible Office;
 - (d) The date of the last review; and
 - (e) The date of the next review.

(G) Policy Hierarchy. The Policy maintained in the online policy repository is the authoritative version and takes priority over any other Policy version. Policies will take the following priority from highest to lowest:

- (1) Federal or state constitution, statute, regulation, or rule;
- (2) State Regents' Policy;
- (3) Board of Regents Policy (these usually provide organizational detail or high-level guiding principles for the University as a whole);
- (4) University-wide Policy (these govern the University as a whole, involving topics generally applicable to the entire University instead of topics unique to a portion of the University);
- (5) Campus-wide Policy (these govern needs unique to a particular Campus);
- (6) College or Operational Department Policy (these govern needs unique to a particular College or Operational Department); and
- (7) Academic Department or Operational Unit Policy (these govern needs unique to a particular Academic Department or Operational Unit).

(H) Policy Conflict Resolution Process. In the event of a conflict between two or more Policies, the following process, which will be overseen by the Policy Manager, will be followed:

- (1) If the Policies are on different levels within the Policy Hierarchy (paragraph (G) above), the subordinate Policy is void and will need to be revised or removed. In rare instances, the higher level policy may need to be revised to provide for an exception or other modification.
- (2) If the Policies are on the same level within the Policy Hierarchy (paragraph (G) above), the following procedure will apply:
 - (a) The Responsible Officers for the Policies in question will meet with the Policy Manager to resolve the conflict;
 - (b) If the Responsible Officers are unable to resolve the conflict:
 - (i) The conflict will be resolved by the Approval Authority if the Policies are subject to the same Approval Authority; or
 - (ii) The conflict will be resolved by the next highest Approval Authority if the Policies are not subject to the same Approval Authority.
- (3) Whether two or more Policies conflict shall be determined by the Approval Authority with the advice and consent of the Policy Manager.

(I) Interim Policies & Interim Revisions. Circumstances may arise that require immediate action. The following will govern Interim Policies when Exigent Circumstances are present:

- (1) Interim Policy Development & Approval & Interim Revision Processes. When Exigent Circumstances create the need for an Interim Policy or an Interim Revision to an existing Policy, such Interim Policy or Interim Revision need not go through the policy development

and approval or periodic review processes (paragraphs (C) and (E)(1) above). The process for implementation of an Interim Policy or an Interim Revision is as follows:

- (a) After Exigent Circumstances are identified, the Responsible Office will appoint a Primary Contact from the Responsible Office.
 - (b) The Primary Contact will complete the Interim Policy/Interim Revision Cover Sheet to include the information listed in paragraph (I)(3)(a) below and provide such cover sheet to the Policy Manager. The Primary Contact will provide subject-matter expertise throughout the Interim Policy or Interim Revision approval process.
 - (c) The Policy Manager will submit the cover sheet to the appropriate executive officer who will determine whether Exigent Circumstances in fact exist. Upon such a determination, the Policy Manager and Primary Contact will work together to draft the Interim Policy or make the Interim Revisions with the Primary Contact primarily responsible for the substantive drafting work. The Policy Manager will provide the Primary Contact with guidance throughout the drafting process.
 - (d) Once the Interim Policy or Interim Revision is completed, the Policy Manager will forward the Interim Policy to the appropriate Approval Authority for review and signature. No Interim Policy or Interim Revision promulgated after the effective date the Policy Management Policy will be effective until it has gone through the Interim Policy development and approval or Interim Revision process, including approval and signature by the appropriate Approval Authority.
- (2) Interim Policy Management. Interim Policies shall be managed in accordance with paragraph (D) above.
 - (3) Interim Policy Documentation.
 - (a) Interim Policy/Interim Revision Cover Sheet. The Interim Policy/Interim Revision Cover Sheet shall contain the following information:
 - (i) The level of the Interim Policy or the Policy being revised in the policy hierarchy (paragraph (G) above);
 - (ii) The Responsible Office;
 - (iii) The Exigent Circumstances necessitating the Interim Policy or Interim Revision; and
 - (iv) A brief description of the Interim Policy or Interim Revision.
 - (b) Policy Information. Interim Policies shall contain the following information at the end of the Interim Policy:
 - (i) The level of the Interim Policy in the policy hierarchy (paragraph (G) above);
 - (ii) The approval date;
 - (iii) The Responsible Office; and
 - (iv) The date of the 6-month review required under paragraph (I)(5) below.
 - (4) Interim Policy Conflict & Resolution. Interim Policies are subject to the conflict and resolution process outlined in paragraph (H) above.
 - (5) Interim Policy/Interim Revision Review. If the Interim Policy is a new Policy, the Interim Policy must undergo the Policy development and approval process outlined in paragraph (C) above. If an Interim Revision is made to an existing Policy, the Interim Revision must undergo the periodic review process outlined in paragraph (E)(1) above. The appropriate process shall commence no later than six months after the approval date of the Interim Policy or Interim Revision. The Responsible Office will hold primary responsibility for ensuring the Policy timely undergoes the appropriate process. The Policy Manager will ensure compliance with this process. Absent reasonable justification, failure to timely begin the development and approval process or the periodic review process will render the Interim Policy or Interim Revision void.

(J) Policy Repository & Numbering. The Policy Manager will be responsible for maintaining the online policy repository and keeping the University's Policies in a uniform format. This includes devising and implementing a uniform numbering system for all University Policies. To guide this uniform numbering system, University Policies will take the following numbers based upon their subject matter, as laid out in the Board of Regents Policy Manual:

- (1) Administration—1,
- (2) Academics—2,
- (3) General Policies—3,
- (4) Finance & Management—4,
- (5) Student Affairs & University Community—5,
- (6) Athletics—6,
- (7) University Development—7, and
- (8) Research & Compliance—8.

(K) Effective Date. The effective date of the Policy Management Policy is three months after the date the Board of Regents appoints the Policy Manager. The Policy Management Policy shall apply to any Policy approved, revised, or reviewed after the effective date of the Policy Management Policy. Policies adopted prior to the effective date of the Policy Management Policy shall remain official Policies and will continue to have force and effect.

(RM, 9-11-19, p. 36721)

3.11—OVERSIGHT, NOTIFICATION, AND REVIEW OF ALLEGED HEALTH CARE PROFESSIONAL MISCONDUCT

I. Scope

This policy addresses required reporting of all professional misconduct, as defined below, alleged against a University-employed or volunteer health care provider who works within a clinical practice, including all faculty and staff health care providers.

II. Policy

Professional Misconduct committed by an employee or volunteer Health Care Professional must be reported to the Healthcare Professional Misconduct Review Group ("Review Group").

III. Rationale

The University of Oklahoma is committed to protecting its students, employees, patients, and their guests from physical, verbal, and emotionally abusive misconduct, including that by Health Care Professionals in health care settings. All departments who employ or oversee Health Care Professionals shall report all instances of alleged Professional Misconduct as provided below. In addition, any employee who is aware of an instance of alleged Professional Misconduct must timely report the instance to his/her supervisor and as provided below.

IV. Definitions

Health Care Professional: Any licensed provider who works within a clinical practice of the University of Oklahoma, including OU Physicians ("OUP"), student health clinics, and any college. This definition includes, but is not limited to, physicians, physician assistants, advanced practice nurses, registered nurses, LPNs, licensed clinical social workers, psychologists, dietitians, pharmacists, dentists, allied health providers, and athletic trainers. This also includes any Health Care Professional who is providing services to another facility or entity under a professional services contract between the University and that entity or facility.

Investigating Office: Includes but is not limited to the Institutional Equity Office, OUP-OU Medicine, Inc. ("OUMI") Risk Services, the office of the OUP Chief Medical Officer Oklahoma City or Tulsa ("CMO"), Human Resources, and the appropriate campus Police Department or an external consultant, as may be provided for in this policy. When the alleged professional misconduct occurs in a facility not owned or operated by the University, the University's Investigating Office will collaborate with the facility's investigating office to avoid duplication of effort.

Professional Misconduct: includes, but is not limited to:

1. Conduct as outlined in the OU Physicians ("OUP") Disruptive or Impaired Health Care Professional or Staff Policy RM7, <http://ouphysicians.ouhsc.edu/>.

2. Conduct as defined by the Sexual Misconduct, Discrimination, and Harassment Policy or the Non- Discrimination Policy, <http://www.ou.edu/eoo>.
 3. Conduct that is defined as unprofessional by federal, state, or local laws; or by licensure, accreditation, or other regulatory bodies; or is illegal.
- V. Group Membership :
- A. Review Group Membership: The Review Group shall include campus representatives from the Office of Legal Counsel, Human Resources, Institutional Equity, the office of the CMO, and the appropriate campus Police Department.
 - B. Leadership Group Membership: The Leadership Group shall be comprised of leadership from the Health Care Professional's campus, Health Sciences Center, OU-Tulsa, and/or Norman Campus, and area of employment. The Leadership Group shall include the campus senior executive officer, the General Counsel, and where applicable, the director of the administrative unit, the CMO, the dean of the college, the department chair, and/or the senior executive of OU Physicians.
 - C. Governing Group Membership: The Governing Group includes the President and the applicable Board of Regents ("BOR") Campus Committee members.
- VI. Complaints
- A. Origination of Complaint:
Complaints may originate in any area of the University and may be made by faculty, staff, students, patients, or members of the public. The complaint must be documented by the individual receiving it and forwarded to the appropriate Investigatory Office for action (e.g., Institutional Equity Office, Human Resources, OUP/OUMI Risk Management, the Office of the OUP CMO, University Police).
 - B. Notice: To ensure appropriate notification, if a member of the Review Group receives a complaint, it will be sent to the appropriate Investigatory Office, with a copy to the Office of Legal Counsel. Likewise, the Investigatory Office will send documented complaints to the Office of Legal Counsel and other members of the ReviewGroup.⁸
- If OU Medicine Inc. ("OUMI") employees or patients are involved, the Review Group will send a copy of the complaint to OUMI's Chief Legal Counsel.
- Where the complaint involves allegations of both Professional Misconduct and medical malpractice, OUP-OUM Risk Services shall separately address the medical malpractice claims including all legal rights and protections provided to medical malpractice claims, and shall notify the Review Group of the professional misconduct allegations so they may be appropriately investigated as described in this policy.

⁸ In addition, a copy of the complaint should be forwarded immediately to the appropriate campus police department, which will determine whether a timely warning should be issued or whether any of the allegations must be reported as crimes in compliance with the Clery Act.

Upon recommendation from the Leadership Group, outside counsel or consultants may be retained to conduct an independent investigation of the complaint.

VII. Investigation and Report:

- A. The Investigating Office(s) shall review the complaint and commence an investigation consistent with applicable University policies and utilizing its standard procedures including applicable appeals.
- B. In all instances, investigations shall include a full inquiry of the facts and circumstances and the allegations and responses including identifying and interviewing all relevant witnesses and reviewing all applicable documentation. In some instances, investigations may also require site visits, access to electronically stored information, and review of confidential information. The Investigating Office shall document its investigation and findings in a report, including the allegations considered; the witnesses interviewed; the documents reviewed, the relevant policies, procedures, standards; and proposed corrective action and/or recommended sanctions consistent with the appropriate University policies.
- C. Within five (5) business days of completion of the investigation, the Investigating Office shall send a copy of its report to the Review Group and the Leadership Group. Where appropriate, depending on the nature, severity, and frequency of the alleged misconduct, the report may be forwarded to the Governing Group for review.
- D. Any investigations requested by the Office of Legal Counsel and conducted by outside counsel or consultants shall meet the same investigation and report requirements stated herein, and where appropriate, a copy of the report will be provided to the Leadership Group.

VIII. Leadership Group Action

- E. The Leadership Group will review the investigatory report. In all cases and at its discretion, following its review of the report, the Leadership Group may accept the findings and recommendations as provided or make additional recommendations, request additional investigation, and/or impose additional corrective action or sanctions, as permitted under applicable University policies.
- A. The Leadership Group may, as appropriate, monitor for a reasonable period of time.

IX. Ongoing Risk Monitoring

The General Counsel will maintain a report of complaints received; it will be used to monitor risk to the University from Health Care Professional Misconduct, including the date and description of each complaint, any prior incident(s), the steps taken for each investigation (e.g. witnesses interviewed, document reviewed), the findings of the Investigatory Office(s), and what corrective action and/or sanction was taken, if any. As appropriate, an updated status will be provided to the Leadership Group. A report will be provided annually to the Board of Regents and more frequently if needed.

X. Other Policies

This Regents' policy supersedes any contrary or conflicting language or claim of privilege or confidentiality that may exist or be asserted in other University, College, or Departmental policies.

(RM, 10-23-19, p. 36807)

SECTION 4 – FINANCE & MANAGEMENT

The Board of Regents is constitutionally 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 such as the Student Code of Responsibilities and Conduct for the Norman Campus, University Guide to Services, and/or other official policy documents of the respective campuses. 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

4.1 — SHORT-TERM INVESTMENT POLICY

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

In order to maximize the return on investments, the Vice Presidents for Administrative Affairs at the Health Sciences Center and Norman campuses, or their respective designees, shall invest all allowable funds of the University that can be invested for and on behalf of the Board of Regents. Such funds shall 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 Presidents, or their respective designees, 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). Said procedures shall address liquidity, diversification, safety of principal, yield, maturity and quality and capability of investment management (with primary emphasis on safety and liquidity), reporting and documentation of investments, selection of financial institutions, and competitive bidding. 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. The Vice Presidents will periodically analyze market conditions and evaluate the investment performance of the State Treasurer's office.

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 Presidents 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, 4-19-50, pp. 3467-8; 10-10-57, pp. 5809-10; 2-8-73, pp. 11980-81; 6-10-82, p. 17031; 12-20-89, p. 21516; 5-9-90, p. 21771; 3-29-00, p. 26909; 1-27-04, p. 28924)

4.2—DEBT POLICY

The issuance of debt shall be in accordance with the Board of Regents' authority to issue said debt, as provided by state law. All debt shall be secured in accordance with Oklahoma law and the administrative rules of the Council of Bond Oversight. Debt is defined to include all current short-term and long-term obligations, guarantees, and instruments that have the effect of committing the University to future payments. Generally, debt obligations encompassed by this policy will take the form of bonds, notes, loans, or capital leases (including use of the State of Oklahoma's Master Lease-Purchase Program).

4.2.1—PHILOSOPHY

Debt, especially tax-exempt debt, provides a low-cost source of capital for the University to help fund needs required to achieve its mission and strategic objectives.

The University believes that appropriate financial leverage serves a useful role and should be considered a long-term component of the University's balance sheet. Just as investments represent an integral component of the University's assets, debt is viewed to be a continuing component of the University's liabilities.

Debt as a source of capital is not limitless. Even the wealthiest institutions are constrained by the amount of capital projects that can be supported without jeopardizing long-term strategic objectives. Therefore, not every desirable project can nor should be financed by the University. However, fulfilling the University's mission is paramount, which, in turn, will drive capital decisions that impact the University's credit.

This policy provides a framework within which decisions will be made regarding the use of debt to finance particular capital projects that help the University achieve its strategic objectives.

4.2.2—COMPONENTS

- 1) Provide funds to support the University's capital needs while achieving the lowest overall cost of capital.

Part of the University's success is attributable to prudent and timely capital investments made to sustain and enhance its growth in research and in clinical, educational, and student service facilities. The University's administration and Board of Regents must continue to have the ability to make judgments as to the wisdom and timing of such investments. It is prudent to achieve these ends at the lowest capital costs.

- 2) Use selected financial ratios with specific targets to ensure that the University continues to operate within appropriate financial bounds while achieving its mission and responding to changes in the market.

Use of key financial ratios provides the University's administration and Board of Regents with feedback and assurances that the University is not exceeding its desired use of debt (credit) capacity. The University will prioritize projects in light of the limited available funding resources.

- 3) Determine affordability of projects and allocate funds to meet the University's objectives.

A fundamental determinant of the use of debt financing for a project will be the ability of the division/system that enjoys the benefit of the project and the University to afford it. Each project using debt must be supported by an achievable financial plan that includes servicing the debt, meeting any new or increased operating costs, and maintaining an acceptable debt service coverage ratio. The development and review of the financial plan by management will be explicit and detailed.

Generally, the following guidelines will be used, although they are not intended to be all-inclusive. The Chief Financial Officers will make recommendations to the Vice Presidents of Administrative and Finance regarding the uses and amounts of debt to be issued, for approval by the President and Board of Regents.

- A. Only projects that relate to the University's mission (e.g., teaching, research and creative/scholarly activity, and professional and University review and public outreach) will be considered for debt financing.
- B. Much of the University's current strength is founded in the philanthropy of individuals, corporations, and foundations that enable the University to build programs, construct and renovate facilities, and aid students. It is expected that gifts will continue to be a major source of financing the University's facilities.

In assessing the strategic use of debt, all possible division/system revenue sources will be considered. The fraction of a project's cost financed by debt will vary from project to project. However, philanthropy, project-generated revenues, federal and state grants, expendable reserves, and other division/system revenues are expected to finance the cost of a project.

- 4) Provide the Board of Regents with adequate materials for oversight of the University's entire debt portfolio, including not only direct obligations issued by the University, but also any other transactions (e.g., off balance sheet financings) that affect credit and debt capacity.

To fulfill its respective fiduciary responsibilities, it is essential that the Board of Regents and administration know the extent of debt obligations of the University.

The Board of Regents' and administration's debt oversight responsibilities are supported and enhanced by shared oversight provided by the State Legislature, Oklahoma State Regents for Higher Education, Council of Bond Oversight, rating agencies (e.g., Standard & Poor, Moody's, Fitch), and credit enhancement insurers (e.g., AMBAC or MBIA). In addition, Bond Counsel and Financial Advisor services will be retained to assist in the development and marketing of financial plans underlying debt issues.

- 5) Maintain an investment grade credit rating that permits the University to continue to use debt and finance capital projects at favorable interest rates while meeting its strategic objectives.

Bond rating agencies help to maintain the confidence of the public and purchasers of debt regarding the ability of an issuer to service and repay bonds, loans, and/or notes. The University recognizes its responsibility to keep the rating agencies advised of its objectives, strategies, and financial status. The University's administration will provide the rating agencies with full and timely access to the information they need.

This debt policy requires full and timely financial information. To that end, the University will report to the Board of Regents throughout the fiscal year on the basis of generally accepted accounting practices.

4.2.3—KEY FINANCIAL RATIO

This particular ratio has been selected relying on key items in the University's financial statements and each project's detailed financial plan. It is a critical measure used by the rating agencies in evaluating the ability of an issuer to service and repay debt. Additionally, the University may elect to monitor other selected ratios (if suggested by rating agencies) to provide further information regarding the University's financial performance. The target for this ratio will be used as a guidepost, not a firm boundary, and will be interpreted with some flexibility.

4.2.4—DEBT SERVICE COVERAGE RATIO

$$\text{Debt Service Coverage Ratio} = \frac{\text{Excess of Division/System Operating Revenues} + \text{Depreciation} + \text{Interest}}{\text{Annual Principal} + \text{Interest (Debt Service)}}$$

The Debt Service Coverage Ratio measures the excess operating revenues, depreciation, and interest payments relative to annual principal and interest payments. This ratio provides a measure of the division's/system's net income stream (excluding depreciation and interest) available to meet its debt service obligations.

The target for this ratio is to be no less than 1.25X. In calculating the ration, the underlying financial plan (pro-forma) is to encompass all available division/system revenues.

In addition to the above division/system debt service coverage requirement, major new non-academic initiatives are generally to be self-sustaining and not negatively impact the University's overall financial wellbeing.

Major new non-academic initiatives, such as housing or athletic facilities, are generally expected to produce minimum standalone debt service coverage rations of 1.10X. In doing so, any such initiative will add to the University's overall financial wellbeing.

The University recognizes and embraces the fact that financial leverage (debt), when used strategically, serves an integral role in helping to fund the capital needs required to achieve its mission and strategic objectives. To that end, future debt management decisions are to be evaluated within the framework of this policy.

4.2.5—POST ISSUANCE MONITORING AND COMPLIANCE

Subsequent to each bond closing, the University's Administration bears the responsibility of ensuring that tax law requirements are complied with throughout the time tax-exempt debt remains outstanding. Because most tax-exempt debt will remain outstanding for many years, it is important to have procedures in place that can be easily understood and implemented over time, even as the responsible officials change. Such procedures should include, but not be limited to, record retention, arbitrage tracking, private business use, and continuing disclosure.

(RM, 1-4-62, p. 6982; 3-29-00, p. 26909; 1-27-04, p. 28924; 6-23-04, p. 29151; 3-26/27-08, p. 31111; 5-12-16, p. 35123)

4.3—DEFICIT POLICY

Deficits in University accounts are not permitted. Accounts should be reviewed monthly by sponsors, deans/directors, and vice presidents to ensure that deficits do not occur. If a deficit is projected or indicated, immediate action should be taken to prevent or correct the problem. In all cases, vice presidents are ultimately responsible for the financial management of accounts within their area(s) of responsibility.

If circumstances occur which require a temporary deficit for a special purpose, an explanation and plan for repayment must be fully documented by the appropriate vice president and submitted to the President or President's designee and appropriate Vice President for Administrative Affairs for review and approval. All deficits are to be thoroughly investigated and resolved in a timely manner; however, corrective action plans are to be submitted only for deficits of \$50,000 or more that have an anticipated duration of 180 days or more.

If a deficit is reflected in an educational and general account on the June 30 financial reports, the departmental appropriation for the succeeding fiscal year will be reduced by the amount of the deficit.

No Auxiliary Enterprise or Service Unit is permitted to operate using unauthorized borrowing from other units, including, without limitation, operating in an unauthorized cash deficit position. If a deficit occurs or is anticipated, a short-term working capital loan must be authorized by the Controller's Office.

For purposes of this policy, an account is a distinct budgetary or cash grouping of specific funds. Alpha and/or numeric references are assigned to identify accounts within the University's accounting systems. All University fund groups are subject to this policy. Although salaries, wages, and other account or object categories should be closely monitored, this policy applies only to the total budgetary or cash balance for each account. Accounts that have been established by the Controller's Office for the purpose of University clearing or suspense functions are not subject to this policy.

(RM, 9-10-03, p. 28765; 1-27-04, p. 28924; 6-23-04, p. 29151)

4.4—INTERMEDIATE TERM CASH MANAGEMENT POLICY

An “Investment Services Agreement” is being developed with the University of Oklahoma Foundation, and the Foundation’s “Statement of Investment Policy” and related investment guidelines for expendable assets have been adopted.

(RM, 1-27-04, p. 28924; 6-23-04, p. 29151; 1-28-15, p. 34515)

4.5—OBLIGATION AND COLLECTION OF STUDENT FEES AND CHARGES

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.

4.5.1—ADD/DROP PERIOD

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

4.5.2—LATE PAYMENT

Late payment will require payment in full 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 tuition and fees
- Obligation and payment of other charges and fees
- Insufficient funds checks
- Delinquent housing payments

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. During the first two weeks of a regular semester or first week of a summer session, students may register or add classes with an additional fee. A student establishes a student account with the Bursar's Office for the sole purpose of financing his or her education. Any charge on a student's Bursar account is an educational benefit overpayment made by the University of Oklahoma and will be considered non-dischargeable in bankruptcy.
- 2) Students may pay fees in the Bursar's Office beginning the first day of the semester or summer session. 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 or 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 Bursar's Office as the last day to pay tuition and fees without penalty. At the time of registration, students will receive detailed instructions as to when fees are due, what the late payment penalties are, and the consequences of non-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 5). Students who do not pay their tuition and fees during the period noted above will be considered to have delinquent accounts. The Bursar's Office will send "Overdue Notices" directly to the students when their tuition and fees are not paid on time.
- 5) Students will be charged a monthly service charge on any unpaid balance on their student accounts receivable that is one month past due. The monthly service charge rate is published by the Bursar's Office each semester. The minimum monthly service charge shall be \$.50.

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 circumstance (e.g., death in family, serious illness, accident, etc.) which results in the student's tuition and fees not being paid by the published deadlines. The extraordinary circumstance 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, other payments due, or other reasons which could be reasonably controlled 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 Bursar fully describing the circumstances and include copies of supporting information. Requests for waivers should be submitted prior to the published deadline for tuition and fee payment whenever possible. The 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.

- 6) 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 Bursar's Office will notify the Registrar of the names of those students with outstanding tuition and fees. Except for STOPS on students' accounts that have been referred to the University's Legal Counsel Office, the Bursar or his or her designee may remove enrollment STOPS as an exception to this policy when, in the judgment of the Bursar or his or her designee, there are extraordinary circumstances that prevented the students from paying outstanding tuition and fees. A quarterly report of STOPS removed due to extraordinary circumstances shall be available to the University's Legal Office and to the Office of the President. This report shall include, as a minimum, the student's name and the dollar value of the STOPS removed.

- 7) 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 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.
- 8) The Bursar's Office 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 can withhold the reporting of their final grades.
- 9) Students can withdraw from courses only with the permission of the instructor (and deans when necessary) as per current policies and procedures. Withdrawal from classes does not relieve students of their financial obligation to the University. Students who register in classes and decide not to attend without canceling their registration prior to the first day of classes and students who decide to quit attending classes without withdrawing will be charged 100% of the tuition and fees due the University.
- 10) Those students who wish to pay tuition and fees to reinstate a semester or summer term after the last day of finals for that session must be referred to the Vice Provost for Instructional Services on the Norman Campus or the Vice Provost for Educational Services on the Health Sciences Center campus for a final decision. The basic posture would be that retroactive reinstatement may 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 enrollment/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 not be possible.
- 11) Acceptable methods of payment for delinquent accounts shall be determined by the Vice President for Administration and Finance. Only those payment methods that are approved by the Vice President for Administration and Finance and the University's General Counsel as secure forms of payment may be accepted by the Bursar's Office or the University Collections Department for delinquent accounts. Delinquent accounts may be referred for collection action to Legal Counsel or its designee. In such cases, the student is responsible for any collection costs or fees, including attorney's fees, assessed to his or her delinquent account.

(RM 6-23-04, p. 29151; 6-25/27/07, p. 30738; 6-24/25/26-13, p. 33736; 6-21-16, p. 35208)

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 assessed.
- 2) These charges will be periodically added to the central student accounts receivable maintained by the Bursar's Office.

- 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 STOPS on students' accounts that have been referred to the University's Legal Counsel Office, the Bursar or his or her designee may remove enrollment STOPS as an exception to this policy when, in the judgment of the Bursar or his or her designee, there are extraordinary circumstances that prevented the students from paying outstanding fees and charges. Students leaving the University will have their official records and transcripts tagged, and these records will not be released to other persons, institutions or agencies until all debts are paid.

INSUFFICIENT FUNDS CHECKS

The University reserves the right to administratively withdraw from classes or cancel the enrollment of students for checks returned to the University as insufficient funds. Processing returned checks may result in additional charges to a Bursar account, and the University is authorized to pursue any available remedy at law to collect all charges due and owing.

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 Director of University Housing and Food Services 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 Vice Presidents for Administrative Affairs or their designees will be responsible for the supervision and enforcement of the procedures set out herein.

All questions about financial obligations should be directed to the Bursar's Office. If the question concerns the student's enrollment, verification of registration records will be performed and, if appropriate, 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.

(RM, 3-18-82, p. 16896; 2-12-86, p. 18852; 1-16-89, p. 20839; 6-14-90, p. 21842; 9-5-90, p. 21982; 7-27-93, p. 23478; 6-25-97, p. 25474; 3-29-00, p. 26909; 1-27-04, p. 28924; 6-23-04, p. 29151; 5-12-16, p. 35090)

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 interests 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 or collection agency referral. The service and authority includes all University campuses under control of the Board of Regents.

(RM, 12-9-71, pp. 11277-78; 1-27-04, p. 28924; 6-23-04, p. 29151)

4.6—FEE REFUND POLICY

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. Policies related to College of Continuing Education and College of Liberal Studies may differ because of short courses and accelerated course formats. Refund policies for activities of these two colleges will be published in the colleges' class schedules, program brochures and relevant websites.

(RM, 5-13-71, p. 10933; 6-14-90, p. 21841; 4-7-93, p. 23308; 3-29-00, p. 26909; 1-27-04, p. 28924)

4.7—SCHOLARSHIP AND FINANCIAL AID INFORMATION

To facilitate the responsibilities charged to the University's Scholarship Committee in Financial Aid Services, all scholarship and financial aid information and resources awarded from any college, 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, 3-22-88, p. 20152; 1-27-04, p. 28924)

4.8—AUXILIARY ENTERPRISES/SERVICE UNITS

For purposes of this policy, Auxiliary Enterprises and/or Service Units are business-type activities in that they charge fees to recover the cost of the goods and/or services provided. Auxiliary Enterprises market and sell their goods and/or services primarily to parties external to the University. In contrast, Service Units market and sell their goods and/or services primarily to parties internal to the University.

Although there are a multitude of business- and quasi-business-type activities (such as recharge centers and activities designed primarily to meet the needs of educational activities) operating at the University, this policy is intended to apply only to “major” revenue producing activities.

As major business-type activities, 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, operating plans, and prices to include, for example, the funding of reserves for renewals and replacements, required debt service, planned capital improvements, and general operating contingencies; and,
- Periodic reporting of financial activities, prepared in accordance with Generally Accepted Accounting Principles, to the Vice President for Administrative Affairs, President, and Board of Regents.

The Vice Presidents for Administrative Affairs or their designees will articulate and publish prudent business practices for all major business-type activities.

No Auxiliary Enterprise or Service Unit with annual sales (projected or actual) of \$100,000 or more may be created without the approval of the President and the Board of Regents. No Auxiliary Enterprises or Service Units with annual sales of less than \$100,000 shall be created without the approval of the President or his or her designee. No Auxiliary Enterprises or Service Units may be deleted without the approval of the President or his or her designee. In those circumstances where 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 the respective dean/director and Executive Officer. The Controller shall be responsible for the overall fiscal monitoring of all Auxiliary Enterprise Entities and Service Units.

(RM, 9-8-88, p. 20553; 11-89, p. 21470; 2-19-92, p. 22769; 3-29-00, p. 26909; 1-27-04, p. 28924; 6-23-04, p. 29151)

4.8.1—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 university. The law also allows 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 Board of Regents shall prescribe the duties, 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.

4.8.2 UNIFORMS

The President or his or her designee shall, subject to Board of Regents' approval, designate the uniforms for campus police officers 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, 12-10-64, pp. 8009-11, edited; form of the commission is shown on p. 8011; 12-14-91, p. 22707; 3-29-00, p. 26909; 1-27-04, p. 28924; 6-23-04, p. 29151; 3-9-16, p. 35057)

4.9—PARKING REGULATIONS

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 employees and students, providing parking areas for the employees, students and visitors 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 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 the Board of Regents. All substantive changes shall be published in the student newspaper at least four successive days.

(RM, 7-19-78, p. 15157, edited; 3-29-00, p. 26909; 1-27-04, p. 28924; 06-23-04, p. 29151)

4.10—AUTHORITY TO SIGN CONTRACTUAL DOCUMENTS

The authority for any individual to sign contractual documents on behalf of the University originates with The Board of Regents. The Board of Regents 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, the individual may not sign any document whatsoever that binds or has the appearance of binding, the Board of Regents, the University, and/or any element thereof.

Such documents include, but are not limited to, purchase orders, grants, contracts, sub-contracts, licenses, leases, funding documents, applications, extensions and renewals, letters and/or memoranda of understanding, sales orders, assurances, work orders, and the like. The common feature of such documents is the obligation they impose on the University, the breach of which may 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 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. For example, the authority to sign a purchase order in the amount of \$100,000 does not exempt that transaction from competition and/or from being processed by the Purchasing Department if such requirement would otherwise apply.

The Vice Presidents for Administrative Affairs shall recommend to the President 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. Upon Presidential approval:

- The original letter of authorization shall be forwarded to the individual to whom the authority is delegated;
- One copy shall be retained in each of the offices of the Executive Secretary of the Board of Regents,
- the respective Vice President for Administrative Affairs and Legal Counsel.

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

Except as 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 Vice Presidents for Administrative Affairs may recommend revocation of the signature authority of any individual at any time to the President. Upon the President's acceptance of the recommendation, the Vice President for Administrative Affairs shall notify the pertinent officers of such revocation and the reason therefore.

The University may use and/or accept electronic signatures to conduct business transactions. Each department may implement specific policies and procedures applicable to the use of electronic signatures, which shall include, at a minimum, (1) identity of the person(s) authorized to use and accept electronic signatures, (2) whether electronic signatures may be used to conduct internal University business and/or transactions with outside parties, and (3) any other limitations or exclusions on the use of electronic signatures. Such departmental policies and/or procedures must comply with guidelines promulgated by the Office of Legal Counsel and the Office of Information Technology. All individuals executing contractual documents on behalf of the University must be otherwise authorized to do so under this Section.

(RM, 3-29-00, p. 26909; 1-27-04, p. 28924; 6-23-04, p. 29151; 9-18-13, p. 33823)

4.11—BUYING AND SELLING GOODS AND SERVICES

4.11.1—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 this is a large institution with sizeable annual cash flow, and realizes that substantial authority must be delegated.

4.11.2—BUYING GOODS AND SERVICES

The University purchases a substantial volume of goods and services. Except in certain limited 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 and of prior competitive history. Existing contracts established by cooperative associations and state and federal entities that meet the criteria for formal competitive process may be considered competitively bid. University departments are encouraged to request and receive assistance from the Purchasing Department for all purchases, regardless of the dollar amount.

4.11.3—PURCHASES THAT MUST BE PROCESSED THROUGH THE PURCHASING DEPARTMENT

Generally, the dollar amount of a purchase determines whether it must be processed through the Purchasing Department. The dollar limitations are on a per-transaction basis and are not cumulative. However, certain purchases, regardless of dollar amount, must be processed through the Purchasing Department:

- 1) If the purchase involves a contractual document of any kind, or if it is a type of product or service that would reasonably involve a contractual document, it must be signed and approved as provided by Board of Regents' Policy. The College of Continuing Education is authorized to review contractual documents related to conferences and seminars it holds or coordinates pursuant to its mission. The reason for contract review is to avoid obligating the University to any terms or conditions that may conflict with the State Constitution, statutes, or case law; and to avoid binding the University to any duties or liabilities against its best interests. Examples of purchases that must be processed through the Purchasing Department include:
 - Leases
 - Use Licenses (such as for software, intellectual property)
 - Services
- 2) Purchases involving radioactivity (to ensure appropriate regulatory authorities are involved).

- 3) Purchases involving a laboratory animal (to ensure appropriate regulatory authorities are involved).
- 4) Purchases involving space maintenance or minor construction (to ensure that Facilities Management/Site Support can exercise appropriate oversight).
- 5) Purchases involving any other special product or service that requires prior approval from a University department with special responsibility and authority over such product or service.

Because of their extreme importance to the University, purchases of air charter services (such as for athletic teams or other groups) must be processed through the Purchasing Department. The preeminent issues are the health, safety and welfare of University students and employees, the reliability of aircraft, and the reliability and quality of services. Secondary issues are overall value of services and an efficient competitive process. The Purchasing Director shall be responsible for conducting the process. Qualified air charter companies will be identified using stringent standards. Identified companies will be asked to provide offers for air services. The process and award will be conducted competitively and in a manner that fully addresses all vital issues. When the cost of a single air service contract exceeds the purchase authority granted to the President, the President, with the concurrence of the Norman Campus Committee of the Board of Regents, is authorized to make fast track decisions up to \$300,000 if the decision is essential to fulfilling program requirements or if the decision will be to the University's advantage economically.

Unless otherwise exempt, purchases exceeding \$50,000 must be processed through the Purchasing Department. If competition is required, it must be conducted formally. Splitting orders to avoid this dollar limit is prohibited. A professional buyer from the Purchasing Department must place any resulting order.

Unless otherwise exempt, purchases above \$5,000 and not exceeding \$50,000 must be processed through the Purchasing Department. Splitting orders to avoid this dollar limit is prohibited. 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. A professional buyer from Purchasing Department must place any resulting order.

4.11.4—PURCHASES THAT ARE NOT REQUIRED TO BE PROCESSED THROUGH THE PURCHASING DEPARTMENT

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

- Purchases 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 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 executive level officers of the University pursuant to University-wide matters of importance, and

only when such services represent discrete short-term engagements with specific terminal objectives. Purchases of professional services shall be coordinated in advance with the applicable University department; e.g. legal service shall be coordinated with the Office of Legal Counsel.

- Purchases up to \$50,000 of those products or services available through the contracts maintained in the University's electronic marketplace.
- Such other purchases as may be identified by the Vice Presidents for Administration and Finance and approved by the President.

Because they are covered by separate policies and procedures, the following types of purchases do not typically require processing by the Purchasing Department. The dollar limits 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 (airfare, hotel, ground transportation, conference registrations, etc.) by employees attending conferences, seminars, and the like pursuant to official University business (governed by separate policies on travel reimbursement).
- Architectural, engineering, construction, design consultants, and construction management services related to major real property construction and renovation of University capital assets (such services shall be secured in accordance with applicable law).

Unless they are otherwise governed, restricted, or addressed by Board of Regents' policy, purchases of \$5,000 or less do not require competition or processing 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.

4.11.5—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 otherwise be met timely or that cannot 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 appropriate Vice President for Administration & Finance 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 terminate any such order when the need for it no longer exists, if there is evidence of noncompliance, or for similar reasons.

4.11.6—PURCHASES FROM AUXILIARY ENTERPRISES AND SERVICE UNITS

University Auxiliary Enterprises and Service Units offer various products and services for sale. 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.

4.11.7—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 \$1,000,000 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 by more than 15% must be submitted to the Board of Regents for approval.
- Purchases above \$50,000 but not exceeding \$1,000,000 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.
- Any agreement or obligation that would establish or make policy for the University, or would otherwise involve substantial or significant expenditures must be submitted to the Board of Regents for approval.
- 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 or 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 that merely establish unit prices, availability and other terms and conditions but which are indefinite as to quantity and delivery must be reported to the Board of Regents if the cumulative orders against them are expected to exceed \$1,000,000 annually.

- Subcontract and subrecipient agreements and the related orders issued pursuant to sponsored grants or contracts that have been ratified by the Board of Regents 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.

4.11.8—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 purchase 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.

Any requestor or buyer who knowingly executes a sole source purchase when, in fact, it is not one, may be subject to administrative action.

The Purchasing Director is responsible for developing and maintaining the specific guidelines and forms necessary for requestors to document and justify proposed sole source purchases, and 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.

4.11.9—PROPERTY 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 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.

4.11.10—ACQUISITION OF SURPLUS PROPERTY

The following University officers are authorized to sign contractual documents 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
- Vice Presidents for Administration & Finance
- Controllers
- Assistant Controllers
- Purchasing Director
- Purchasing Director's Designee

4.11.11—SIGNIFICANT EMERGENCIES

The President shall have authority to direct University Administration to enter into such transactions as may be necessary for the University to timely respond to significant emergencies. For purposes of this policy, a significant emergency is an event of substantially harmful or catastrophic impact, whether resulting from natural or human causes. Examples of such events are addressed in the National Incident Management System (NIMS) literature and guidance. However, the President shall have the authority contemporaneously to declare any event as "significant" based upon his/her judgment and assessment of the developing situation. In such instances, the President shall keep the Chair of the Board of Regents timely informed of the attendant facts and circumstances. All material transactions shall be reported back to the Board at the earliest opportunity.

4.11.12—SELLING GOODS AND SERVICES

The University provides a substantial volume of goods and services for compensation. To protect and preserve the University's interests and ensure that it remains in compliance with all applicable laws and regulations, related contractual documents must be processed through the University's Legal Counsel Office and any other appropriate office (for example, Grants and Contracts Administration, the Controller, Public Affairs). Such contractual documents should be signed only after all appropriate and required reviews and approvals 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 document. Each document involving annual revenues of \$125,000 or more shall be submitted to the Board of Regents for ratification. Additionally, if the agreement would establish or make policy for the University, or would otherwise involve a substantial service to be performed by the University, it must be submitted to the Board of Regents for approval.

Separately, the selling or disposing of excess or obsolete University property shall be carried out in all respects in compliance with governing laws and regulations. Examples of such property are, without limitation, desks, chairs, equipment, furniture, and vehicles. Only appropriate departmental authority (such as vice president, dean, or department head) may declare property as excess or obsolete. The Vice Presidents of Administration & Finance of each campus shall establish the detailed procedures necessary to ensure that University property is sold or disposed of properly. The detailed procedures shall specifically address and require the complete and irreversible destruction of data on any device (e.g., computers, copiers, printers, PDAs, pads, etc.) that may contain such data.

(RM, 5-10-73, pp. 12157 61, amended 6-13/14-73, 7-26-73, 11-8-73, 12-13-73, 6-13-74, 1-9-75, 9-1-77, 2-8-79, 12-18-80, 9-7-88, 12-7-88, 5-17-89, 6-14-90, 3-7-91, 7-18-91, 12-4-92, 3-29-00, 1-27-04; 6-23-04, p. 29151; 6-23/24/25-08, p. 31291; 9-19-11, p. 32773; 9-18-13, p. 33824; 5-7-15, p. 34665)

4.12—LISTING OF SUBCONTRACTORS

The form of notice to the contractors or bidders on construction projects will indicate that the listing of major subcontractors is mandatory and any bid failing to list subcontractors shall be rejected.

(RM, 3-19-69, pp. 9748-49, edited; 3-29-00, p. 26909; 1-27-04, p. 28924)

4.13—CRITERIA FOR TRANSFERRING EQUIPMENT AND/OR FUNDS

The criteria for determination of transferability of equipment and/or funds to another institution at the request of faculty members terminating their faculty appointments at the University 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.
 - The transfer of equipment has been authorized in writing by the appropriate contracting official and the Vice President for Research.
- 3) At no time will funds deposited with the University for the purpose of supporting the departing faculty member's research, patient care or education program be transferred directly to the faculty member except as may be allowed by the Board of Regents' Professional Practice Plan policies.
- 4) 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).
 - The transfer of funds was authorized in writing by the appropriate contracting official and approved by the appropriate dean/departments chair and the Vice President for Research.
- 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, 9-2-76, p. 14139; 3-29-00, p. 26909; 1-27-04, p. 28924; 6-23-04, p. 29151)

4.14—PROPERTY DEVELOPMENT

The Board of Regents is charged by the Constitution of the State of Oklahoma with not only the authority but also the responsibility to govern the University. This responsibility requires that the Board of Regents use every tool available to improve the resources available to the University and, hence, the quality of the University. The Board of Regents regards the non-profit corporation and the public trust as just such tools. Both the non-profit corporation and the public trust have been made possible by legislative action. The Board of Regents believes that it would be delinquent in its duties to the people of this State if it failed to use these tools as the law allows.

Gifts of private monies, goods, and lands to colleges and universities and the subsequent wise management of them are absolutely essential if Oklahoma is to have truly fine colleges and truly great universities.

Many unselfish and public-spirited people have given or left all or part of their property to the University. The Board of Regents believes it is its duty to encourage and accept such gifts and, having received them, to use and invest them wisely. It is the Board of Regents' firm resolve that these gifts to the University should always be used, not in place of the public dollar, but in addition to the public dollar.

Not all properties acquired by the University are readily invested. Some public-spirited Oklahomans have given a portion or all of their real property to the University. In such cases, the Board of Regents carefully studies the property to determine how it can best be used. The possibilities are many and varied; it is the duty of the Board of Regents to find the one most beneficial to the University. It is NOT the policy of the Board of Regents to develop properties itself or to operate or manage any commercial, industrial or agricultural business unless it is directly related to the educational mission of the University, as are the University's printing presses and student radio station, or to functions which directly assist in supporting the educational mission of the University, as do the cafeterias, dormitories, bookstores and Campus physical plants.

The mission of the University is teaching, research and creative/scholarly activity, and professional and University review and public outreach; and it is the purpose of the Board of Regents to use every resource available to fulfill that mission. The Board of Regents regards trusts and non-profit corporations as valuable tools in this effort, but it is not the function to invade the world of private industry by developing properties unrelated to the University's purpose.

(RM, 9-14-72, pp. 11684-85; 1-27-04, p. 28924; 6-23-04, p. 29151)

4.15—ACQUISITION AND DISPOSITION OF REAL PROPERTY

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

4.15.1—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, such as the Oklahoma Geological Survey Observatory at Leonard, the Lake Texoma Biological Station, or a wildlife refuge.
- 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.

4.15.2—DISPOSITION OF PROPERTY

The Board of Regents may dispose of property:

- 1) that is not required for University expansion or to protect other University lands and facilities;
- 2) that is not economical to operate and maintain and does not provide other benefits;
- 3) 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) that is received from donors but not needed for University purposes; disposition will comply with all the terms and conditions of the gift;
- 5) that can be converted to more liquid assets for other immediate needs or long-term requirements.

It shall be the policy of the Board of Regents to purchase and dispose of property as required to satisfy the mission of the University.

(RM, 11-11-54, p. 5032, edited; 11-1-95, p. 24684; 3-29-00, p. 26909; 1-27-04, p. 28924; 6-23-04, p. 29151)

4.16—UNIVERSITY APARTMENTS

4.16.1—APARTMENT LEASE

The Board of Regents approved in principle a lease agreement for apartments, that may be enforced in a court of competent jurisdiction upon recommendation of the Office of Legal Counsel or its designees, who are authorized to modify the lease as time and events require.

(RM, 1-20-72, p. 11325, edited; 3-29-00, p. 26909; 1-27-04, p. 28924; 6-23-04, p. 29151)

4.16.2—ALLOTMENT

Allotment of University apartments will proceed from the following order of priority: students, faculty, staff, and others.

(RM, 11-9-49, p. 3332, edited; 3-29-00, p. 26909; 6-23-04, p. 29151)

4.17—UNIVERSITY-OWNED AIRPLANES

The University operates aircraft for air transportation on trips pertaining to official University business. University-owned aircraft may not be used for trips unrelated to University business; provided, however, other officials and employees of the State may use the University aircraft if necessary for the conduct of official University business. Persons who are not State employees may also use or be passengers in the University aircraft when deemed necessary in performing services to the University.

Use of University aircraft must be authorized by the appropriate budget unit head. The Vice President for University Outreach will prioritize aircraft use and address scheduling conflicts.

(RM, 9-15-60, p. 6638; amended 4-11-85, p.18329; 1-27-04, p. 28924)

4.18—SELECTION OF DESIGN CONSULTANTS AND CONSTRUCTION MANAGERS

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

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

4.18.1—SELECTION PROCESS

When the President decides that the University requires the services of a licensed architectural, registered engineering, 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) Architectural and Engineering Services, when authorized by the Vice President for Administrative Affairs on either campus, 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 defining the scope of the proposed project and identifying or describing the various project components, phases, timetables and sources of funds.
- 2) Upon receipt of the list of appropriate firms by Architectural and Engineering Services, it 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.
- 3) The University will advise the State Department of Central Services of the firms that responded to 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.
- 4) An interview committee will be established by the Vice President for Administrative Affairs on the appropriate campus to interview the responding firms. This committee will normally consist of the following persons:

NORMAN CAMPUS INTERVIEW COMMITTEE

- a) Representative of the Senior Vice President and Provost (if the project is for an academic use);
- b) Representative of Architectural and Engineering Services;
- c) Representative of Physical Plant;
- d) Other appointees as directed by the Vice President for Administrative Affairs, Norman Campus.

HEALTH SCIENCES CENTER INTERVIEW COMMITTEE

- a) Representative of the Senior Vice President and Provost (if the project is for an academic use);
- b) Representative of Architectural and Engineering Services;
- c) Representative of Operations;
- d) Representative of Facilities Management and Capital Planning;
- e) Other appointees as directed by the Vice President for Administrative Affairs, HSC.

Normally, the chair of the interview committee will be designated by the appropriate Vice President for Administrative Affairs, who may also augment the Interview Committee to permit comprehensive representation.

TULSA CAMPUS INTERVIEW COMMITTEE

- a) Representative of the OU-Tulsa President;
 - b) Representative of Architectural and Engineering Services;
 - c) Representative of Facilities Management and Capital Planning;
 - d) Other appointees as directed by the OU-Tulsa President.
- 5) 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.

- 6) 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-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.
- 7) Normally, 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.

4.18.2—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, 3-24-70, p. 10282; 10-18-89, p. 21381; 3-6-96, p. 24811; 3-29-00, p. 26909; 1-27-04, p. 28924; 6-23-04, p. 29151)

4.19—PROJECT-RELATED UTILITY EASEMENTS

The President or his or her authorized 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 Executive Secretary of the Board of Regents and in the Office of Legal Counsel.

(RM, 12-9-76, p. 14229; 3-29-00, p. 26909; 1-27-04, p. 28924; 6-23-04, p. 29151)

4.20—OIL AND GAS CONTRACTS

The Chair of the Board of Regents, the President and the Executive Secretary of the Board of Regents, acting for and on behalf of and for the use and benefit of the Board of Regents, are hereby authorized to execute on the behalf of the Board of Regents, all Division and Transfer Orders, oil and gas leases, and all sales contracts affecting oil or gas belonging to the Board of Regents for the use and benefit of the Board of Regents in any capacity, which Division and Transfer Orders, oil and gas leases, and sales contracts are necessary to be filed with any person, firm or corporation with which said Board of Regents may do business; said officers being hereby authorized to sell or lease or reject offers for sale or lease of all oil and gas now in the custody of any person, firm or corporation or which may hereafter be given into the custody to the credit of said Board of Regents.

(RM, 6-6-63, pp. 7417-18; 3-29-00, p. 26909; 1-27-04, p. 28924)

4.21—FINANCIAL EMERGENCY POLICY

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.

4.21.1—DEFINITION

The University includes four budgetary agencies: Norman Campus; Law Center; the Health Sciences Center, including the College of Medicine, Tulsa; and the Professional Practice Plan. A financial emergency is an imminent fiscal crisis that threatens any one of these agencies. 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 any agency of the University is in a state of financial emergency. Based upon information received, the President will submit a plan of action to the Board of Regents for approval.

Specific procedures pertaining to the Norman Campus and Norman Campus programs delivered in Tulsa are included in the Norman Campus Faculty Handbook.

(RM, 11-10-77, pp. 14718 24; 3-29-00, p. 26909; 1-27-04, p. 28924)

4.22—INITIATIVES TO IMPROVE EFFECTIVE USE OF FUNDS

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 entire University – the Norman Campus, the Health Sciences Center Campus, and the Tulsa Campus. As appropriate and by mutual consent, consideration will also be given to including Cameron University and Rogers State 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 either implementation at the campuses or a plan for extending the action to multiple campuses in a thoughtful and timely manner.

(RM, 6-17-93, p. 23410; 1-27-04, p. 28924; 6-23-04, p. 29151)

4.23—REGENTS' FUND STATEMENT OF INVESTMENT POLICY

The Board of Regents has adopted the University of Oklahoma Foundation's "Statement of Investment Policy" and "Spending Policy" as Regents' Fund governing documents. Both are on file in the Board of Regents' Office.

(RM, 6-23-05, p. 29730; 3-21/22-06, p. 30082; 12-12-07, p. 30976; 3-26/27-08, p. 31111; 1-27-10, p. 31987; 9-20-10, p. 32285; 3-26/27-14, p. 34095; 6-23/25-14, p. 34248)

4.23.1—QUASI-ENDOWMENT POLICY

This policy statement sets forth the Board of Regents' guidelines governing the establishment, maintenance and termination of quasi-endowment funds.

The Board of Regents may make internal decisions to allocate and designate legally available funds as quasi-endowment funds in order to achieve the University's initiatives and to better serve the long-term needs of its students, colleges, programs and departments. A quasi-endowment functions in the same manner as an endowment except that a quasi-endowment is created by the Board of Regents rather than by an external donor.

Establishment of a quasi-endowment fund may be recommended by a college, program or department to the Vice President for Administrative Affairs. The vice president will review the recommendation for reasonableness and submit it to the President. If the President supports the recommendation, it will be submitted to the Board of Regents for consideration and approval.

The submitting unit must include as part of the recommendation a description of the proposed quasi-endowment, including the purpose of the fund, how it relates to the University's mission, and an identification of the source of funds. The funds for establishing the quasi-endowment are to be legally available cash balances and not operating budgets. The minimum amount necessary to establish a quasi-endowment is \$50,000. Requests to establish quasi-endowments below this level will not be considered.

Quasi-endowments are to be maintained within the Regents' Fund and be subject to the disbursement policies and investment guidelines set forth in the "Regents' Fund Statement of Investment Policy".

Establishment of a quasi-endowment will be considered permanent. Therefore, a request to terminate or discontinue a quasi-endowment is subject to the approval of the Board of Regents.

(RM, 6-23-05, p. 29737)

4.24—UNIVERSITY GUIDE TO SERVICES

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 Administrative Affairs and/or 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. Any such practices or policies are to be incorporated into the Administrative Affairs Guide to Services, Norman Campus, and the Policies and Procedures Manual of The University of Oklahoma Health Sciences Center.

(RM, 1-27-04, p. 28924; 6-23-04, p. 29151)

4.25—ENDOWMENT POLICY

I. Scope

This policy encompasses University of Oklahoma endowment funds, which include, but are not limited to, funds held in the Regents' Fund and funds held by the University of Oklahoma Foundation, Oklahoma State Regents for Higher Education, and Commissioners of the Land Office (i.e., State Land Trust). It specifies the Board of Regents' organizational, spending, and reporting practices related to the administration of endowment funds.

The three principal categories of endowment and similar funds are true endowment funds, term endowment funds, and quasi-endowment funds (sometimes referred to as funds functioning as endowments). *True endowment funds* are funds received from a donor with the restriction that the principal is not expendable. *Term endowment funds* are funds for which the donor stipulates that the principal may be expended after a stated period of time or upon the occurrence of a certain event. *Quasi-endowments* are funds that have been established by the Board of Regents to function like an endowment but that may be expended at any time at the discretion of the Board.

II. Organizational Practices

- a. Full and complete adherence to the terms and conditions set forth in endowment gift agreements is paramount. To this end, each executive officer of the University, working with the *Endowment Compliance Committee* (see Section I.b. below) and units administering endowments, shall exercise oversight of the endowment budgeting and spending practices within their respective areas of responsibility.
- b. Each campus shall establish an *Endowment Compliance Committee* consisting of the Vice President for Administration and Finance, Senior Vice President & Provost, Vice President for Development, Chief Financial Officer, the University of Oklahoma Foundation's Chief Financial Officer, or equivalent positions. The *Committee* shall meet regularly and be responsible for evaluating endowment monitoring and compliance efforts from a broad institutional perspective and for promulgating guidance, as necessary, to help ensure compliance with the spirit and intent of this policy.

III. Spending Practices

- a. Expendable income is to be utilized to support the activities authorized in the underlying endowment gift agreement.
- b. Endowment spending is generally to be budgeted and processed through the University to help ensure compliance with University policies and to facilitate transparency, accountability, and reporting. However, in some instances, as determined by the unit administering the endowment, it may be advantageous to make payments directly from the University of Oklahoma Foundation to ensure timeliness of payment or more fully comply with the donor's wishes.

- c. With regard to endowed chairs / professorships, expendable income is generally to be used to fund the salary and fringe benefits of the chair / professorship holder, and related operating, recruiting, or capital (e.g., equipment acquisition or lab renovation) costs associated with the chair / professorship.
- d. With regard to endowed scholarship funds, expendable income is to be used to fund student financial aid awards and, in so doing, minimizing student costs.

(RM, 3-25-09, p. 31609)

SECTION 5—UNIVERSITY COMMUNITY

The Board of Regents is constitutionally vested with the governance of the University. Within its authority is the governance of the University community, including without limitation, certain student hearings and appeals, the fraternity and sorority relationship with the University, and student activity fees. Specific provisions pertaining to the governance of the University community and related matters may be set forth in the faculty and staff handbooks, student handbooks such as the Student Code of Responsibilities and Conduct for the Norman Campus, and/or other official policy documents of the respective campuses. 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.

5.1—ACADEMIC APPEALS BOARDS - NORMAN CAMPUS

Each college of the University shall establish an Academic Appeals Board ("Board") consisting of an equal number of students and faculty. (1) Faculty members of the Board will be chosen by the faculty of the college for a term determined by the faculty. (2) Student members of the Board will be appointed for a term of one year by the dean of the college upon recommendations from the SGA President.

Each Academic Appeals Board will hear cases in which the issue to be resolved is that of prejudiced or capricious evaluation or alleged inability to speak the English language to the extent necessary to adequately instruct students.

Except for those cases which arise in the College of Law, the following procedures shall apply. (For the procedures in the College of Law, contact the Office of the Dean.)

1. A Board will hear a case only after a student has notified an instructor of a dispute over an academic evaluation and after the student has made an unsuccessful attempt to resolve differences with the instructor, in consultation with the department chair if necessary. In cases of end-of-term evaluations, a student must notify an instructor of a dispute over an academic evaluation and must attempt to resolve differences no later than February 15 for the previous Fall semester or winter intersession, and no later than September 15 in cases of end-of-term evaluations for the previous Spring semester, Spring intersession, or summer term. In cases of an evaluation made known to a student during the semester, the student must notify an instructor of a dispute over an academic evaluation and must attempt to resolve differences no later than 15 calendar days (excluding Saturdays, Sundays and University holidays from classes) after the results of evaluation are made known to the student. If a student fails to notify an instructor or fails to attempt resolution within the appropriate time limit, the Board shall deny any request for a hearing on the claim unless, in the view of the Board, the student has been prevented from complying with the appropriate time limit for reasons beyond his/her control (as, for example, in the case of a student being called into military service).
2. The filing of a written request for a hearing on a claim before the appropriate Academic Appeals Board shall be within ten calendar days (excluding Saturdays, Sundays and University holidays from classes) following the day when the attempts at resolution in paragraph (1) above are completed. The Board shall deny any request for a hearing on a claim which does not meet this

deadline unless, in the view of the Board, exceptional circumstances exist whereby the student is prevented from filing the claim for reasons beyond his/her control. Furthermore, if in the judgment of the Board, the case is deemed to be without merit or has already been satisfactorily resolved in the department, the Board may refuse to hear the matter.

3. To avoid a jurisdictional impasse, the appeal shall be heard by the Board in the undergraduate college in which both the course and the instructor are located. Any thesis and dissertation appeals shall be heard by the Graduate College Appeals Board.
4. It shall be the primary function of a Board to adjudicate disputes that have not been satisfactorily resolved on the department level.
5. Each Board shall be given the responsibility of establishing its own rules of procedure. Such rules as it establishes must be consistent with the full protection of the rights of all parties involved.
6. Meetings of a Board may be closed to the public.
7. Decisions of the Board shall be communicated in writing to the Board's dean, the student's dean, the student, and the instructor. The Board's decisions shall be final and shall be implemented unless either the student or the instructor makes written appeal to the Executive Committee (or comparable body) of the degree-recommending college within ten calendar days (excluding Saturdays, Sundays or University holidays from classes) after being notified of the Board's decision. The decision of the Executive Committee (or comparable body) shall be final and shall be implemented unless either the student or the instructor makes written appeal to the faculty of the degree-recommending college within ten calendar days (excluding Saturdays, Sundays, or University holidays from classes) after being notified of the Committee's decision. In the case of an appeal to the faculty of the degree-recommending college, the faculty's decision shall be final and shall be implemented. The faculty of a degree-recommending college, however, may delegate their authority to consider appeals under this policy to the Executive Committee (or equivalent body) of the degree-recommending college, in which case the decisions of said body shall be implemented without appeal to the faculty.
8. Revisions to this policy shall be reviewed by the Faculty Senate and the Student Code Revision Committee.

(RM, 7-23-87, pp. 19840-43; 12-02-03, p. 28868)

THE UNIVERSITY OF OKLAHOMA
COLLEGE OF LAW
CODE OF ACADEMIC RESPONSIBILITY

The College of Law Code of Academic Responsibility is available in the College of Law Dean's office.

5.2—FRATERNITIES AND SORORITIES

5.2.1—MEMBERSHIP RECRUITMENT

PANHELLENIC ASSOCIATION

Formal membership recruitment for the organizations of the Panhellenic Association shall be held before the start of the Fall semester. 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.” The Panhellenic Association may exceed the 5% NPC recommendation of “Quota Additions.”

INTERFRATERNITY COUNCIL

Formal membership recruitment for the organizations of the Interfraternity Council shall take place during the first week of the Fall and the third week of the Spring semesters. Open membership recruitment may take place throughout the Fall and Spring semesters.

NATIONAL PAN-HELLENIC COUNCIL

Membership intake for the organizations of the National Pan-Hellenic Council shall take place during the Fall and/or Spring semesters at the discretion of the individual organizations. Guidelines and regulations of the National Pan-Hellenic Council shall be followed.

LATINO GREEK COUNCIL

Membership recruitment for the Latino Greek Council will take place between the second and third weeks of the Fall and Spring semester. Guidelines and regulations of the Latino Greek Council shall be followed.

5.2.2—GREEK HOUSING

Fraternities and sororities maintaining a chapter house must have a full-time, live-in House Director or Graduate Resident Advisor.

(RM, 1-17-57, pp. 5572-73; 5-10-71, pp. 6808 A-B, 6809; 3-29-00, p. 26909; 6-23-04, p. 29151)

5.3—HEALTH REQUIREMENTS FOR NEW STUDENTS

Every new student, whether undergraduate or graduate, is required to have an acceptable personal health history form on file with Goddard Health Center before enrolling in the University and to show proof of required immunizations prior to receiving approval to enroll.

(RM, 7-11-68, p. 9422; 7-23-87, pp. 19819-20; 12-02-03, p. 28868)

5.4—HOUSING POLICY FOR FRESHMEN

All freshman students must live in freshman-designated University housing for two semesters. Freshman students who meet one of the eligible exceptions may apply to the University Housing Review Committee (the “UHRC”) for an exemption.

The UHRC, appointed by the University President, is established to improve student outcomes and retention by assisting students in acquiring on-campus housing. The UHRC is charged with reviewing applications, pursuing resolutions, allocating Residential Scholarships / resources, granting exemptions, and evaluating and determining other contract-related issues.

In order to request exemption from the freshman housing policy, at least one of the eligible exceptions listed below must be met by the first day of the month when classes begin. The University President is authorized to develop additional procedures and requirements as necessary to implement the purpose of this policy.

1. Students who are 21 years old or older.
2. Students who are married or have children.
3. Students who have at least 24 hours of college credit from an accredited institution (advanced placement or CLEP hours do not apply to this 24-hour requirement).
4. Students who lived in University residence halls for two semesters.
5. Students who lived in Cleveland or McClain counties during their senior year of high school and will continue living with their parent(s) or guardian(s) in these counties during their first year at the University of Oklahoma.
6. Students with a verifiable financial, medical or exceptional need that cannot be otherwise adequately addressed as determined by the UHRC.

(RM, 3-29-79, p. 15449; 3-8-84, p. 17861; 12-02-03, p. 28868; 10-24-18, p. 36305)

5.4.1—NOISE CONTROL — DORMITORIES

The Vice President for Student Affairs and Dean of Students shall establish and maintain policies and guidelines regarding the control of noise in the University dormitories.

(RM, 6-9-77, p. 14480; amended 6-15-78, pp. 15091-2; 12-02-03, p. 28868)

5.5—PENALTIES SET BY ORGANIZATIONS

No student in the University shall be penalized by any student organization of which the student is a member for an infraction of rules and regulations of such organization which would deny the student privileges normally accorded to the student without the approval of the Vice President for Student Affairs and Dean of Students; for example, a student who has purchased a season athletic ticket is entitled to attend a scheduled contest without interference by any student organization unless approved by the said vice president.

(RM, 2-13-52, p. 4254; 12-02-03, p. 28868; 6-23-04, p. 29151)

5.6—PRESERVATION OF PEACEFUL ENVIRONMENT

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 persons from Campus who interfere with or who enter the campus to interfere with the conduct of University 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, 3-18-82, p. 16904; 12-02-03, p. 28868; 6-23-04, p. 29151)

NOTICE TO VACATE

This is a written notice to vacate the property and grounds of all of The University of Oklahoma campuses due to the behavior described below. This notice was served on (name) _____ on the ____ day of _____, 20___. If the recipient of this notice fails to leave the University's grounds or returns within six (6) months of the issuance of this notice without permission from the Vice President for Administrative Affairs or his designee, recipient shall be deemed to be trespassing pursuant to 21 O.S. 2001, § 1376, and Board of Regents' policy. Any person found to be trespassing pursuant to that statute is guilty of a misdemeanor and subject to arrest.

This citation may be appealed in writing within ten (10) business days of this issuance. All such appeals should be directed to the Vice President for Administrative Affairs and should state the basis for the appeal. The Vice President for Administrative Affairs shall have fifteen (15) business days to review the appeal. The decision of the Vice President for Administrative Affairs shall be mailed to the address below and will be final, without further right of appeal.

By my signature, I affirm that I am not a student or employee of the University and that I have been requested to leave University grounds.

Signature of Recipient Date

Officer's Name Badge # Case Number

Call/Case No. _____ ☐ Juvenile ☐ Arrested
Issuing Officer: _____ Badge Number: _____
Date: _____ Time: _____ Location: _____

Circumstance of contact:

Recipient Name: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone: () _____ Parent, if Juvenile: _____
Race: _____ Sex: _____ DOB: _____ Age: _____
Height: _____ Weight: _____ Hair: _____ Eyes: _____
Other: _____

(RM 6-23-04, p. 29151)

5.7 — SCHOLARSHIP AND FINANCIAL AID INFORMATION

To facilitate the responsibilities charged to the University's Scholarship Committee, all scholarship and financial aid information and resources, wherever located, are to be reported to the Scholarship Committee in a complete and timely fashion.

(RM, 3-22-88, p. 20152; 12-02-03, p. 28868)

5.8—STUDENT ACTIVITY FEE, NORMAN CAMPUS

Student Activity Fee funds are that portion of the University's budget that are earmarked by the State Regents for Higher Education for student governmental, recreational, social and entertainment programs, health care services, student publications and generally available student scholarships. It is the responsibility of the Board of Regents to see that the Student Activity Fee funds are utilized to support needs in these areas.

The President, as chief executive officer, presents recommendations to the Board of Regents on the distribution of all University funds, including the Student Activity Fee funds.

As the officer of the University most directly related to non-academic matters of student life, the University Vice President for Student Affairs and Dean of Students has immediate administrative responsibility for that portion of the University budget funded by Student Activity fees, as well as the budget units funded from this source.

The action of the Student Government Association ("SGA") Undergraduate Student Congress and the Graduate Student Senate shall be considered a recommendation to the President and to the Board of Regents in the same manner as other budget recommendations.

Student Activity Fee Committee recommendations from SGA are forwarded through the University Vice President for Student Affairs and Dean of Students to the President. All policy recommendations should follow the same administrative route.

The Board of Regents shall allocate to SGA "that portion of the Student Activity Fee which has not been otherwise obligated by the Regents."

The use of state money (the Student Activity Fee is so defined) must have statutory and University controls. In order to provide assistance with the preparation of and adherence to the SGA budget and to insure that all transactions are in conformance with University and state policies and requirements, a full-time professional staff member from the Student Affairs area selected by the University Vice President for Student Affairs and Dean of Students shall serve as sponsor of all SGA student government accounts. Additionally, the Office of Student Affairs shall maintain a set of accounting records for each of the SGA government accounts and provide this information to the account sponsor. The account sponsor will not be authorized to withhold any disbursements that meet State and University requirements.

The following guidelines shall govern the distribution of the Student Activity Fee and shall supersede any previous conflicting action of the Board of Regents concerning the role of the SGA Undergraduate Student Congress with regard to appropriations:

- 1) The University Vice President for Student Affairs and Dean of Students is charged with the administrative responsibility for those services and programs funded from the Student Activity Fee, and is expected to recommend to the President the budgets for those services and programs, including but not limited to, Goddard Health Center, Counseling and Testing Services, *The Oklahoma Daily*, Sooner Yearbook, Recreational Services, and Campus Transportation. Because of the obvious student interest in these budget units, the following budget procedure is established to insure student input from the SGA:
 - The Executive Budget Committee of the SGA will be established consisting of the SGA President, Chair of the Undergraduate Student Congress, Chair of Graduate Student Senate and the Chair of Campus Activities Council.

- As soon as possible in the Spring, the Executive Budget Committee of the SGA will meet with the University Vice President for Student Affairs and Dean of Students for the purpose of reviewing the proposed budget for the following year and the probable distribution of that amount to the various units, so that the budget preparations for the SGA can begin.
 - The University Vice President for Student Affairs and Dean of Students has the basic responsibility for the preparation of budget recommendations for those portions of the Student Activity Fee funds going to regularly committed budgets.
 - It is the primary responsibility of the Executive Budget Committee to prepare budget recommendations for the uncommitted portions of the Student Activity Fee funds, which will support the activities of student government, activities and services sponsored by student government, and registered student organizations in existence for more than one year.
 - The Executive Budget Committee and the University Vice President for Student Affairs and Dean of Students will then prepare the final budget recommendations for the total Student Activity Fee funds distribution. Neither shall submit budget recommendations for further review until agreement between them has been reached. Should agreement not be reached, the President shall refer the matter to the Norman Campus Committee of the Board of Regents, which shall formulate and present the Student Activity budget directly to the Board of Regents.
 - The Executive Budget Committee will submit the SGA portion of the budget for review by the Undergraduate Student Congress and Graduate Student Senate prior to the end of the Spring semester and identify in that budget those amounts allocated to the budget sub-divisions. A line item budget will be presented to the Board of Regents for approval each Fall.
 - The recommendations of the Undergraduate Student Congress and Graduate Student Senate shall be submitted to the President through the Office of the University Vice President for Student Affairs and Dean of Students for submission to the Board of Regents for approval.
- 2) Each year, 2% of the total Student Activity Fee funds shall be placed in a reserve account prior to any distribution in order to be used by the administration throughout the year for necessary services, facilities, and programs relevant to the intended use of the Student Activity Fee (repairing recreational facilities, assisting campus-wide program, solving unanticipated budget problems, funding long-range projects such as the construction of outdoor basketball courts, etc.). The University Vice President for Student Affairs and Dean of Students shall be the sponsor of this reserve account, and shall chair a committee composed of himself or herself, the President of SGA, Chair of SGA Undergraduate Student Congress, Chair of the Graduate Student Senate, and Chair of the Campus Activities Council in recommending disbursements. In the event of disagreement, separate views will be presented to the President for decision. The reserve shall not be used to fund the program of student organizations or those activities for which it is the proper function of SGA Undergraduate Student Congress and Graduate Student Senate to fund. This should in no way preclude SGA from establishing its own reserve account from its allocated funds.

- 3) To benefit University students, when such funds are available, after consultation with the Executive Budget Committee, the University Vice President for Student Affairs and the President may recommend to the Board of Regents that a portion of Student Activity Fee funds be distributed to University scholarships. Only those scholarships which are available to any enrolled University student may be funded by Student Activity Fee funds.
- 4) The remaining portion of the Student Activity Fee funds shall be used to fund the Student Government and those programs recommended by the SGA Undergraduate Student Congress and Graduate Student Senate, so long as they are within the guidelines created by the State Regents for Higher Education and the Board of Regents.

Although the Board of Regents has the responsibility to commit the Student Activity Fee funds where they are most needed within the student community, it is intended that this uncommitted portion appropriated to SGA will not be less than \$350,000 per year.

The SGA Budget Committee will present to both legislative bodies recommended budget allocations in the following categories for the next year prior to the end of the Spring semester:

- 1) Administrative costs of all salaried individuals of the SGA. The University's Human Resources department will assist in the formulation of job descriptions, employment practices, and recommend salary levels.
- 2) Joint operations costs for student government infrastructure and those costs deemed to be of common interest to graduate and undergraduate students (e.g., Archie W. Dunham Conoco Student Leadership Wing, SGA Executive and Judicial Branches, Commuter Student Association, etc.) as determined by the Student Activity Fee Committee. These funds shall be allocated by the Undergraduate Student Congress.
- 3) Legislative allocations shall be divided between the Undergraduate Student Congress and the Graduate Student Senate, ratably divided based upon the previous academic year enrollment, as determined by the Office of Institutional Research. Undergraduate Student Congress and Graduate Student Senate will then be responsible for funding those student organizations which are composed of enrolled undergraduate or graduate students.

The Budget will be presented to the Board of Regents through the proper administrative channels as soon as it has been reviewed by the Undergraduate Student Congress and Graduate Student Senate.

The following guidelines shall pertain to those funds budgeted by the SGA:

- 1) No Student Activity Fee funds money shall be used to pay the legal fees of any student or students in a criminal or civil court action. Programs of legal service to the student community (public defenders for intra-University matters, legal aid, etc.) and legal assistance for the SGA are permissible. However, no Student Activity Fee funds money may be used in any court action against the University. Authorization for the use of SGA legal assistance funds must come from the SGA President, Undergraduate Student Congress Chair and Graduate Student Senate Chair.

- 2) The highest priority in disbursing the program portion of the Student Activity Fee funds should be those student activities (educational, social, and recreational) which have substantial campus-wide effects. The funding of student organizations shall be discontinued except in those instances in which projects sponsored by a certain organization are deemed to have great significance for a substantial segment of the student community.
- 3) The Undergraduate Student Congress and the Graduate Senate, should they ascertain that certain needs exist which cannot be resolved within a single budget year, may recommend to the President and to the Board of Regents that an amount be obligated for a period of time (2 or more years) in order to fulfill the existing need. Through such action, very significant projects (recreational equipment and facilities, for example) may be achieved. It is recommended that a standing committee of the Undergraduate Student Congress and of the Graduate Student Senate be established to work with the University Vice President for Student Affairs and Dean of Students in identifying such needs and in determining priorities.
- 4) No SGA funds may be utilized in funding the Student Traffic Court. Since the Student Traffic Court operates as an administrative arm of the University, it should be separately funded
- 5) A policy shall be established and maintained to permit student organizations to deposit non-state funds in private bank accounts, consistent with state law and University accounting and auditing practices.

(RM, 3-8-73, pp. 11991-98, edited; 1-15-76, pp. 13706-08; 7-22-76, p. 14034; 5-14-87, pp. 19739-40; 12-4-92, pp. 23166-70; 12-02-03, p. 28868; 6-23-04, p. 29151; 9-18-13, p. 33823; 1-29-14, p. 33988)

5.9—STUDENT CODE

To see the current version of the Student Code for the Norman Campus, please go to the website www.ou.edu/studentcode.

5.10—AMERICAN INDIAN/ALASKAN NATIVE MEMBERSHIP VERIFICATION POLICY

Selected University resources, programs, activities, and services are made available and allocated to students based upon specific criteria of tribal affiliation. To ensure these resources are utilized in the most effective manner and for the students to whom they are committed, it is the policy of the University to require those students who wish to use those services, programs, activities, and resources committed to American Indians/Alaskan Natives, to verify their affiliation with one of the various Native American tribes, nations, pueblos, bands, and villages that are sovereign entities that have as their sovereign right the ability to determine their membership. Currently, the federal government recognizes approximately 510 Native American tribes, nations, pueblos, bands, and Alaskan villages.

(RM, 1-24-95, p. 24225; 3-29-00, p. 26909; 1-27-2004, p. 28924)

5.11—STUDENT HEALTH INSURANCE

The Board of Regents authorizes the President to offer a health insurance program for University students. Students enrolled at the Health Sciences Center are required to show proof of health insurance upon enrollment. Those without health insurance may purchase a plan through the University.

(RM, 1-13-55, p. 5066; 12-02-03, p. 28868; 6-23-04, p. 29151)

5.12—STUDENT PUBLICATIONS

Student Media is designated as an auxiliary enterprise of the University.

All income from Student Media shall be deposited in the Controller's Office in appropriate official depository accounts, in accordance with the University's general policies for handling funds of auxiliary enterprises.

The business operations of Student Media are subject to the same administrative supervision as business activities of other auxiliary enterprises of the University.

The relations of Student Media to the instructional function of the University, particularly with respect to the Gaylord College of Journalism and Mass Communication, are subject to the same administrative supervision as other organized activities or auxiliary enterprises related to the instructional function of the University.

(RM, 2-13-52, p. 4247; 12-02-03, p. 28868)

5.13—STUDENT PUBLICATIONS CHARTER

The Charter Governing Student Publications may be found at this website:
<http://www.studentmedia.ou.edu/PublicationsBoard.htm>.

5.14—STUDENT GOVERNMENT ASSOCIATION CONSTITUTION

The Constitution of the Student Government Association can be found at
<http://www.ou.edu/SGAbudget/documents.htm>.

5.15—UNSCHEDULED HOLIDAYS

Undergraduate Student Congress and Graduate Student Senate shall have authority to recommend to the President one unscheduled school holiday in the Fall semester of each academic year with the understanding the recommendation of a holiday must be made to the President at least two weeks before the recommended date in order to allow time for adjusting teaching schedules and the like.

(RM, 3-9-78, p. 14874; 12-02-03, p. 28868)

SECTION 6—ATHLETICS

The Board of Regents is constitutionally 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 oversight council, administration of the Athletics Department, student-athlete regulations, post-season participation, and ticket policy. 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 such as the Student Code of Responsibilities and Conduct for the Norman Campus, and/or other official policy documents of the respective campuses. 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.

6.1—ATHLETICS COUNCIL

The Athletics Council is the official group at the University designated by the President that meets the requirements set forth in NCAA Bylaws specifying that such a board be composed of a majority of faculty and administrative staff.

6.1.1—ADVICE TO THE PRESIDENT AND DIRECTOR OF ATHLETICS

The charge to and responsibility of the Athletics Council (“Council”) is to advise the President and Director of Athletics on athletic policy matters. The Council is invited and encouraged to make recommendations directly to the President regarding athletics policies and programs whenever the Council deems it appropriate. Council recommendations, reviews and reports will be made in writing to the President and Director of Athletics. The specific responsibilities of the Council are outlined in this section.

To ensure that deliberations are full and free, laws on open meetings and open records give advisory groups the option of meeting in closed sessions. Accordingly, unless otherwise directed by the President, no media representatives may be present at Council meetings. Council minutes and documents shall be for internal use only, and Council members will hold confidential all matters discussed and information received in Council meetings.

Reports to the Council on academic, financial aid and other personnel matters will not disclose identities of individual student-athletes.

6.1.2—COMPLIANCE MATTERS

In accordance with Board of Regents’ policy and NCAA rules, the Council and its Governance and Commitment to Rules Compliance Subcommittee annually shall review the University’s activities and procedures regarding compliance with NCAA and “Conference” (defined in Section 6.2.10, below) rules and report any concerns to the President and Director of Athletics. The Council annually will review the procedures, policies, and resources applied to recruiting, granting financial aid to student athletes, awards to student-athletes and others, and the scheduling of intercollegiate games and contests and other matters related to compliance.

6.1.3—ACADEMIC MATTERS

The Athletics Council annually shall review the admission and academic performance of student-athletes. Reports to the Athletics Council and/or its Academic Integrity and Student Welfare Subcommittee will include information on admissions, retention, graduations, academic performance, and academic services to student-athletes including counseling, tutoring, and the monitoring of classroom attendance and grades. The Athletics Council shall report its findings and recommendations to Athletics Department personnel and to the President.

6.1.4—BUSINESS MATTERS

Annual budgets of the Athletics Department shall be prepared with active participation of the Council and presented to the Council at such time and in such detail as permits the Council to make recommendations to the President along with the budget submission. 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 Council or the Fiscal Integrity and Personnel Subcommittee, full information on annual income and expenses of the Athletics Department.

The Council shall review the marketing and fundraising policies of the Athletics Department for adequacy and to ensure that all such activities are consistent with University policy. The Council shall review and make recommendations concerning policies for additions to the facilities of the Athletics Department and for contractual arrangements for the use of facilities not owned by the University.

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

6.1.5—PERSONNEL MATTERS

The Council 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 Council will be included on any search or screening committee for a head coach.

6.1.6—NCAA AND CONFERENCE

The Council and its Governance and Commitment to Rules Compliance Subcommittee shall review proposed and actual NCAA and Conference legislation and decisions that may affect athletics matters at the University. The Faculty Athletics Representative shall present to the Council a summary of activities at meetings of the NCAA and the Conference. When possible, the Council shall be informed by the Faculty Athletics Representative of any pending legislation or decision that may affect athletics at the University. For items of concern, the Council will advise the President of its position. The recommendations of the Council shall be considered when the final position of the University on such legislation is established.

6.1.7—ATHLETIC COMPETITION

The Athletics Council and its Academic Integrity and Student-Athlete Welfare Subcommittee annually shall review intercollegiate sports competition and make suggestions or recommendations as appropriate, on facilities, scheduling, recruiting, rule changes or other matters.

6.1.8—STUDENT AFFAIRS

The Council and its Student Athletics Advisory Council Subcommittee 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.

6.1.9—EQUITY AND SPORTSMANSHIP SUBCOMMITTEE

The Athletics Council and its Equity and Sportsmanship Subcommittee annually shall review all policies that are related to gender equity and minority issues and sportsmanship and make suggestions or recommendations to the Council.

6.1.10—COMPOSITION OF THE ATHLETICS COUNCIL

MEMBERSHIP

The Athletics Council shall consist of members apportioned in the following manner:

<u>Membership</u>	<u>Method of Selection</u>	<u>Term</u>
1 Faculty Athletics Representative	Appointed by the President (Serves as Continuous Executive Secretary)	Ex officio, non-voting
6 Norman Campus Faculty	The Norman Campus Faculty Senate appoints 4 members, and the President appoints 2 Members.	4 years
2 HSC Faculty Members	The HSC Faculty Senate appoints 1 member, and the President appoints 1 member	4 years
2 Norman & HSC Staff Members	1 each appointed by the EEC and ELC	4 years
2 Student Members	One each selected by the Vice President for Student Affairs and Dean of Students (NC) and the Vice Provost for Educational Services (HSC), with advice of the respective student government organization	1 year
2 Student Athletes	Selected by the President with the advice and consent of the Athletic Director	1 year Ex officio, non-voting
2 Alumni Members	Appointed by the President with the advice of the OU Alumni Association	4 years
Director of Athletics		Ex officio, non-voting

Other Athletics Department Representatives**		Ex officio, non-voting
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Faculty members appointed to the Athletics Council must be tenured or tenure-track faculty members with the rank of Assistant Professor or higher. Staff representatives must be full-time employees. Students must be enrolled in at least nine hours during each of the fall and spring semesters. Terms for faculty, staff and alumni members will be arranged so that approximately one-half or one-third will terminate each year. When any member does not complete a term, the President shall appoint a replacement for the balance of the term.

The Council Chair shall be elected from the membership of the Council and shall serve for a term of one year. The Chair may be re-elected. The Faculty Athletics Representative shall serve as the Executive Secretary of the Council. The Chair is the presiding officer of the Council and, together with the Executive Secretary, has primary responsibility for liaison with the President. The Chair and the Executive Secretary will develop a schedule to see that the prescribed Council responsibilities are accomplished each year. The Chair will either appoint or select in another manner, a Vice Chair. The Vice Chair assumes the duties of the Chair upon his or her absence. The Executive Secretary prepares agendas for meetings, keeps records of actions taken by the Council, and prepares written reports, reviews, and recommendations of the Council.

6.1.11—MEETINGS

The Athletics Council shall meet at least four times during the academic year. Meetings may be called by the President, the Chair, or the Director of Athletics, normally by notification in writing at least seven days in advance of the scheduled meeting. Any member of the Council may place items on the Council agenda. Written agendas of meetings will be distributed to members and the President at least seven days in advance of each meeting, along with the minutes of the Council's previous meeting, if possible. Copies of Council agendas and minutes will be provided regularly to the Norman Campus Senior Vice President and Provost, Norman Campus Vice President for Administrative Affairs, Vice President for Student Affairs and Dean of Students, the President, and the Executive Secretary of the Board of Regents.

6.1.12—CONFLICTS OF INTEREST

Appointing bodies and individuals should require all potential appointees to complete the attached disclosure form, which is meant to guide the appointment process. The following circumstances will disqualify nominees from appointment:

- 1) The nominee was cited in an NCAA major violation or multiple secondary violations;
- 2) The nominee benefits financially as a direct or indirect result of business dealings connected with OU athletics;
- 3) The nominee is a sports agent or is personally connected to a sports agent, sports financial advisor, or runner;
- 4) The nominee is a current or former employee of the Athletics Department or a family member of a current Athletics Department employee.

If the answers the nominee provides to questions on the disclosure form raise other concerns about a possible conflict of interest, then the nominating body or individual should consult with the Faculty

** The Director of Athletics is welcome to bring any representatives from the Athletics Department to meetings of the Council.

Athletics Representative and/or the Chair of the Athletics Council on the appropriateness of the appointment. A copy of each appointee's disclosure form should be submitted to the Chair of the Athletics Council at the time the appointment is made. The Council Chair will then share these forms with the Athletics Compliance Department.

(RM, 4-9-53, pp. 4577-78; 3-24-70, p. 10262; 2-13-75, p. 13355; 6-18-81, pp. 16468-9; 2-10-89, pp. 20908-9; 6-13-91, pp. 22462-6; 12-02-03, p. 28868; 6-23-04, p. 29151; 1-28-16, p. 35003)

6.2—ATHLETICS DEPARTMENT

Intercollegiate athletics activities shall be designated as an auxiliary enterprise of the University, under the title “Athletics Department.”

All financial activities of the Athletics Department, including ticket sales, accounting, budget preparations, purchasing, and payroll, shall be under the management of an Athletics Business Manager. In addition, all financial areas of the business office and ticket office shall follow University policies and procedures as outlined in the *Administrative Affairs Guide to Services*.

The Athletics Business Manager shall report to the Director of Athletics and be responsible for general duties in planning and executing the business aspects of the intercollegiate athletics program.

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

(RM, 3-8-50, pp. 3425-26; 12-02-03, p. 28868)

6.2.1—CONCESSIONS

The Director shall be responsible for operation of concessions and merchandise sales at all athletics events and in surrounding areas. The President and Athletic Director, with the assistance of General Counsel, shall be responsible for developing and implementing procedures for the sale of alcohol at all athletic events. The Athletics Department may contract for such services.

(RM, 4-9-53, p. 4575; 4-30-53, p. 4590; 12-02-03, p. 28868; 10-24-18, p. 36307)

6.2.2—USE OF ATHLETICS FACILITIES

In compliance with University policy, the Director of Athletics may establish fees for use of Athletics Department facilities.

(RM, 11-2-61, p. 6951; 12-02-03, p. 28868)

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

(RM, 3-11-59, p. 6222, edited; 12-02-03, p. 28868)

6.2.3—INCOME

Intercollegiate athletics shall not be subsidized through student fee income.

(RM, 1-8-53, p. 4521; 12-02-03, p. 28868)

6.2.4—TRIP INSURANCE

The Athletics Department is authorized to secure trip insurance for all athletic teams and staff members to provide coverage while they are traveling to events away from campus.

(RM, 9-12-57, pp. 5785-86, edited; 12-02-03, p. 28868)

6.2.5—TERMS OF APPOINTMENT OF ASSISTANT COACHES

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

(RM, 3-3-41, p. 994; 12-02-03, p. 28868; 6-23-04, p. 29151)

6.2.6—SOLICITATIONS

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

(RM, 11-12-64, p. 8005; 12-02-03, p. 28868; 6-23-04, p. 29151)

6.2.7—ATHLETICS DEPARTMENT SUPPLEMENTAL COMPENSATION POLICY

Athletics Department personnel who achieve special recognition or perform extraordinary duties may be considered for supplemental compensation subject to the availability of funding, applicable Board of Regents' policies, and NCAA and Conference rules. Recommendations shall be made by the Director of Athletics and forwarded to the Office of the President. All supplemental compensation shall be considered a one-time salary supplement, and the normal payroll process shall be followed.

All Athletics Department recommendations for supplemental compensation payments shall set forth factual support information, the amount of payment, the source of payment, and the overall impact of such payment on the annual operating budget. For coaching and academic support personnel, the academic performance of the student-athletes in that sport will be evaluated.

In all cases, sufficient funds must be identified for all recommended supplemental compensation payments.

(RM 11-20-86, pp. 19361-2; 12-02-03, p. 28868)

6.2.8—ATHLETICS SCHEDULES

The President or his/her designee (e.g. the Director of Athletics) shall have authority to approve schedules for all intercollegiate athletics events.

The President or his/her designee (e.g. the Director of Athletics) shall annually dedicate the home football game nearest Veterans' Day to all veterans and active duty military personnel who have and continue to serve our country. The game will feature recognition for veterans and members of the armed forces through special presentations, band performance, displays, and other pageantry appropriate for such celebration.

(RM 9-10-58, p. 6094; 12-02-03, p. 28868; 1-28-16, p. 35003; 12-11-18, p. 36357)

6.2.9—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-athletes 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, the University and its athletics programs. 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, Conference/NCAA rules, and prudent management.

UNIVERSITY REPRESENTATION AND AUTHORIZED TRAVEL

The following groups will constitute University representation for purposes of post-season travel.

TEAM PARTY

This group shall include only those individuals essential to the actual participation and representation in the postseason event as listed below:

Student-Athlete — This includes such student-athletes as the head coach deems necessary to conduct practices and the event, subject to the approval of the Director of Athletics. Additional players may be included upon recommendation of the Director of Athletics based on full and complete participation throughout the season. Spouses and dependents (defined below) of student-athletes may be included upon recommendation by the Head Coach with the approval of the Director of Athletics.

Coaching Staff — This includes all full-time and part-time coaches. Spouses and dependents (those children claimed as such on the employee's last Federal Income Tax Return) may be included if recommended by the Head Coach or appropriate administrative officer and approved by the Director of Athletics.

Essential Athletic Support Staff — This includes the Director of Athletics and such athletics support staff as the Director of Athletics deems necessary (e.g., trainers, medical staff, managers, weight trainers, secretarial, equipment, Sports Information, Business Office, Ticket Office) to accomplish the planning and execution of post-season events. Spouses and dependent children (those children claimed as such on the employee's last Federal Income Tax Return) of essential support staff may be included upon the approval of the Director of Athletics.

Additional personnel necessary to accomplish the required planning and execution of post-season competition may be included as approved by the Director of Athletics. Normal inclusion would be the Executive Associate Athletics Director, Senior Woman Administrator (SWA), Director of Development, Director of Business Services, secretarial support, and personnel necessary to service the team practice functions. Spouses and dependent children (children claimed as such on the employee's last Federal Income Tax Return) may be included with approval of the Director of Athletics.

Costs that may be covered in full or in part for the Team Party include air transportation, lodging, meals or meal allowances, and incidental expenses as prescribed by the Director of Athletics. All costs shall be processed by the University consistent with State travel laws and University policies.

(RM 6-23-04, p. 29151)

OFFICIAL STUDENT SPIRIT PARTY

Band — This includes members of the University Marching Band or Pep Band, as recommended by the Band Director. Review and approval by the Director of Athletics will be based on available funding and need for Student Spirit Party support. Group size could range from maximum to a minimal pep band to hiring on-site bands.

Cheerleaders/Pom Poms — This includes students and sponsors recommended by the Student Spirit Party Coordinator. Review and approval by the Director of Athletics will be based on available funding and the need for Student Spirit Party support.

Costs that may be covered in full or in part for the student spirit party include transportation, lodging, meal allowance and necessary event tickets as prescribed by the Director of Athletics. All costs shall be processed by the University consistent with State travel laws and University policies.

Travel — Official Student Spirit Party travel shall be scheduled to accommodate necessary post-season event activities. Mode of travel shall be determined by the Director of Athletics.

(RM 6-23-04, p. 29151)

UNIVERSITY DELEGATION

The University Delegation shall include those University officials deemed necessary for official representation of the University at post-season events as follows:

- Current members of the Board of Regents, the Executive Secretary of the Board of Regents and Vice President for University Governance, to coordinate activities, their spouses and their dependent children (children claimed as such on their last Federal Income Tax Return).

- The President, the President's designee for coordinating University Delegation arrangements, administration liaison, the Conference Faculty Representative, their spouses, and their dependent children (children claimed as such on the employee's last Federal Income Tax Return).
- Executive Officers and a spouse or guest may be included in the University Delegation if their participation is deemed necessary by the President. Required funding for these Executive Officers must be identified. Required funds that are not provided within the established University Delegation budget from the travel allowance must be identified and provided from sources outside of the travel allowance and/or Athletics Department budget. Costs to be covered for the Executive Officers include transportation, lodging and appropriate event tickets.
- Athletics Department Representation – Athletics Department staff who have had a vital role in the success of the team may be included. Selected personnel may be chosen from academic support, media relations, administrative staff, full-time clerical staff, security assistance, medical support, student workers, and development office representation. This group may also include personnel eligible to be a part of the Team Party but not traveling with the Team Party. Spouses may be included with approval of the Director of Athletics.

Members of the University Delegation are present at the post-season event to represent the University. If they reserve tickets for an event, they are expected to attend that event.

Expenses to be covered for the members of the University Delegation mentioned above include transportation, lodging, meals or meal allowances, and appropriate event tickets.

All costs shall be processed by the University consistent with State travel laws and University policies.

A suite (one bedroom and a sitting room) will be provided for the Chairman of the Board of Regents and the President, as representatives of the University Delegation.

For Executive Officers and a spouse or guest, official University representation begins the day that arranged group travel commences for this group and ends the day after the game. Air transportation (group rate) and lodging expenses will be covered during that period. Should an Executive Officer choose an earlier arrival or later departure, the additional expenses will be his or her responsibility.

(RM 6-23-04, p. 29151)

TRAVEL ARRANGEMENTS

Depending on location and budget, the Athletics Department will use best judgment to select options of air versus bus travel for members of the Team Party, University Delegation, or the Student Spirit Party. If members of the various groups decide to select other modes of travel, they will be responsible for the expense.

TEAM PARTY

Team Plane — Only the Team Party and those individuals designated by the Director of Athletics may travel on the Team Plane.

UNIVERSITY DELEGATION

A commercial flight or seats on a charter flight will be obtained for those members of the University Delegation who are not to travel on the Team Plane. This commercial or charter air travel will be arranged at a group rate. Should an Executive Officer choose to arrange his/her own air travel, he/she will be responsible for payment of that air travel expense.

DUTIES AND RESPONSIBILITIES

DIRECTOR OF ATHLETICS

The Director of Athletics must approve all activities scheduled for the Team Party, as well as all other terms and conditions of the post-season event that affect the Team Party. Authority for assigning all duties and responsibilities relating to any post-season athletics event for the Team Party is vested with the Director of Athletics. The Director of Athletics will coordinate all contacts with post-season event representatives.

BOARD OF REGENTS

The Board of Regents shall retain final authority in accepting those post-season events that are optional. The Board of Regents shall authorize the Director of Athletics and Head Coach to negotiate and recommend to the President the acceptance of any invitation to participate. Members of the Board of Regents will be kept fully informed. The Board of Regents shall authorize the President or his or her authorized designee to award purchase orders and negotiate other terms/conditions necessary to successfully complete post-season event arrangements.

(RM 6-23-04, p. 29151)

PRESIDENT

The President or his designee is responsible for administering post-season participation by the University Delegation, and will coordinate this function through the appropriate offices.

BUDGETING PROCESS

Participation in post-season athletics events will be conducted within the Conference and/or event expense allotment unless otherwise authorized by the Board of Regents.

The Director of Athletics will forward a preliminary budget for review and approval by the Board of Regents at the next meeting of the Board of Regents after acceptance of optional post-season competition. The Director of Athletics shall forward to the Administration a final report of all financial post-season event activity after all financial activity for the event is processed.

Expenditures for event participation must be processed in a manner consistent with all applicable State laws, Conference/NCAA rules and University policies and procedures.

The top priority in funding post-season athletics event activities shall be the student-athlete's reasonable and necessary expenses. Second priority shall be the cost for coaches and essential support staff.

The Director of Athletics will work with the Administration in establishing a reasonable University Delegation budget. The President or his designee will be responsible for working within this budget. Funding for any overage must be identified by the Administration. All expenditures shall be handled in a manner consistent with applicable State law and University policies.

The Student Spirit Party budget for post-season athletics events will be derived from funds available in an existing Foundation account dedicated specifically to band support or to cheerleader/pom support and/or from the post-season budget allotment to the Student Spirit Party. The budgets for all post-season costs (transportation, lodging, meals, insurance, etc.), will be submitted by the Band Director and Student Spirit Party Coordinator, and must be reviewed/approved by the Director of Athletics. If sufficient funding is not available, any special solicitation must be coordinated by the Band Director or Student Spirit Party Coordinator in conjunction with the Vice President for University Development.

Those University employees' assigned budgetary responsibilities under these guidelines will be responsible for maintaining a full and complete set of records and documentation of expenditures that may be subject to internal and external audit.

TICKET ALLOCATION

All persons included in the Team Party, the Student Spirit Party, and University Delegation will be provided admission or tickets to the game and events requiring their participation. The remaining tickets will be allocated for sale under the direction of the Director of Athletics, in coordination with the Senior Associate Director of Athletics, Ticket Manager, Director of Alumni Relations, and Director of Athletics Development. A specified number of tickets will be allocated for University students.

(RM, 2-11-65, p. 8070; 12-11-86, p. 19394; 12-8-88, p. 20803; 3-29-00, p. 26909; 12-02-03, p. 28868; 6-23-04, p. 29151)

6.2.10—CONFERENCE RULES

The University shall observe the rules of the athletics conference in which the University holds membership.

6.2.11—PHYSICAL EXAMINATIONS FOR ATHLETES

Physical examinations shall be required for all students participating in intercollegiate athletics. A copy of the physical examination report shall be on file in the Office of the Director of Goddard Health Center, and clearance shall be granted by the Team Physician prior to a student's being permitted by the Director of Athletics to participate in intercollegiate athletics.

The Team Physician shall have the full responsibility for the medical care, evaluation, consultation, and referral for all students participating in intercollegiate athletics.

When, in the judgment of the Team Physician, a student-athlete should not be cleared to participate in intercollegiate athletics for medical reasons, the student-athlete may request a second opinion from a consulting specialist, chosen from an approved list that shall be provided by the Team Physician. There

shall be at least one approved consultant from each of the following areas: internal medicine, urology, orthopedics, neurology, ophthalmology, and otorhinolaryngology. In cases of differing opinions between the Team Physician and the consultant, the consultant's opinion will be followed and shall be final.

The approved list of consultants shall be on file with the Team Physician.

In cases of student-athletes with a physical anomaly, the Administration may require an appropriate parental or student-athlete waiver before the student-athlete is permitted to play.

(RM, 3-25-44, p. 1560; 7-14-55, p. 5193, edited; amended 9-2-76, p. 14153; 3-10-77, p. 14318; 12-02-03, p. 28868; 6-23-04, p. 29151)

6.3—ATHLETICS POLICIES

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 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.

(RM, 4-9-53, pp. 4578-79; 12-02-03, p. 28868; 6-23-04, p. 29151)

6.3.2—MISSION STATEMENT

The mission of the University Athletics Department is to inspire champions today and prepare leaders for tomorrow by providing an excellent nurturing environment to enable student-athletes to achieve their highest academic, athletic and personal aspirations. The Athletics Department:

- is dedicated to the educational mission of the University;
- maintains an appreciation of and support for the equitable opportunities for all student-athletes and staff, including women and minorities;
- adheres to and encourages principles of good conduct and sportsmanship, including respect for self and others at all times; and
- emphasizes excellence and commitment to integrity in all its endeavors.

6.3.3—RULES COMPLIANCE

Any Athletics Department staff member who knowingly commits a major violation of an NCAA or Conference rule 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 who commit violations of NCAA or Conference rules shall be subject to disciplinary or corrective action as set forth in NCAA or 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 or Conference enforcement procedures.

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

The Athletics Department shall establish an Athletics Department Compliance Handbook, a Recruiting Manual, and a Booster Guide, which shall be subject to the approval of the President and maintained on file in the Athletics Department.

A rules education program shall be provided for all Athletics Department staff, student-athletes and representatives of the University's athletics interests. The Compliance Handbook plays a significant role in this educational effort. The Associate Director of Athletics for Compliance and Enforcement will be responsible for the rules education program.

The University's Legal Counsel will conduct regular meetings with Athletics Department staff regarding the rules education program.

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 Booster Guide is distributed to active representatives of its athletics interests to aid in compliance with NCAA and Conference rules.

(RM, 12-8-88, p. 20802; 12-02-03, p. 28868; 6-23-04, p. 29151)

6.3.4—DIRECTOR OF ATHLETICS

The Director of Athletics shall report directly to the President. The Director shall meet with the President's staff on a regular basis to 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 the University.

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

All head coaches and department directors within the Athletics Department shall report directly to the Director of Athletics. All communications from head coaches or department directors 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.

The Director of Athletics shall be responsible for establishing appropriate procedures for Athletics Department staff to work with the Athletics Council in recommending appropriate policies.

The University shall conduct a drug testing program for all student-athletes in accordance with policies approved by the Director of Athletics.

(RM, 12-02-03, p. 28868; 6-23-04, p. 29151)

6.3.5—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 having 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.

A written code of conduct for all student-athletes shall be developed. It must include a dress code for student-athletes traveling to athletics events or participating in any event in which the student-athletes represent the University. The code shall be included in the Student Athlete Handbook. A copy shall be given to each student-athlete at the beginning of each year, and shall be discussed with the student-athletes by the Executive Associate Director of Athletics for Compliance and the Associate Director of Athletics for Academic Affairs.

A public relations and communications program for student-athletes shall be established. Student-athletes often serve as representatives of the University. Many of them are unprepared for those responsibilities and need guidance and training to prepare them for this role.

A mentor program for student-athletes shall be established with guidelines for the mentors, developed by the Associate Director of Athletics for Academic Affairs.

A liaison from the Athletics Department shall be named to work with the Office of Career Services. All student-athletes shall be afforded the opportunity to determine the occupations or professions for which they are best suited, and should work with the Career Services Office for assistance with employment after graduating or leaving the athletics program, if they are not transferring to another institution of higher education.

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. The student-athlete may request a review as to whether he/she should continue to participate on an athletics team while the charges are pending. That decision shall be made by the President, upon the joint recommendation of the Director of Athletics and the Athletics Council. The student-athlete's scholarship will be continued unless the Director of Athletics or authorized designee meets with the student-athlete and determines, for the immediate health and safety of the University community, that the student-athlete should be immediately suspended from the University. The Director of Athletics shall meet with the student-athlete. If an immediate suspension from the University is ordered by the Director of Athletics, the student-athlete shall be entitled to a full hearing within 15 days. Even if the scholarship is continued, the student-athlete may be removed from athletics dormitory facilities.

(RM, 12-02-03, p. 28868; 6-23-04, p. 29151)

6.3.6—ACADEMIC STANDARDS

The academic plan for the Athletics Department shall be 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 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 that such student-athletes should graduate within an appropriate period of time after enrollment.

The academic counseling of student-athletes shall be coordinated under the Associate Director of Athletics for Academic Affairs. All academic counselors within the Athletics Department, regardless of sport, shall report to and be under the direct supervision of the Associate Director of Athletics for Academic Affairs. The academic counseling within the Athletics Department shall be coordinated with other University academic counselors. Faculty members from throughout the University shall be encouraged to assist in the academic counseling of student-athletes.

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 President and the Athletics Council. Necessary study facilities for all student-athletes shall be established so student-athletes can attain their full academic potential.

In advance of the signing of any letter of intent or the awarding of any scholarship in any sport, the Associate Director of Athletics for Academic Affairs shall make a determination that the prospective student-athlete can meet the academic standards of the University. High school officials and counselors may be consulted regarding the prospective student-athlete's potential for personal and academic success. Any prospective student-athlete who is not approved by the Associate Director of Athletics for Academic Affairs and the Director of Athletics shall not be signed to a letter of intent or offered a scholarship by any Athletics Department personnel. Individuals must be eligible for admission under the regular or Alternate Admissions Standards of the University prior to enrollment.

(RM, 12-02-03, p. 28868; 6-23-04, p. 29151)

6.3.7—POLICY ON MISSED CLASS TIME

A. No athletics event will be scheduled without the advance approval of the Director of Athletics (or the Director's designee(s)), as follows:

1. Athletics events include the following: All events approved as per Regents' Policy 6.2.8, all NCAA and Conference sponsored events and all established national championship events that the NCAA grants permission for the institution to provide expenses for its student-athletes to participate including junior national championships; the Olympic Games (including specific competition, *e.g.*, *Olympic Trials from which participants may directly qualify for the Olympic Games*); Pan American Games; World Championships; World Cup, World University Games, World University Championships, established national championship events, or the junior-level equivalent of such events, *e.g.*, *Youth Olympic Games, Junior World Championships, European Championships*, with documented satisfactory academic performance by the student-athlete.

2. No aforementioned athletics event is permitted during scheduled final examination periods with exceptions for Conference and NCAA post-season competition. Practice sessions, including strength and conditioning, shall be limited during examination periods, unless the participating student-athletes have completed all their scheduled examinations.

3. No team schedule or individual schedule will be approved if it provides that the team or individual will miss more than the equivalent of ten (10) full class days in any semester, computed as follows:

- (a) when a competition or travel associated with it is scheduled to commence prior to 1:00 p.m., one full day will be considered missed;
- (b) when commencement of competition or associated travel is after 1:00 p.m., no class days are considered missed because of the way in which student-athletes schedule their classes during their competitive seasons;
- (c) when the return travel from a competition is scheduled to terminate on any day after 1:00 a.m. but before 7:00 a.m., one-half day will be considered missed; and
- (d) when the return travel is scheduled to terminate after 7:00 a.m., one full day will be considered missed.

4. In the event that a team schedule or individual schedule will cause a student-athlete to miss more than ten (10) full class days, exceptions to Section A, subsection 3, may be permitted by the Director of Athletics in consultation with the Faculty Athletics Representative for good cause, with justification documented, and satisfactory academic performance by the individual(s) involved.

B. The Director of Athletics or designee will report to the Athletics Council at its first meeting of each academic year on exceptions under Paragraph A, above, occurring during the previous academic year.

C. Attention will be given to all the sports schedules and the worksheets showing time away from campus for all sports. Specifically, the worksheets will show the opposing team or name of the contest, the city and state where it took place, and the date(s) (and starting time, if appropriate). In addition, the worksheet will show clearly each instance in which one-half or a whole day of classes was missed. Any issue(s) regarding full compliance with this policy will be brought to the attention of the Council as a whole.

D. No class time shall be missed for practice activities except in conjunction with away-from-home competition.

E. Student-athletes are responsible for arranging with their instructors for making up any course work missed while participating in athletics events, including making arrangements with their instructors for making up missed tests and examinations in accordance with faculty policies established by the faculty as set forth in the Norman Campus Faculty Handbook.

(RM, 12-02-03, p. 28868; 6-23-04, p. 29151; 1-28-16, p. 35003; 9-14-17, p. 35757)

6.3.8—COMPLIANCE

The Athletics Department Compliance Handbook shall be prepared and maintained. It shall summarize Conference and NCAA rules and include other provisions with which Athletics Department personnel, student-athletes, and other supporters of the athletics program should be familiar.

Not later than November of each year, the Academic and Student Life subcommittee shall evaluate compliance with Paragraph A above, for the previous academic year, and issue a written report to the Council on its findings.

Written policies shall assign specific responsibilities in areas of rules compliance. The President, through the Director of Athletics, shall have 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 the 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 Booster Guide and/or Recruiting Guide.

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

The rules compliance program is the subject of annual evaluation by the Athletics Council consistent with the required evaluation under NCAA rules by an authority outside of the Athletics Department.

(RM 6-23-04, p. 29151)

6.3.9—SOONER HOUSING SECURITY REGULATIONS

There will be one or more resident advisors in each Sooner Housing Center residential facility. Each resident advisor will receive the same training as resident advisors in all other University dormitories.

Each resident advisor shall report all incidents through the normal reporting channels. No person shall interfere with the resident advisor's responsibility in carrying out this action.

6.3.10—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 and the Assistant/Associate Directors of Athletics.

Incentive payments for outstanding athletics success, such as a national championship, will not be made without a full evaluation not only of the athletics success of the team, but also of the academic performance of the team members.

Because of the national exposure of the athletics programs at the University, the coaches and other Athletics Department personnel will be expected to conduct themselves in an exemplary manner.

(RM, 2-10-89, pp. 20905-8; 12-02-03, p. 28868)

6.3.11—PRESIDENTIAL AUTHORITY TO MODIFY ATHLETICS POLICIES

The President may approve changes in athletics policies and shall report any such changes to the Board of Regents.

(RM, 3-8-90, p. 21628, edited; 12-02-03, p. 28868; 6-23-04, p. 29151)

6.3.12—GENDER EQUITY ACTION PLAN

The historical development of women's athletic programs at The University of Oklahoma initially involved the inclusion of women's programs within the Athletic Department in 1974, and the development of financial and program support. Funding for women's sports has grown steadily from approximately \$40,000 in 1974-75 to \$3.6 million in 1994-95. Funding for women's programs for 1994-95 includes expenditures in areas of equipment and supplies, recruiting, travel, scheduling, and other program support components. All women's programs are funded for financial aid up to the maximums allowed by NCAA rules. As the athletic interests of women students within the University have developed, varsity sport offerings have been reviewed and developed to the current offering of nine varsity women's sports.

In spite of this growth and development, compliance with Title IX and the NCAA Principles of Gender Equity requires continued review. The University of Oklahoma is committed to the NCAA Principle of Gender Equity and the requirements of Title IX of the Education Amendments of 1972. As part of this commitment, the University and its Athletic Department must continually assess its programs for compliance in this regard. Such assessment requires review of the components of Title IX and planning to adjust programs for compliance with these principles. As a result, certain program adjustments have been made and goals for future development have been established which must be met. A University commitment is required to meet these goals. The goals include:

Goal: To effectively accommodate athletic interests and abilities and increase participation through review, development and enhancement of sports programs offered for women. This Goal includes:

- The establishment of women's soccer team for varsity intercollegiate competition in the fall of 1996-97.
- A current review of the recruitment, participation opportunities and retention of student-athletes in the current sports offered to increase the participation rate of women student-athletes.
- An annual review which examines participation rates and the effective accommodation of athletic interests and abilities.

Goal: To provide the University's women varsity athletes a percentage of athletic financial aid in compliance with the requirements of Title IX (Financial Aid Rate). In this regard the following should be noted:

- Current funding for women's programs includes the maximum financial aid permitted by NCAA rules. The current Financial Aid Rate meets the requirements of Title IX.
- A four-year phase-in for financial aid for new women's varsity sports teams prior to achievement of the mandatory financial aid rate established by this Goal should be recognized and permitted to allow effective, timely and appropriate program development.
- Any disparity in the Financial Aid Rate under circumstances in which women's programs are funded at the maximum financial aid permitted by NCAA rules should be considered to be based on nondiscriminatory factors such as the differences in in-state and out-of-state students, walk-ons, and other nondiscriminatory factors.

Goal: To provide facilities for practice and competition and other program support components, benefits and services for varsity women's athletic programs which are commensurate with facilities and support components capable of attracting varsity scholarship athletes and competition of a national caliber. This Goal includes:

- Review, maintenance and development of levels of funding for women's programs in continued support and furtherance of this Goal.
- Development of operational funding within two years of the establishment of any additional women's programs at levels consistent with this Goal.
- Development of facilities for additional women's programs.
- Maintenance and enhancement of existing facilities for women's programs for practice and competition.
- An annual review of the facilities and other program support components for women's varsity sports in the furtherance of this Goal.

The following projects are currently in progress:

- The expansion of support facilities for weight training and sports medicine for use by men and women student-athletes.
- Women's Softball Facility
- Continued development and expansion of the Academic Center used by all men and women student-athletes.
- Team practice facilities for use by men's and women's golf.
- Renovation and improvement of the locker rooms and coaches' offices for women's sports.

Goal: To annually review and assess through The University of Oklahoma Board of Regents, the Office of the President and Legal Counsel, the University's commitment to the principles of Gender Equity, Title IX and the Goals set forth in this Action Plan. This Goal includes:

- The financial reporting for men's and women's sports expenditures required by NCAA rules, and state and/or federal law.
- The review of action taken each year to increase or maintain the participation rate of women's varsity student-athletes and the athletics financial aid rate.

- The review of action taken each year in the furtherance of the above Goals.
- The development of plans for implementation of recommendations resulting from the annual review of the above Goals.
- A Gender Equity Sub-Committee established as a standing committee of the University's Athletic Council with membership consisting of appropriate gender representation. The Committee is charged with reviewing gender equity compliance progress, new plan development, cost projections, and reporting regularly to the Athletics Council.

This Gender Equity Action Plan is based upon the current review of the University's athletic programs. The commitment to the Principles of Gender Equity and Title IX requires annual assessment of programs and adjustment of action required in the furtherance of the goals. The implementation of the Gender Equity Action Plan will occur in a timely effective manner with the commitment of The University of Oklahoma.

(RM, 4-25-96, 24871)

6.4—ATHLETICS TICKETS

6.4.1—ATHLETICS DONOR PROGRAM

The donor seating program for football and men's basketball shall be established by action of the Board of Regents.

Revenue from donations for the suites, east side club seating, and the west side chairback seating in football and sections from LE1 through LE6 in men's basketball shall be dedicated to Athletics Department capital needs and projects. Revenues from donations for the other locations in the Athletics Donor Program will continue to be dedicated to the general operational support of the Athletics Department, including such areas as academics, compliance, and gender equity.

(RM, 11-8-84, p. 18169, edited; 12-02-03, p. 28868)

6.4.2—TICKET PROCEDURES

Consistent with any action of the Board of Regents concerning priority seating, the Director of Athletics is authorized, with approval of the President, to develop procedures for implementation of the priority seating program. The Director of Athletics, with approval of the President, is authorized to develop a policy to be integrated with the donor and longevity priorities established by the Board of Regents.

No preference will be shown to any group or the members of any group in improving seat locations, and the improvement of seat locations in the stadium shall be based solely upon policies and procedures developed by the Athletics Department, as approved by the President and consistent with Board of Regents' action. University football lettermen shall be given preference to the extent that they shall be allowed to purchase season tickets seated between the 10 and 35 yard lines on the east side upon their first season ticket purchase.

The opportunity to reorder season tickets shall be transferable on death of the season ticket holder only to the surviving spouse or other immediate family member of the decedent. In the event there is no surviving spouse or other immediate family member of the decedent, such season tickets shall be made available to applicants for season tickets possessing priority, as prescribed in the current ticket policy of the Board of Regents.

(RM, 5-13-82, p. 17002, edited; amended 5-27-82, p. 17012, edited; 12-12-74, p. 13279; 12-02-03, p. 28868; 6-23-04, p. 29151)

6.4.3—PRIORITY SEATING FOR DONORS TO NON-ATHLETICS PROGRAMS

A defined number of tickets shall be provided to the University for general University development for securing donations to non-athletics programs. The value of the tickets and the applicable donor component for all such tickets shall be transferred to the Athletics Department.

(RM, 7-26-74, pp. 13 123-24, edited; 12-02-03, p. 28868)

6.4.4—TICKET SURCHARGE

A ticket surcharge, excluding the tickets of students, faculty, staff, and fans of visiting teams, may be instituted upon recommendation of the Director of Athletics with approval of the President.

(RM, 10-18-74, p. 13218; 12-02-03, 28868)

6.4.5—COURTESY TICKET GUIDELINES

It shall be the policy of the Board of Regents to make available sufficient seats to accommodate the Governor, the members of the Oklahoma Congressional Delegation, the Lieutenant Governor, the Attorney General, and members of the Legislature of the State of Oklahoma. The Administration is further directed to develop guidelines for the locations of these tickets and to distribute them to the individuals holding these offices on August 1 of each year. These seats will not be within the areas originally included in the “Annual Donors Program”, nor shall any seating priority accrue to individuals accepting these seats.

(RM 6-23-04, p. 29151)

STATE OFFICIALS

Each year, the Athletics Ticket Office will set aside tickets to be used as courtesy tickets for State officials.

From these tickets, the University will offer two tickets each to members of the Oklahoma Congressional Delegation, the Lieutenant Governor, the Attorney General, and members of the Legislature of the State of Oklahoma, as well as six tickets for the Governor, all at no cost to the individual.

These tickets will be provided with offsetting payments or transfers of funds from University accounts to the Athletics Department for the value of the tickets and the donor component of the sections closest to the courtesy seat locations.

Assistants in the State Attorney General's Office shall be permitted to purchase tickets at the same price as University employees.

(RM, 5-10-56, pp. 5406-5411; 10-11-56, p. 5515; 2-14-57, p. 5593; 5-13-71, p. 10924; 12-02-03, p. 28868)

COLLEGE AND UNIVERSITY PRESIDENTS

The presidents of Oklahoma colleges and universities shall be given the same options as those State officials referred to under “State Officials.”

STATE REGENTS FOR HIGHER EDUCATION

The Athletics Ticket Office will set aside each year 20 tickets for the Chancellor and members of the Oklahoma State Regents for Higher Education. From these tickets, the President will offer two tickets to each member of the Oklahoma State Regents for Higher Education at no cost to the individuals. The seating location and details for implementation of this procedure are to be determined by the President.

These tickets will be provided with offsetting payments or transfers of funds from University accounts to the Athletics Department account for the value of the tickets and applicable donor component.

BOARD OF REGENTS

The Athletics Ticket Office will set aside each year a number of tickets sufficient to provide each present member of the Board of Regents with four tickets and the Executive Secretary of the Board of Regents and Vice President for University Governance, and all living former Regents with two tickets each. All former Regents shall be allowed to purchase two additional seats, next to their courtesy seats, transferable only to a surviving spouse.

Each year prior to August 1, the Executive Secretary of the Board of Regents and Vice President for University Governance, will certify to the President the number of tickets required to meet these commitments.

The University will offer the tickets to the persons mentioned above at no cost to the individual. The face value of tickets and any applicable donor component shall be transferred to the Athletics Department for any and all tickets provided for University development or as courtesy tickets.

These tickets will be provided with offsetting payments or transfer of funds from University accounts to the Athletics Department account for the value of the ticket and applicable donor component.

The President shall develop additional details for implementation of this policy, and the number of courtesy tickets required to do so shall be delivered by the Athletics Department to him or his designee by August 1 each year for distribution.

(RM, 2-13-75, p. 13356, edited; 12-02-03, p. 28868)

EMERGENCY CASES

The Director of Athletics, with the approval of the President, is authorized to deviate from any of the policies hereby established in this section 6.4.5, to take care of cases of unusual emergency.

(RM, 5-10-56, pp. 5406-5411; 10-11-56, p. 5515; 12-02-03, p. 28868; 6-23-04, p. 29151)

6.4.6—COMPLIMENTARY ADMISSIONS AND TICKETS POLICY

Complimentary admissions or tickets may be provided to Athletics Department staff and to participating and nonparticipating student-athletes; provided, provision of such tickets to student-athletes shall comply with current NCAA and Conference rules. Senior staff and coaches of the sport involved may receive up to four tickets each. All other full-time Athletics Department staff may receive up to two tickets each. Implementation of this policy shall be reviewed annually by the Associate Director of Athletics, Director of Compliance, University Legal Counsel, and the Faculty Athletics Representative.

(RM, 3-10-77, p. 14343; 6-15-78, p. 15092; 9-4-85, p. 18597; 7-19-90, p. 21938; 12-02-03, p. 28868; 6-23-04, p. 29151)

SECTION 7—UNIVERSITY ADVANCEMENT

The Board of Regents is constitutionally 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 and related matters may be set forth in the Faculty and Staff Handbooks, student handbooks such as the Student Code of Responsibilities and Conduct for the Norman Campus, and/or other official policy documents of the respective campuses. 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. The University, as a general practice, will adhere to the current *CASE Reporting Standards & Management Guidelines* (Council for Advancement and Support of Education).

7.1—GIFTS RECOGNITION PROGRAM

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.

Donors will be recognized through a number of special programs, including:

- The President's Associates designation for donors to this special program detailed within this section of the manual;
- The George Lynn Cross Society for donors who have included the University in their estate plans; and/or
- The Seed Sower Society for donors (including individuals, corporations and foundations) whose lifetime cash gifts or irrevocable estate gifts total \$1 million or more.

7.1.1—GIFT RESTRICTIONS

Gifts may be unrestricted or restricted to the college, center, 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.

(RM, 6-10-92, P. 22961; 12-02-03, p. 28868; 6-23-04, p. 29151; 9-11-19, p. 36726)

7.2—GIFTS TO THE UNIVERSITY

The University actively encourages and appreciates gifts to the University that benefit 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 Board of Regents looks favorably on gifts to the University unless there are clear and compelling reasons to decline. Possible reasons to decline a gift include (a) the funds were obtained from questionable sources; (b) the gift has excessive restrictions or requirements; or (c) 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 interest of the University.

(RM, 6-16-93, p. 23390; 12-02-03, p. 28868; 9-11-19, p. 36726)

7.3—NAMING AND DONOR RECOGNITION

The President will announce gifts of \$1 million or more at meetings of the Board of Regents. Special action by the Board of Regents is required when gifts involve the naming of University buildings and major facilities and the naming of University colleges, schools, centers and major programs.

The Board of Regents will formally approve the naming of campus buildings or additions prior to public announcement. The Board also reserves the right to approve or deny the naming or renaming 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. All naming requests must adhere to the Criteria for Naming outlined in Section 7.3.5. All gift agreements (for the University and the University of Oklahoma Foundation, Inc.) will contain language incorporating these policies into the agreement.

7.3.1—ACADEMIC PROGRAMS

To name a college, center, school or department will require a significant endowment that will generate resources to strengthen and build excellence in academic and research programs. All college, school, center or department naming requests require approval by the President prior to solicitation. College, school, center or department naming requests require final approval by the Board of Regents. All naming requests must adhere to the Criteria for Naming.

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 estimated cost of construction, unless otherwise stipulated as part of a University-approved fundraising campaign with naming guidelines. New buildings to be constructed with a combination of private, state and federal monies may suggest different naming requirements established upon approval by the President and Board of Regents.

Existing unnamed buildings on campus or existing buildings that have not been named in connection with a current gift agreement may be named for one-half the original construction cost, unless otherwise stipulated as part of a University-approved fundraising campaign with naming guidelines.

SPECIAL FACILITIES WITHIN BUILDINGS

Special Facilities within New Buildings: Generally, laboratories, auditoriums, classrooms, and other special rooms or facilities within new buildings may be named for one-half of the estimated value of the facility unless otherwise stipulated as part of a University-approved campaign.

Special Facilities within Existing Buildings: Generally, laboratories, auditoriums, classrooms, and other special rooms or facilities within existing buildings may be named for one-half the original construction cost, unless otherwise stipulated as part of a University-approved fundraising campaign with naming guidelines.

Namings associated with laboratories, auditoriums, classrooms, and other special rooms or facilities within new or existing buildings do not require approval of the President and the Board of Regents if named for one-half the original construction cost but will be submitted as informational items. Namings associated with laboratories, auditoriums, classrooms, and other special rooms or facilities within new or existing structures require approval by the affiliated Dean or Director and SVP/Provost.

If a request is made to name such laboratories, auditoriums, classrooms, and other special rooms or facilities within new or existing buildings at less than half the original cost of construction, such shall be approved by the President and the President should inform the Regents of said actions.

No facility shall ordinarily be named after individuals who are members of the active faculty, staff or administration of the University without the approval of the Board of Regents to avoid any potential conflict of interest.

7.3.3—DURATION OF NAMES

No facility will be renamed without considering the historical or other meaningful significance of the facility's present name related to the University's existence and/or past development. Duration of a named space will be clearly defined in the signed pledge or gift agreement associated with the naming. If a named space or building is replaced or substantially modified, it may be renamed, subject to any terms, conditions or restrictions set forth in any gift agreement related to the prior naming action.

7.3.4—RENAMING OR REMOVAL OF NAMES

Situations may occur that would warrant removal of a name, including but not limited to: demolition or repurposing of a space or facility, situations that might affect the reputation of the University, and unfulfilled pledges. Where naming authority lies with the Board of Regents, so does the authority and responsibility to remove a name. Similarly, where the sole naming authority lies with the President and appropriate Dean or Director and SVP/Provost, so does the authority and responsibility to remove a name.

7.3.5—CRITERIA FOR NAMING

Identification using the name of or in honor of individuals, families, or entities is permitted upon meeting one or more of the following criteria:

- a. Alumni who have provided extraordinary service to the University;
- b. Distinguished persons who have provided extraordinary service to the University or who otherwise merit special recognition;
- c. Donors who have made a significant financial contribution to the University generally, to a campus, center, college or major unit, or to a related program; and/or
- d. Donors who have made a significant financial contribution toward the related maintenance and operating costs of the unit or related activity of the University;
- e. Generally, entities will be named for individuals; however, in selective situations, a corporation or organization may name an academic entity. Individuals, foundations, corporations or organizations proposed for naming should have a positive image and demonstrated integrity. Additional due diligence (e.g., legal and marketing/communications review) must be undertaken.

Except for identification in honor of individuals designated by donors qualifying under subsections (c) and/or (d) of this Section, units shall not be named for individuals currently employed by the University or the State or elected officials. Unless expressly waived by the Board of Regents, a unit shall not be named for a current University faculty member, staff member or University officer.

7.3.6—NAMED GARDENS, LANDMARKS, STREETS & OUTDOOR ELEMENTS

Namings associated with gardens or landscaped areas, landmarks, streets and outdoor elements, including but not limited to public artwork and fountains, require the approval of the President and the Board of Regents.

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.

The names of streets within University property may be changed to honor historic events, places or persons. However, such a change must be taken with great care and only after much deliberation. Street names should be changed only when the change will present the University with a significant and well-documented advantage. University authorities will consult with the appropriate representatives of local government(s) to consider any concerns that these officials may have with the proposed change.

7.3.7—ART

Donations of artwork to the University valued at \$100,000 or more will be reviewed by the President and one or more of the following individuals as appropriate: Director of the Museum of Art, Director of the Museum of Natural History and/or Dean of University Libraries. Consideration will be given to the piece of art itself, the artist, the proposed location and method of installation, and other factors.

Donations of artwork to the University valued at less than \$100,000 will be referred to the Director/Dean of the University's collecting institutions (the Museum of Art, Museum of Natural History and University Libraries) and are subject to the guidelines established by the appropriate collecting institution.

Donations of public sculptures to the University will be reviewed by a committee including appropriate University and Campus personnel, such as a representative from the Museum of Art, the Museum of Natural History, University Libraries, the School of Visual Arts, Office of Legal Counsel, University Advancement, the OU Foundation, and a member of standing currently serving on the relevant University advisory board to be appointed by the Vice President of University Advancement. The recommendation of the committee requires the approval of the President and the Board of Regents before the donation can be accepted.

7.3.8—ENDOWED FACULTY POSITIONS

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

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

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.

For all endowed faculty positions, the dean will be the principal account sponsor and a University or Foundation representative, as appropriate, will be second account sponsor. All namings associated with endowed faculty positions require the approval of the President after consultation with the affiliated Dean and SVP/Provost, when appropriate.

Named Endowed Chair — Requires a minimum endowment of \$1 million.

Named Endowed Professorship — Requires a minimum endowment of \$500,000.

Named Presidential Professorship — Requires a minimum endowment of \$250,000.

Named Endowed Lectureship — Requires a minimum endowment of \$100,000.

Named Research Endowment — Requires a minimum endowment of \$50,000. Earnings will provide research stipends and/or grants for faculty.

Named Endowed Research Award — Requires a minimum endowment of \$50,000 and will be used to recognize and encourage excellence in scholarly or scientific research.

Named Endowed Superior Teaching Award — Requires a minimum endowment of \$50,000 and will be used to honor excellence in teaching.

7.3.9—ENDOWED GRADUATE STUDENT POSITIONS

A strong, competitive graduate program is important to the University's mission as a major comprehensive research university. An important component in attracting outstanding graduate students is the University's ability to provide competitive stipends and fellowships.

Named Endowed Graduate Research Fellowship — Requires a minimum endowment of \$150,000.

Named Endowed Graduate Fellowship — Requires a minimum endowment of \$100,000

Named Endowed Graduate Scholarship — Requires a minimum endowment of \$50,000

All named endowed graduate student positions require the approval of the affiliated Dean or Director. Departments may establish higher recommended endowment minimums for Named Endowed Graduate Research Fellowships, Named Endowed Graduate Fellowships and Named Endowed Graduate Scholarships to provide a regionally and nationally competitive financial award based upon the area of interest to attract high caliber talent.

7.3.10—ENDOWED UNDERGRADUATE SCHOLARSHIPS

The University is committed to providing a high-quality undergraduate education to a diverse student body. To recruit outstanding undergraduates and/or assist needy students, a wide variety of scholarships is required. All named endowed undergraduate scholarships require the approval of the affiliated Dean or Director and SVP/Provost.

Named Endowed Scholarship Funds —May be established with a minimum endowment of \$25,000. This generally will support one scholarship on an annual basis. The amount of the scholarship will be limited by the annual earnings.

SCHOLARSHIP GUIDELINES

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 criteria cannot exclude students on the basis of race, color, national origin, sex, sexual orientation, genetic information, gender identity, gender expression, age, religion, disability, political beliefs, or status as a veteran.

Donors will not be permitted to select the recipients of the scholarships which they sponsor to be in compliance with the Internal Revenue Code.

All criteria for scholarships should be predetermined and outlined prior to approval and acceptance by the University and Foundation, if applicable.

Each department or college should request that scholarship recipients communicate annually during the term of the scholarship with the donors of the scholarships.

ANNUAL UNDERGRADUATE SCHOLARSHIPS

Named Expendable Scholarship – Requires a minimum annual gift of \$1,250 with intent to continue support for a minimum of five years; the fund is closed once the balance is fully exhausted.

Named Sooner Heritage Scholarship – Requires a minimum annual gift of \$1,250.

(RM, 7-10-62, p. 7139; 9-18-69, pp. 10054-55; 1-20-86, pp. 18809-10; 1-21-88, pp. 20082-3; 6-10-92, p. 22962; 11-10-92, p. 23140; 12-02-03, p. 28868; 6-23-04, p. 29151; 9-11-19, p. 36726)

7.4—RESPONSIBILITY FOR PRIVATE FUNDRAISING

The President and University Advancement are responsible to the Board of Regents for all private fundraising for the University. This policy applies to all elements of the University and is designed to assist the President and University Advancement in coordinating and directing this very important function in the operation of the University. Given the variable nature inherent in privately raised funds, the President, Deans and/or Directors shall not commit funds for future years beyond what is already raised.

(RM, 9-2-76, p. 14089; 12-02-03, p. 28868; 9-11-19, p. 36726)

7.5—ROLES AND RESPONSIBILITIES OF THE UNIVERSITY OF OKLAHOMA FOUNDATION, INC.

The Board of Regents recognizes the important role that The University of Oklahoma Foundation (the “Foundation”) plays in raising private funds for the benefit of the University. The Foundation is an independent not-for-profit corporation that encourages and supports charitable giving for the benefit of the University of Oklahoma. The Foundation acts as the principal organization through which charitable gifts are made and administered for the benefit of the University of Oklahoma.

With regard to governance, relationship and responsibilities, the University and the Foundation entered into that certain Operating Agreement dated September 18, 2009, as may be amended from time to time, between the Board of Regents and the Foundation (the “2009 Operating Agreement”) to describe the specific nature of the relationship between the two parties. The Foundation may consider requests from the University based upon the recommendations of the President and the Board of Regents.

(RM, 3-21-95, p. 24298; 12-02-03, p. 28868; 6-23-04, p. 29151; 9-11-19, p. 36726)

7.6—OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION ENDOWMENT TRUST FUND PROGRAM

The President is authorized to submit appropriate requests to the Oklahoma State Regents for Higher Education to participate in the State Regents' Endowment Trust Fund Program.

(RM, 10-12-88, p. 20587; 12-02-03, p. 28868)

7.7—THE PRESIDENT’S ASSOCIATES

The President’s Associates Program is the University’s principal source of unrestricted enrichment funds dedicated to academic purposes, research centers and clinical programs. The President manages and administers the distribution of the unrestricted Associates Program funds to accomplish the goals of the University, to address important needs, and to take advantage of special opportunities that will benefit the academic mission of the University.

The entire gift may be given unrestricted, or one-half a portion may be designated to a college, center, school, department or academic program.

- Restricted funds will be administered by the dean or director of the college, center, school, department, or academic program of the donor’s choice and must be used for academic purposes. The appropriate dean or director will submit a report at the end of each fiscal year outlining the use of the Associates Program funds within the unit.

- Expenditure of unrestricted gifts will be made at the discretion of the President. Grants may be awarded to projects that:

- Strengthen the academic program immediately and directly.
- Enable the department or program to position itself for additional external funding.
- Directly benefit or provide special opportunities for students.
- Correct a critical need of a college, center, school or department or provide important teaching or research materials and equipment.
- Address a strategic goal of the University.

An Associates Council will be formed from current participants to serve as a national advisory council to assist the University with its private giving and advancement activities through the Associates and Annual Fund Programs.

(RM, 5-10-79, p. 15544; 1-12-84, pp. 17785-86; 10-15-91, p. 22615; 6-10-92, p. 22958; 1-25-94, p. 23699; 9-13-94, pp. 24001-02; 6-16-96, p. 24922; 9-9-98, p. 26066; 12-6-01, p. 27807; 12-02-03, p. 28868; 9-18-14, p. 34330; 9-11-19, p. 36726)

7.8—ALUMNI/DONOR RECORDS

Donor and alumni data will be treated as outlined in the 2009 Operating Agreement and that certain Confidentiality and Non-Disclosure Agreement dated May 17, 2002, as may be amended from time to time, between the Board of Regents and the University of Oklahoma Foundation.

7.8.1—REQUESTS FOR ALUMNI/DONOR INFORMATION

All requests for alumni or friends information from any University division should be directed to University-Advancement. Such requests will be forwarded to the appropriate University Advancement administrator for approval.

As outlined in the “Gift Counting and Reporting Policy,” all data requesters will be approved by the Vice President of University Advancement. Upon approval, all data requesters must review and sign the “Confidentiality and Non-Disclosure Agreement” and return such to University Advancement prior to the receipt of data.

(RM, 12-02-03, p. 28868; 6-23-04, p. 29151; 9-11-19, p. 36726)

7.9—COORDINATION AND APPROVAL OF ALL FUNDRAISING ACTIVITY

As the formally designated representative of the President, the Vice President for University Advancement has final authority for developing and implementing strategy regarding the raising of private funds at the University. Any fundraising activity, whether on behalf of students, faculty/staff, colleges, or programs, must be approved by the Vice President of University Advancement prior to being initiated. Furthermore, any communication developed for potential donors, whether individuals, corporations, or foundations, must adhere to all University of Oklahoma branding guidelines and publication review processes as determined by the Vice President for University Advancement. 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 the University's divisions. If multiple University divisions seek to solicit the same prospective donor, the Vice President of University Advancement shall determine which division(s) move forward with a solicitation.

The Vice President for University Advancement is responsible for developing and maintaining the Gift Counting and Reporting Policy. Any changes to the policy must be approved by the General Counsel, including modifications made to adhere to industry best practices and trends.

(RM, 12-02-03, p. 28868; 6-23-04, p. 29151; 9-11-19, p. 36726)

7.10—ORGANIZATION OF UNIVERSITY ADVANCEMENT

The Vice President of University Advancement shall oversee all aspects of advancement, the alumni association and assume responsibility for annual, major, corporate, and foundation giving for the Norman, Health Sciences Center, and OU-Tulsa campuses. In addition, such Vice President will regulate fundraising efforts within all divisions of the University. Although the University's campuses and their respective colleges, centers or programs may choose to hire advancement officers to operate on their behalf, such Vice President of University Advancement must approve any hires recommended by the SVP/Provost and all fundraising activity connected with these efforts.

(RM, 12-02-03, p. 28868; 6-23-04, p. 29151; 9-11-19, p. 36726)

7.11—RECEIPT OF GIFTS

The Vice President of University Advancement, working closely with the Foundation, when appropriate, will assure the proper and accurate processing of all gifts. University Advancement will forward gifts for deposit and receipt to The University of Oklahoma Foundation, Inc., or the OU Regents Fund, as appropriate, for processing consistent with the donor's intentions for that gift. Receipt and/or acknowledgment of gifts will be prepared by the Foundation in accordance with the Foundation's Gift Acceptance Policy.

(RM, 12-02-03, p. 28868; 9-11-19, p. 36726)

7.12—SCOPE OF ADVANCEMENT ACTIVITY

University Advancement, at the direction of the Vice President of University Advancement, will coordinate solicitation efforts. Constituencies will be solicited for support via any means deemed appropriate; including but not limited to personal contact, telephone, direct mail, text, email or social media. Campaigns directed by University Advancement might include annual, capital, special needs, college, unrestricted, endowment, or planned gift. Gifts to support the University may be restricted to a college, center, department, or program, or may be designated as unrestricted and allocated by the President wherever the need is greatest.

(RM, 12-02-03, p. 28868; 9-11-19, p. 36726)

7.13—WAYS TO GIVE

The Foundation is the exclusive external depository of gifts for the benefit of the University and should receive all gifts unless a donor wishes instead to give directly to the University.

Donors can help the University through several methods. Gifts may be designated to certain programs or unrestricted for use where the need or opportunity is the greatest. Certain methods of giving provide tax or estate planning benefits. Advancement and Foundation staff are available to discuss available methods of giving to the University.

Additional information is available in the Foundation's "Gift Acceptance Policy," including specific ways to contribute.

(RM, 12-02-03, p. 28868; 6-23-04, p. 29151; 9-11-19, p. 36726)

7.14—FUND RAISING OR SOLICITATION ON CAMPUS OR USING THE UNIVERSITY'S NAME

The use of the name of the University in any form in fundraising appeals shall be managed and controlled by the University Advancement Office.

RESPONSIBLE OFFICE

All University academic, athletic or administrative units, University-affiliated organizations, and/or individuals wishing to initiate a fundraising campaign either on a University Campus or using the name of the University or any of its components, shall submit a written request to the Office of the Vice President for University Advancement.

All fundraising campaigns on behalf of or for the benefit of OU shall satisfy all federal tax and other regulatory requirements applicable to tax-exempt organizations.

(RM, 3-23/24-11, p. 32519; 9-11-19, p. 36726)

7.15—PLEDGE PAYMENTS

Pledge payment periods may be up to five consecutive years, with the first payment scheduled within one year of the date of the gift agreement's execution. Exceptions to this guideline must be granted by the Vice President for University Advancement.

Pledges from individual donors that are likely to be paid in full or part through a private family foundation must be written in the form of a non-binding statement of intention in order to prevent the donor or foundation from potentially violating certain provisions against self-dealing under the federal tax laws.

Corporate matching gifts cannot be applied as pledge payments to an individual's personal pledge commitment.

(RM, 9-11-19, p. 36726)

7.16—GIFT COUNTING AND REPORTING

The purpose of the University of Oklahoma's "Gift Counting and Reporting Policy" is to ensure all charitable contributions to the University will be counted and recorded in the Donor and Alumni database of record in accordance with the standards set forth by the Council for Advancement and Support of Education (CASE). Any exception to CASE standards must be approved by the Vice President for University Advancement and notice given to the Office of General Counsel and the President.

The responsibility for counting and reporting of charitable contributions to the University resides with the Vice President for University Advancement. By authority of the President, the Vice President for University Advancement serves as the executive officer responsible for planning and coordinating all programs and activities designed to secure charitable contributions for the University and its colleges, centers, schools, units and programs.

Additional information is available in University Advancement's "Gift Counting and Reporting Policy," including donor gift credit.

(RM, 9-11-19, p. 36726)

7.17— GIFTS-IN-KIND

Gifts-in-kind to the University include tangible consumables, such as machinery, artwork, books, computers, software, equipment, or the like. Service, volunteer time or partial interest gifts do not qualify as donations in accordance with IRS guidelines.

The President, or his or her designee, has the authority to accept noncash gifts to the University, excluding gifts of real property which must be approved by the Board of Regents. Noncash gifts to the University will be carefully reviewed before being accepted.

Gifts of software that serve the academic or research purpose of the University may be considered a contribution if they are irrevocable and meet the terms stipulated in University Advancement's "Gift Counting and Reporting Policy."

The Foundation does not accept on behalf of the University or manage in-kind contributions that are consumable (including software) by the University. Such in-kind contributions, if accepted, will be managed directly by the University of Oklahoma.

Additional information is available in University Advancement's "Gift Counting and Reporting Policy," including the review process, official acceptance, and recognition of gifts-in-kind.

(RM, 9-11-19, p. 36726)

APPENDIX A

BY-LAWS OF THE BOARD OF REGENTS

ARTICLE 1. GENERAL POLICY

Section 1. Constitutional Status

The Board of Regents of the University of Oklahoma is a constitutional body corporate pursuant to Article XIII, Section 8 of the Oklahoma Constitution.

Section 2. Name

The legal name of the Board shall be The Board of Regents of the University of Oklahoma, which shall govern the University of Oklahoma, Cameron University and Rogers State University. The term "Board," when used in these Bylaws, shall mean the Board of Regents of the University of Oklahoma.

Section 3. Authority

Pursuant to the authority of Article 13 § 8 of the Oklahoma Constitution and in accordance with state law, the Board is granted every power necessary and convenient to make institutions under its jurisdiction effective for the purposes which they were created and are maintained and operated, including without limitation, the exclusive authority for the control and direction of all expenditures, and for general operating policies of the Universities.

Section 4. Delegation of Authority

The Board exercises the final authority in governing the Universities within the limits of the Constitution, the laws of the State of Oklahoma and of the United States of America. The Board hereby delegates to the Presidents of the Universities under its jurisdiction, and through them to the appropriate administrative officers, general authority and responsibility to carry out the policies and directions of the Board. All delegation of authority under these Bylaws is subject to the condition that in all matters involving governance of the University, the Board reserves to itself all powers and responsibilities to take any action it deems necessary or desirable in the exercise of its constitutional and statutory responsibilities.

Section 5. Composition

In accordance with Article 13 § 8 of the Oklahoma Constitution, the Board shall consist of seven members to be appointed by the Governor by and with the advice and consent of the Senate and each Regent shall serve a seven year term staggered such that one Regent's term shall expire each year.

Section 6. Vacancies

Per Oklahoma statute, vacancies on the Board shall be filled by the Governor, for the unexpired term, by and with the advice and consent of the Senate. Provided however, a member of the Board whose term has expired shall continue to perform the duties of the office until his or her successor shall be duly qualified.

Section 7. Limitation of Authority

The authority of the Board is conferred upon the members as a Board and no member of the Board can bind the Board or Universities under its jurisdiction by word or action unless the Board has, in its official capacity and in accord with applicable laws of the State of Oklahoma and these Bylaws, designated such member as its agent for a specific purpose and for that purpose only.

Section 8. Exercise of Powers

The Board shall act only at meetings called as required by applicable law and these Bylaws, and all matters coming before the Board for action shall be determined by the majority vote of its members present, the members present being not less than a quorum, except as otherwise provided herein.

Section 9. Appeals

The Board shall act as a board of final review for matters that cannot be resolved satisfactorily under the applicable policies of Universities under its jurisdiction. The Board reserves the unrestricted right to accept or deny any such request for review and if accepted, determine, at its sole discretion, the form and procedure for the review as it deems appropriate. Provided, nothing herein shall be construed to condition or limit the Board's authority to review any matter relating to governance of the Universities.

Section 10. Suspension of Bylaws

Any provision of these Bylaws may be suspended in connection with the consideration of a matter before the Board by an affirmative vote of a majority of the Board.

Section 11. Compensation

Members of the Board serve without compensation but shall be allowed necessary travel and other expenses in conjunction with official duties as may be approved by the Board pursuant to applicable laws of the State of Oklahoma.

Section 12. Employment

No member of the Board shall be employed directly or indirectly upon any work to be performed in connection with any University under its jurisdiction nor enter into any contract or business transaction involving a financial consideration therewith.

Section 13. Business Arising Between Meetings

An item of business which would normally require action of the Board, but which arises in between regularly scheduled meetings of the Board, may be tentatively approved by the Chair, with concurrence of the Vice Chair and, if applicable, the concurrence of a third member of the Board as determined by the Chair; provided, however, any such approval must be clearly communicated as tentative; the item of business must be considered at the next regular meeting of the Board; and no other members of the Board may be polled regarding the item of business prior to the next public meeting of the Board.

ARTICLE 2. OFFICERS

Section 1. Officers

The Officers of the Board shall be a Chair, Vice Chair and Executive Secretary of the Board.

Section 2. Election of Officers

At its regular meeting held in March of each year, the Board, by majority vote, shall elect a Chair, Vice Chair and Executive Secretary of the Board whose terms of office shall begin March 21st following their election and who shall serve in their respective offices for one (1) year and until their successors shall be elected. If there is only one nominee for each office, the election may be by voice vote.

Election of Officers is a matter entirely within the discretion of the Board; however, to promote efficiency and experience in leadership, it is typical that the member holding the position set to expire in three (3) years be elected Vice Chair and the member holding the position set to expire in two (2) years be elected Chair.

Section 3. Vacancies

Should the position of Chair or Vice Chair become vacant, it shall be filled by election at the next succeeding regular or special meeting of the Board and shall be for the unexpired term of the vacated position.

Section 4. Duties of the Chair

The Chair of the Board shall preside at all meetings of the Board and shall sign all contracts and other written instruments required to be executed by the Board. The Chair shall have the authority and perform the duties usually attached to the office and shall have such other authority and duties as prescribed by these Bylaws and the Board.

Section 5. Duties of the Vice Chair

The Vice Chair of the Board shall have the authority and shall perform the duties of the Chair of the Board in the event of the Chair's absence or incapacity. The Vice Chair may have such other authority and duties as prescribed by these Bylaws and the Board.

Section 6. Immediate Past Chair

The Immediate Past Chair shall serve as an advisor to the Officers of the Board. In the absence of the Chair and Vice Chair at a meeting of the Board, the Immediate Past Chair shall serve as the presiding officer of the Board.

Section 7. Presiding Officer Pro Tempore

In the absence of the Chair, the Vice Chair and Immediate Past Chair at a meeting of the Board, the Board may select a presiding officer pro tempore.

Section 8. Executive Secretary

The Executive Secretary of the Board shall be selected by the Board from nominees submitted by a Regents' search committee, shall be an employee of the University of Oklahoma, Norman Campus, for purposes of accounting and benefits, shall serve at the will of the Board and shall be compensated in an amount determined by the Board.

Duties of the Executive Secretary

The Executive Secretary of the Board shall: (a) give notice of all meetings of the Board in the manner prescribed by applicable laws of the State of Oklahoma and these Bylaws; (b) attend all meetings of the Board, and make and retain custody of complete and permanent minutes and records of all proceedings of the Board; (c) be custodian of the permanent records of all policies, rules and regulations of the Board; (d) attest to all contracts and other written instruments required to be signed by the Chair of the Board; (e) maintain custody of the seal of the University and affix it to appropriate documents; and (f) in general, have the authority and perform all duties incident to the office of Executive Secretary and such other authority and duties as prescribed by these Bylaws and the Board.

The Executive Secretary of the Board shall also be responsible for the operational management of the Board Office, including personnel management and budget administration. Additionally, the Executive Secretary of the Board shall be responsible for providing all materials and information necessary for the Board to make informed decisions and to fulfill its fiduciary responsibilities. The Board Office shall have primary responsibility for all logistical matters involved in scheduling meetings, preparing Board meeting materials, submitting agenda items, and assuring that meetings are properly equipped and staffed to run effectively.

The Executive Secretary of the Board shall closely coordinate with the President of the University of Oklahoma or his/her designee and, as appropriate, the General Counsel, on all matters pertaining to university governance prior to submission of materials to the Board. Annually, the Chair of the Board will (1) coordinate with the President of the University of Oklahoma and the Executive Secretary of the Board, to develop the annual Board Office operating budget and (2) seek input from the Presidents in conducting the annual evaluation of the Executive Secretary and Board office operations.

Section 9. University Presidents

The Presidents of the Universities under the Board's jurisdiction shall be ex officio members of all Regents' committees having to do with their institutions and shall make such recommendations and reports thereto and to the Board as they deem desirable concerning their respective policies and administration. They shall attend all meetings of the Board and shall have the right to participate in all discussions but shall have no vote. They shall act as primary intermediaries between the Board or its committees and the faculty and staff of their Universities. The Presidents shall perform the duties usual and customary to the office and such other duties as the Board may direct. The Presidents are authorized and directed to take such steps as are necessary to require that the conduct of all the affairs of the schools, colleges and departments of the Universities under its jurisdiction are carried out in accordance with Board policies and applicable laws of the State of Oklahoma and the United States of America.

Section 10. Cameron University / Rogers State University Liaisons

The incoming Chair of the Board shall select one University liaison for Cameron University and one University liaison for Rogers State University from among the members of the Board during the annual meeting or prior to the next regular meeting of the Board. The campus liaisons shall serve terms of one (1) year.

ARTICLE 3. MEETINGS

Section 1. Regular Meetings

Regular meetings of the Board shall be held pursuant to a schedule and at locations established annually by the Board. The Chair of the Board, with the concurrence of the Vice Chair, may cancel any regular meeting. All such regular meetings will be conducted in conformance with the applicable law of the State of Oklahoma governing such meetings.

Section 2. Organizational Meeting

Unless otherwise specially ordered, the Board will hold an organizational meeting in March of each year which, in addition to other business that may be brought before the Board, shall be an organizational meeting for the purpose of electing officers.

Section 3. Special Meetings

Special meetings of the Board may be called at the discretion of the Board, by the Chair or at the written request of any three (3) members of the Board.

Section 4. Emergency Meetings

Any member of the Board may call a meeting for the purpose of dealing with an emergency, which is defined under applicable law as a situation involving injury to persons or injury and damage to public or personal property or immediate financial loss when the time requirements for public notice of a special meeting would make such procedure impractical and increase the likelihood of injury or damage or immediate financial loss. Notice of any Emergency Meeting will be provided as soon as practicable.

Section 5. Notice of Meetings

Regular and special meetings of the Board shall be called and held in compliance with these Bylaws and applicable laws of the State of Oklahoma. The Executive Secretary of the Board shall furnish reasonable notice of all special meetings to each Board member, but in no event less than 48 hours prior notice thereof, by mail, e-mail or personal service and describing the object and general character of the business to be transacted. When the meeting is called to deal with an emergency, defined above, the Executive Secretary shall notify each member of the Board by the best means possible under the circumstances.

Section 6. Quorum

A majority of all members of the Board shall constitute a quorum to transact business; provided however, less than a majority of the Board may meet and adjourn to some other time or until such quorum is obtained.

Section 7. Order of Business

Insofar as applicable, the following shall be the order of business unless suspended or modified by the Chair of the Board after consultation with members of the Board: (a) election of Officers (Organizational Meeting); (b) reading and approval of the minutes of the previous meeting; provided, if a copy thereof has been furnished each member before the beginning of the session, the reading may be dispensed with unless a reading is requested by a Board member; (c) unfinished business. Following consideration of unfinished business, the business of each University under the Board's jurisdiction shall be considered by the Board in the following order, except as otherwise determined by the Chair of the Board; (i) report of the Chair and/or President of the University; (ii) information items, communications, petitions and memorials; (iii) consent agenda; (iv) new business; and, (v) personnel and/or litigation matters that might necessitate an executive session.

Section 8. Executive Sessions

The Board may hold an executive session to discuss matters as permitted by applicable laws of the State of Oklahoma.

Section 9. Minutes of the Board

Minutes of meetings shall be complete, shall reflect votes of members as well as action taken, and all materials submitted for the information of the Board shall be included with the permanent minute record so as to constitute a complete, permanent record of all proceedings. Minutes of the proceedings of the Board shall be kept by the Executive Secretary of the Board, and as soon as practical after a meeting, a copy of said minutes shall be sent to each member. Minutes of an executive session shall be kept by the Executive Secretary, shall reflect matters considered in the executive session and shall be confidential as provided by applicable law.

Section 10. Communications to the Board

Communications from members of the public to the Board requesting action should be transmitted to the Executive Secretary for routing to the Chair of the Board, other Board members, Committees, University President, and/or officer reporting to the Board, as appropriate.

Section 11. Appearance before the Board

The Chair of the Board may grant permission and set parameters for individuals or group representatives to appear before it provided that a written request for any such appearance, specifying the matters to be presented to the Board, the time requested for such presentation, and the reason why a personal appearance is desirable, is made to the Executive Secretary of the Board not less than fifteen (15) business days prior to the meeting at which permission to appear is sought. When deemed proper, the Chair or a majority of the Board may modify or waive this prior written request rule.

Section 12. Agenda

Agenda items requiring action shall be accompanied by a specific recommendation by the requesting Regent(s) or a President, which shall be prepared in such form as may be necessary for action by the Board and shall identify all items of business to be transacted by the Board. Agenda items will be submitted to the Board's office in sufficient time to enable adequate review by members of the Board. Agendas of regular meetings shall be mailed or otherwise distributed to all members of the Board no later than one week prior to the meeting. An item must appear on the agenda if three (3) or more Regents request its inclusion on the agenda, in writing, and notify the Chair of the Board of the request.

Section 13. Additions to Agenda

No item of business shall be considered at a meeting of the Board unless it shall first have been entered upon the agenda for that meeting; provided however, a matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda ("new business") may be considered by the Board at any regular meeting or as otherwise permitted under applicable laws of the State of Oklahoma.

ARTICLE 4. COMMITTEES

Section 1. Authority

To facilitate consideration of the business and management of the Universities, standing and special committees shall be established as provided herein. Unless otherwise specifically delegated and except as otherwise provided herein, authority to act on all matters is reserved to the Board, and the duty of each committee shall be only to inform themselves in order to carry out their duties as members of the Board.

Section 2. Standing Committee Appointments

The members of a standing committee and its chair and vice-chair shall be appointed by the incoming Chair of the Board from among the members of the Board during the annual meeting or prior to the next regular meeting of the Board. A standing committee shall consist of three (3) persons and may include a person who is not a Regent. The members of a standing committee shall serve terms of one (1) year.

Section 3. Standing Committees

There shall be five (5) standing committees of the Board as follows: a. Academic Affairs and Research Committee; b. Finance, Audit, and Risk Committee; c. Facilities and Properties Committee; d. Health and Clinical Enterprises Committee; e. Administration and Operations Committee. Provided however, the Board may add or dissolve standing committees of the Board, as it deems reasonably necessary or desirable, by an affirmative vote of a quorum of members of the Board.

Section 4. Special Committees

Special committees, with specific ad hoc purposes and fixed terms of one (1) year or less, may be appointed from time to time as deemed necessary by the Chair of the Board. The Chair of the Board shall appoint the members of a special committee and the committee's chair. Special committees shall meet as directed by the Board or when called by the chair of the committee. The chair of each such special committee shall set the committee procedures and direct its proceedings but shall not otherwise have greater power or authority than any other member.

Section 5. Special Standing Committees

The Board may establish special standing committees for ad hoc purposes and indefinite terms from time to time as deemed necessary by the Board. Each Special Standing Committee shall annually provide a report of its activities to the Chair of the Board.

(a) The Equity Management Committee. This committee shall be a special standing committee of the Board to determine the disposition of equity assets obtained through the commercialization of technology. The members of the Equity Management Committee and its chair shall be appointed as provided by the pertinent University of Oklahoma policy.

(b) The University of Oklahoma Retirement Plans Management Committee. This committee shall be a special standing committee of the Board, sitting at the pleasure of the President of the University of Oklahoma, to assist the University of Oklahoma in fulfilling its responsibilities under its employee retirement benefit plans in accordance with the committee Charter as approved by the Board and applicable law.

ARTICLE 5. CONFLICTS OF INTEREST

Section 1. Bound to Laws

Members of the Board of Regents shall be bound by the constraints, terms, and conditions, set forth in the Oklahoma Constitution, statutes, and applicable rules of the Oklahoma Ethics Commission respecting conflicts of interest. Members are expected to serve the public trust and to exercise their powers and duties in the interest of the public, the University, and the Board and not in their own interest.

Section 2. Applicability

An individual conflict of interest exists when material private financial or other personal interests, activities, or relationships may reasonably be expected to compromise members' judgment in carrying out their University and/or Board responsibilities. When an independent observer might reasonably question whether members are using their official positions to further their own financial or personal interests or such interests of members of their family (as used herein, "family" shall be construed as relatives by affinity or consanguinity within the first degree), an apparent conflict of interest exists. An institutional conflict occurs when a member and/or his or her family has a Material Financial Interest (as defined in Ethics Commission Rule 4.7) in an entity doing business with the University such that their private financial and/or personal interests, activities, or relationships affect, could foreseeably affect, or could reasonably appear to affect, the proper conduct, review or oversight of the University's research or operations.

Section 3. Disclosure

(a) Upon nomination or appointment and annually thereafter, each members shall disclose to the Chair of the Board, for him/herself and family, any of the following: known individual or institutional conflict(s) of interest, whether actual, potential, or apparent; any Material Financial Interests; relationships such as extra-mural board memberships that give rise to a legal or ethical obligation to act in the best interest of any entity other than the Board. Regents shall supplement their disclosures as circumstances change or new interests appear.

(b) If a disclosed conflict is deemed manageable, members shall observe the terms and conditions of any management plan approved by the Chair with concurrence of the General Counsel.

(c) If a disclosed conflict is deemed unmanageable, conflicted members shall recuse themselves from discussion and consideration of the matter in any meeting, which action shall be recorded in the minutes of the meeting.

Section 4. Business Relationship

No member of the Board or a member of his or her family shall, directly or indirectly, enter into a business transaction or contract or have a business relationship with any University under the Board's jurisdiction. Further, any business, company, or entity in which a Board member or a member of his or her Family serves, directly or indirectly, in an executive or policy-making position shall be barred from entering into a business transaction or contract or have a business relationship with the Board or any University under the Board's jurisdiction. Provided however, subject to a rigorous examination of the risks and costs accompanying the conflict and carefully defined conditions that assure both propriety and the appearance of propriety, if it would bring a compelling benefit to the university the Board may waive the business relationship conflict by an affirmative vote of five, non-conflicted members at a regular or special meeting of the Board. For each such conflicted transaction approved by the Board, the reasons for approval and the compelling benefit to the institution shall be recorded in the minutes of the meeting.

Section 5. Protected Information

Except as required by law, members shall not, without proper Board authorization, give or release University information or data of a confidential, proprietary, or privileged nature, nor use such information to gain personal advantage or avoid personal disadvantage, insofar as such information is not in the public domain. This rule applies to members during and after their service as members of the Board relative to such protected information acquired in the course of their Board appointment.

ARTICLE 6. PARLIAMENTARY PROCEDURES

Section 1. Parliamentary Rules

General parliamentary rules set forth in *Robert's Rules of Order*, current edition, as modified by policies of the Board, shall govern proceedings at and the conduct of the meetings of the Board. While such rules shall generally guide Board proceedings strict adherence is not required.

Section 2. Motions

Before any motion, resolution or other proposition may be voted upon, it shall either be reduced to writing (except the usual short parliamentary motions) or read aloud in an open meeting of the Board.

Section 3. Record Vote

A record vote of the Board shall be held upon demand of three (3) members.

ARTICLE 7. MISCELLANY

Section 1. Direct Reporting

To ensure the appropriate separation of powers between the Board and the Universities, the Board may direct, as it deems necessary or desirable, that certain offices shall have direct reporting authority to the Board. In addition to University Presidents and the Executive Secretary, those offices may include, without limitation, the Internal Auditor and the General Counsel. The Board, jointly with the President of the University of Oklahoma, shall be responsible for the selection, annual evaluation, compensation and removal of the Internal Auditor and General Counsel.

ARTICLE 8. AMENDMENTS

Section 1. Procedure

These Bylaws may be amended at any regular meeting of the Board by affirmative vote of record of a majority of all members of the Board constituting it by Oklahoma law; provided that unless the Board has suspended these Bylaws pursuant to Article 1, Section 10 herein, copies of such amendments shall be submitted in writing and furnished each member not less than ten days next preceding the meeting at which such amendment is voted upon.

Section 2. Revisions and Reissues

The Executive Secretary shall and is authorized to revise and reissue the Bylaws adopted by the Board as provided herein. As the Executive Secretary shall deem necessary, the Executive Secretary shall, from time to time, review and reissue these Bylaws. In preparing any such reissue, the Executive Secretary shall not alter the sense, meaning or effect of any Bylaw, but may: (1) substitute the proper section or article numbers for the terms "the preceding section," "this article," and like terms, (2) strike out figures where they are merely a repetition of written words, (3) change capitalization for the purpose of uniformity, (4) correct faulty internal references, and (5) correct manifest clerical or typographical errors.

(RM, 7-29-19, pp. 26-29; 12-16-19, p. 35; 4-1-36, p. 598; 12-7-38, p. 821; 3-19-43, p. 1324; 7-30-52, p. 4441; 3-20-58, p. 5975; 3-11-59, p. 6220; 5-10-61, p. 6804; 2-1-62, p. 6999; 3-14-74, p. 12767; 7-26-74, p. 13098; 1-12-84, pp. 17786-87; 3-19-87, pp. 19505-06; 12-12-91, p. 22703; 6-22-11, p. 32654; 10-24-17, p. 35836; 10-1/2-2020, p. 37283; 12-2/3-2021, p. 37810; 5-12/13-2022, p. 38039)