

**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, Administrative Affairs, Norman Campus
 Vice President, Development
 Vice President, Administrative Affairs, 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. The offer will include the statement that the appointment is contingent upon the approval of the Board of Regents. Enclosed with the formal offer of rank and salary will be a copy of the faculty handbook, together with supplementary information on such matters as retirement, group insurance, and patents.

(b) Contract - 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, lecturer or preceptor 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 ten percent of the number of tenure-track and tenured 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)

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, renewable term appointment at the rank of assistant professor, associate professor, or professor whose compensation 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 both to conduct high quality research and to obtain external funds. The primary responsibilities of these faculty will be research; creative/scholarly activity and research-related activities such as proposal writing, project management and 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)

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.

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

RESIGNATION

A 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, or thirty days after receiving notification of the terms of his or her appointment for the coming year, whichever date is the later. A faculty member may request a waiver of this requirement.

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.

(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)

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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(1), 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; 6-23-04, p. 29151)

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.

GROUNDS FOR SUMMARY SUSPENSION

Suspension of a faculty member or assignment to other duties in lieu of suspension is justified only if immediate harm to the faculty member or to others is threatened by that person's continued performance of regular duties 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.

(10-5-04, p. 29360; 6-23-04, 29151)

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)

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 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)

DAVID ROSS BOYD PROFESSORSHIPS

Criteria for Selection

To qualify for a David Ross Boyd Professorship, a faculty member must have consistently demonstrated outstanding teaching, guidance, and leadership for students in an academic discipline or in an interdisciplinary program within the University. Among more specific criteria which may be considered are the degree to which the candidate:

- establishes, communicates, and fulfills appropriate course and program goals;
- utilizes formats and techniques that are appropriate to the students served;
- measures student performance appropriately and fairly;
- establishes relationships with students that facilitate mutual respect and communication;
- stimulates an intellectual inquisitiveness and communicates methods of pursuing that inquiry;
- brings about change in students' knowledge, motives, and attitudes;
- fosters the professional development of colleagues and serves as a model for colleagues and students; contributes to the success of students.

Nomination Procedure

Initiation - The Senior Vice President and Provosts will solicit recommendations for the professorship by September and announce appropriate schedules for processing the nominations.

Recommendations - Any academic unit may submit to the college dean the name of one tenured faculty member with the rank of professor. The recommending unit will be responsible for assembling the supporting documentation. The dean of the college will review the recommendations and add his or her comments to the recommendation(s) considered to be most worthy. The dean will submit all the recommendations and supporting documentation to the Senior Vice President and Provost. 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. Whenever possible, surveys of representative groups of present and former students should be made and reported.

Selection Procedure

Review - The Council on Faculty Awards and Honors shall recommend to the President, through the Senior Vice President and Provosts, only those nominated faculty considered by the Council to be most highly qualified and most deserving of being awarded the David Ross Boyd Professorship. 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, to the President, who will make recommendations to the Board of Regents.

Perquisites

In the year of designation as a David Ross Boyd Professor, the person receiving the award will receive a one-time cash award of \$6,000 and a permanent salary increase of \$6,000 starting in the subsequent fiscal year. Persons named David Ross Boyd Professors on or after Spring 1996 are not eligible for consideration as Presidential Professors. On the Norman Campus each year, the Senior Vice President and the Provost, in consultation with the Director of the Instructional Development Program, shall establish a fund from which David Ross Boyd Professors who are involved in full-time teaching can request support for their instructional activities.

Term of the Award

The term of a David Ross Boyd Professor is continuous until retirement.

(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)

GEORGE LYNN CROSS RESEARCH PROFESSORSHIPS

Criteria for Selection

To qualify for a George Lynn Cross Research Professorship, a faculty member must have demonstrated outstanding leadership over a period of years in his or her field of learning or creative activity and have been recognized by peers for distinguished contributions to knowledge or distinguished creative work.

Nomination Procedure

Initiation - The Senior Vice President and Provosts will solicit recommendations for the professorship by September and announce appropriate schedules for processing the nominations.

Recommendations - Any academic unit may submit to the appropriate Vice President for Research the name of any tenured faculty member with the rank of professor who is deemed to meet the criteria for selection. The Vice President for Research will request that the appropriate academic unit chair/director and college dean review and comment on those recommendations.

Supporting Documentation - Recommendations are to be accompanied by specific indications that the person being recommended meets the criteria for selection. The appropriate Vice President for Research, consulting with knowledgeable persons both within and outside the University, will develop a list of external evaluators to aid in the review process. The specific procedures for evaluating those being recommended will be developed by the Vice Presidents for Research in consultation with the appropriate Research Council.

Evaluations - The Vice President for Research will present to the appropriate Research Council all nominations with the supporting documentation and the comments of the academic unit chair/director and college dean. In addition, the Vice President for Research will present to the Research Council the external evaluations and his/her own evaluation.

Selection Procedure

Final Nomination - The Research Council shall recommend to the President, through the appropriate Senior Vice President and Provost, all those nominated faculty deemed by the Research Council to fully meet the criteria for selection as George Lynn Cross Research Professors. The Research Council also shall transmit all substantiating materials pertaining to all nominees. The Council on Faculty Awards and Honors will be informed of those recommended by the Research Council.

Selection - The Senior Vice President and Provosts will review the nominees and forward their recommendations, along with all nominations and all substantiating materials pertaining to all nominees, to the President, who will make the recommendations to the Board of Regents.

Perquisites

In the year of designation as a George Lynn Cross Research Professor, the person receiving the professorship will receive a one-time cash award of \$6,000 and a permanent salary increase of \$6,000 starting in the subsequent fiscal year. Persons named George Lynn Cross Research Professors on or after Spring 1996 are not eligible for consideration as Presidential Professors. On the Norman Campus each year, the appropriate Vice President for Research, in consultation with the Research Council, shall establish a fund from which only George Lynn Cross Research Professors can request support for their scholarly and creative activities.

Term of the Award

The term of a George Lynn Cross Research Professor is continuous until retirement.

(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)

PRESIDENTIAL PROFESSORSHIPS

Criteria for Selection

Presidential Professors are those faculty members who excel in all their professional activities and who relate those activities to the students they teach and mentor. These professors inspire their students, mentor their undergraduate and/or graduate students 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.

To support this charge, nomination materials will include:

1. The nominee's mini-vita and faculty evaluations for the previous three years (or since beginning at the University if the nominee has been at the University less than three years) and the nominee's complete vita.

2. A narrative assessment (no more than 5 double-spaced pages) of:

A. The impact of the nominee's research and creative activity on his/her students.

B. The nominee's contribution to the undergraduate instructional enterprise including such examples as:

(1) The effectiveness of lower-division and upper-division undergraduate courses developed and taught by the nominee.

(2) The extent of the nominee's involvement with undergraduates in advising and mentoring within the academic discipline. This could include the quantity and quality of the independent study enrollments (3990, 4990, 3960, 3980, etc.), Undergraduate Research Opportunities Program (UROP) and Undergraduate Research Day (URD) sponsorships, Research Experience for Undergraduates (REU) sponsorships, placement of undergraduates in quality graduate programs, number of academic advisees, and the sponsorship of academic clubs or academic honoraries.

(3) The extent of the nominee's involvement with the planning and review of the undergraduate program within the academic unit. This could include chairing an undergraduate studies or program committee that undertook major changes in the undergraduate program or other leadership roles within the academic unit, college, or University that resulted in an updated and improved undergraduate program.

(4) The extent of the nominee's involvement with undergraduates through University-wide programs such as the freshman Gateway course, freshman seminars, the residence hall adopt-a-faculty program, or other programs outside the classroom.

A. The nominee's contribution to the graduate instructional enterprise, including such examples as:

(1) The effectiveness of graduate courses developed and taught by the nominee.

(2) The extent of the nominee's advising and mentoring involvement with graduate students within the academic discipline. This could include numbers of theses and dissertation supervised, publications co-authored with graduate students, graduate students supported through external grants and contracts, and the job placement of the nominee's graduate students.

(3) The extent of the nominee's involvement with the planning and review of the graduate program within the academic unit. This could include chairing a graduate studies or program committee that undertook major changes in the graduate program or other leadership roles within the academic unit, college, or University that resulted in an updated and improved graduate program.

B. Up to five letters from among current undergraduates or alumni, current or former graduate students, University colleagues, or colleagues within the nominee's academic discipline from other campuses. Among all these letters, there should be commentary attesting to the nominee's ability to excel in all professional activities and relate those activities to the students they teach and mentor. However, any one reference is unlikely to be able to attest to all aspects of a nominee's professional activities.

Selection Committee

The Norman Campus selection committee will be chaired by the Senior Vice President and Provost and the Vice President for Research, who serve as non-voting members. Thirteen members of the selection committee will be chosen as follows:

The President will select six faculty and three academic administrators from among current members on the Research Council, University Council on Faculty Awards and Honors-Norman Campus members, and Deans' Council. In the initial year, three appointees will be asked to serve a one-year term, three appointees will be asked to serve a two-year term, and three appointees will be asked to serve a three-year term.

The President will also select two faculty at-large from the Norman Campus tenure-track and tenured faculty to serve. In the initial year, one will be asked to serve a one-year term and the other, a two-year term.

The President will also select two distinguished outside individuals to serve. In the initial year, one will be asked to serve a one-year term and the other, a two-year term.

In subsequent years, the selection committee will be composed of six faculty and three academic administrators serving three-year staggered terms, two faculty-at-large serving two-year staggered terms, and two outside individuals serving two year staggered terms.

Any faculty members who are nominees must recuse themselves from the selection committee during that particular year; the President will replace them so as to maintain the composition of the selection committee.

Selection Procedure

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 leverage, and (c) will issue a call for nominations by September 30. Separate selection committees will be constituted on the Norman and Health Sciences Center campuses.

Nominations - Nominations should be prepared by chairs, directors, and Committee A or other faculty groups, and forwarded to both the appropriate dean and the Senior Vice President and Provost. Self-nominations will not be accepted. Deans will forward the nominations with their own comments to their campus Senior Vice President and Provost. Each Senior Vice President and Provost will convene his/her campus' selection committee.

The selection committees' selections for the Presidential Professors must be forwarded by February 15 to the President's Office along with all nominations and all substantiating materials pertaining to all nominees. The President will make recommendations to the Board of Regents during the March Board of Regents' meeting.

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 be given the option each year of receiving the professorship funding as:

- a (taxable) salary supplement plus associated fringe benefits paid in two installments, one in the fall semester and one in the spring semester, or as a summer salary, or
- a faculty development grant within their departmental 122-7XXX account for use in travel, graduate student stipends, instructional enhancement, and research development, or
- a combination of (1) and (2).

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.

(RM, 9-26-95, p. 24589; 1-27-2004, p. 28924; 6-23-04, p. 29151)

REGENTS' PROFESSORSHIPS

Criteria for Selection

To qualify for a Regents' Professorship, a faculty member must have rendered outstanding service to the academic community or to an academic or professional discipline through extraordinary achievement in academic administration or professional service.

Nomination and Selection Procedures

Nominees for Regents' Professorships shall be presented to the Board of Regents by the President after conferring with the Chair of the Board of Regents, the Chair of the appropriate Faculty Senate, and the University Council on Faculty Awards and Honors. Recommendations for the appointment may be made to the President by any academic unit, administrative officer, or faculty member, but such recommendations are not required.

Perquisites

In the year of designation as a Regents' Professor, the person receiving the award will receive a one-time cash award of up to \$6,000 and a permanent salary increase of the same amount starting in the subsequent fiscal year. Persons named Regents' Professors on or after Spring 1996 are not eligible for consideration as Presidential Professors.

Term of the Award

The term of a Regents' Professorship is continuous until retirement.

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

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 may be given for superior accomplishment in any of the following: teaching; research and creative/scholarly activity; and professional and University service and public outreach.

CRITERIA FOR SELECTION

Substantiating data should relate directly to the individual's effectiveness in the award area for which he or she is under consideration (teaching; research and creative/scholarly activity; and professional and University service and public outreach). The data should be derived from as many as possible of the following sources of evaluation: faculty colleagues, undergraduate and graduate students, alumni, departmental chairs, and Committees A and/or personnel committees, as well as from off-campus sources where appropriate.

NOMINATION PROCEDURE

The Senior Vice President and Provosts will solicit recommendations for the awards during the fall semester and announce appropriate schedules for processing the nominations.

An academic unit may submit no more than a total of two names for all the Regents' Awards. The name of each person recommended for nomination by the academic unit should be supported by substantiating statements as described under Criteria For Selection. The suggested nominations and supporting information are to be sent to the dean of the academic unit. The dean will transmit to the appropriate Senior Vice President and Provost names of nominees and all substantiating data and will append, for each nominee, his/her own statement of endorsement. The Vice President for Research from each campus shall share in the evaluation of nominees for the Regents' Award for Superior Research and Creative/Scholarly Activity. The Council on Faculty Awards and Honors will consider the nominations and make its recommendations through the Senior Vice President and Provosts to the President.

SELECTION PROCEDURE

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

The Council shall recommend to the President, through 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. The Council also shall transmit all substantiating materials pertaining to all nominees. The Senior Vice President and Provosts will review the nominees and forward their recommendations, along with all substantiating materials, to the President, who 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 at spring meetings of the faculty.

PERQUISITES

Each award will consist of affixing the recipient's name to a permanent plaque in a prominent and suitable location and a cash award of \$2,000. 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)

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

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 UOSA 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.

ACADEMIC MISCONDUCT CODE

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

GENERAL PROVISIONS

BASIC PRINCIPLE OF HONESTY

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

DEFINITIONS

ACADEMIC MISCONDUCT

Any act which improperly affects the evaluation of a student's academic performance or achievement, including but not limited to the following:

- a) Cheating: the use of unauthorized materials, methods, or information in any academic exercise, including improper collaboration;
- b) Plagiarism: the representation of the words or ideas of another as one's own, including:
 - 1) Direct quotation without both attribution and indication that the material is being directly quoted, e.g. quotation marks;
 - 2) Paraphrase without attribution;
 - 3) Paraphrase with or without attribution where the wording of the original remains substantially intact and is represented as the author's own;
 - 4) Expression in one's own words, but without attribution, of ideas, arguments, lines of reasoning, facts, processes, or other products of the intellect where such material is learned from the work of another and is not part of the general fund of common academic knowledge;
- c) Fabrication: the falsification or invention of any information or citation in an academic exercise;

- d) Fraud: the falsification, forgery, or misrepresentation of academic work, including the resubmission of work performed for one class for credit in another class without the informed permission of the second instructor; or the falsification, forgery or misrepresentation of other academic or medical records or documents, including admissions materials, transcripts and patient records; or the communication of false or misleading statements to obtain academic advantage or to avoid academic penalty;
- e) Destruction, misappropriation or unauthorized possession of University property or the property of another;
- f) Bribery or intimidation;
- g) Assisting others in any act proscribed by this Code; or
- h) Attempting to engage in such acts.

RESPONSIBILITY FOR KNOWING THE CODE

It is the responsibility of each instructor and each student to be familiar with the definitions, policies, and procedures concerning academic misconduct, and unfamiliarity with the Code shall not alter any rights or responsibilities provided herein.

ACADEMIC MISCONDUCT BOARDS

Each college shall establish an Academic Misconduct Board (AMB) consisting of two students and three members of that college's faculty to hear each case. Membership of the Board shall be drawn from a pool of faculty and students. The faculty members of the AMB and the terms for all members shall be determined by the faculty of the college. Student members shall be appointed or selected from nominations submitted by appropriate student organizations. When an AMB cannot be constituted from the existing pool, the dean of the college may approve faculty and students from within or outside the college to serve as *ad hoc* AMB members. This includes forming *ad hoc* AMBs during the summer terms in order to assure timely review of cases. An AMB may be assisted by a non-voting faculty or staff person appointed by the dean of the college who shall exercise responsibility for the AMB in administrative matters, such as scheduling cases, providing notification of hearings and decisions, and maintaining records.

The Health Sciences Center and Norman Campus Faculty Handbooks and the Student Code of Responsibility and Conduct for the Norman Campus include the provisions regarding academic misconduct and the policies on reporting academic misconduct, academic misconduct hearings, penalties, and sanctions.

(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)

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. 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 Office of Admissions and Records with their design and typography being prescribed the Office of Admissions and Records.

No certificates intended as an extension or elaboration of the curricular requirements for a degree shall be issued by the University or any subdivision thereof, nor shall certificates be issued for courses, programs of study, or stages required by the University in the fulfillment of the prescriptions for a degree.

Curricular programs based upon University policy and/or state legislation for which University credit is allowed but for which no degrees are granted (as, for example, the program in Office Administration) may be recognized by certificates, in a form to be prescribed from time to time.

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)

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 Chairman 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)

2.7—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 by written ballot in the degree-recommending divisions of the University. Members of the Regular Faculty who are not members of a degree-recommending division of the University shall be treated as a separate division. 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 and the balance of the seats according to a triennial apportionment proposed by the Faculty Senate and approved by the Regular Faculty. Five students, including both graduate and under-graduate, chosen by The University of Oklahoma Student 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 Association of The University of Oklahoma Professional Employees, two representatives of the Association of Graduate Student Employees of The University of Oklahoma, and one representative of the Senior Vice President and Provost's Office 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 University of Oklahoma Student 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)

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). 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. 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 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 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)

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 Admissions Board of the College of Medicine shall be composed as follows:

- 10 members of the full-time faculty
- 10 members of the volunteer faculty

- 10 members of the student body of the College of Medicine

Twenty-four members will also be selected from throughout the state, to include four physicians from each of the six congressional districts in the state who shall be selected by the various county medical associations within each of the respective congressional districts, the selection to be coordinated by the member or members of the Board of Directors of the Oklahoma State Medical Association who reside within the respective congressional districts.

(RM, 5-8-75, pp. 13427-28; 6-23-04, p. 29151)

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 15% or 20 (whichever is larger) out-of-state students per year. Approved by Oklahoma State Regents for Higher Education, June 26, 1989.

(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)

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, salaries, and other changes for members of the faculty who are not tenured or eligible for tenure or renewable term/consecutive term, whether part-time or full-time, unless full-time equivalent salary for the academic year will be \$60,000 or more.
- Part-time graduate assistants, teaching assistants, research assistants, and consultants.
- Appointments, salaries, and other changes, including leaves of absence, for all members of the faculty and staff for terms of three months or less.
- Changes in title for tenured or tenure-eligible members of the faculty not involving a change in rank or salary.
- Appointments of part-time instructors for terms of less than one semester during the regular academic year.
- Personnel in the administrative staff, managerial staff, professional staff, administrative officer, and executive officer classifications unless the full-time equivalent annual salary will be \$60,000 or more. Mid-year salary increases, other than for a promotion or completion of a probationary period, for monthly salaried staff at any level are excluded from this authorization.
- Non-exempt employees and supervisory staff.

(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)

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. Monthly paid employees working at least half time but less than full time will receive paid leave accrual based on their FTE appointment. Details about accrual of paid sick leave for eligible part-time benefits-eligible employees on each campus are available from the Office of Human Resources. Employees on the hourly payroll (Norman Campus only) receive paid leave accrual on the basis of the number of hours paid. Earned paid leave time is accrued on a monthly basis 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.)
9-month staff,* each year	10.67	12 days (96 hrs)	12 days (96 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 seven 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 seven days per incident. When there is no accrued time in the paid leave time account, the first seven days per incident of illness must be leave without pay. Absence due to personal illness beyond seven 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. Scheduled paid leave time taken will be considered as time worked for the purpose of compliance with the University overtime policy. Unscheduled paid leave time taken and extended sick leave time taken will not 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.

* Accrual rate is less since vacation policy does not apply to 9-month staff.

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: seven 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 and who have been employed by the University more than six months 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.

Employees appointed to grants and contracts accounts are expected to use all earned paid leave time during the specified period of their appointment unless the grant or contract contains a separate account with sufficient funds to pay for accumulated leave time upon termination or the department to which the employee is transferring is willing to accept it. If such funds are not available, paid leave time must be transferred into the extended sick leave account at the time the employee terminates or the grant or contract is discontinued. Twelve-month employees changing to a nine-month appointment must transfer all accrued paid leave time in excess of 12 days 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)

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—FINANCIAL CONFLICTS OF INTEREST-NORMAN CAMPUS

I. PURPOSE OF POLICY

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

The purpose of this policy is to aid in identifying apparent, actual, and potential financial conflicts of interest and assuring that such conflicts do not improperly affect the activities or professional conduct of the University or its employees. For purposes of this policy, the term University shall refer to the Norman Campus only.

It is not the intent of this policy to restrict legitimate work appropriate to the employee's profession or discipline, but only to provide the University with authority to take action that is appropriate, proportionate, and focused on substantial financial conflicts of interest that compromise an employee's professional judgment.

II. STATEMENT OF GENERAL POLICY

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

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

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

First, financial conflicts of interest *per se* are inevitable and do not necessarily represent any impropriety by employees if disclosed in advance. Second, the failure to disclose a financial conflict of interest for administrative review and response would be a serious mistake for any employee, and may be a breach of this policy. Third, there is a presumption in favor of allowing employees to act in dual roles once the financial conflict of interest has been disclosed (prior written approval is required in cases of potential conflicts involving federal grants or contracts). Fourth, financial conflicts of interest may be so profound or substantial that it would be best for all concerned if the employee did not participate in a particular transaction.

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

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

The full text of the Financial Conflicts of Interest –Norman Campus policy is included in the Norman Campus Faculty Handbook and the Staff Handbook.

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

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)

3.1.9—OUTSIDE EMPLOYMENT AND EXTRA COMPENSATION POLICY, NORMAN CAMPUS

FACULTY

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

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

A person who accepts full-time faculty employment on the Norman Campus in the University assumes a primary professional obligation to the University. Any other employment or enterprise in which he or she engages for income shall be secondary to his or her University work, and, after consultation with those reviewing requests for outside employment and extra compensation, shall accept the judgment of the President and Board of Regents as to whether he/she may engage in such employment and retain full-time employment on the Norman Campus faculty. In addition, the department chair should

be informed and approve of arrangements which are made to dismiss classes or provide substitute teachers for them when the faculty members are to be absent from these duties. Absence for more than one week at a time for outside employment when classes are in session will require prior written approval of the Senior Vice President and Provost.

All professional activities, whether within the University or without, whether for extra remuneration or for no remuneration of any kind, should contribute to the faculty member's professional growth or efficiency and to his or her teaching or scholarly competence.

POLICY: SUBJECT TO THE ABOVE PRINCIPLES

After prior written arrangement, faculty members may engage in professional activities for extra remuneration (from within the University or from outside sources or in any combination of the two) to a maximum of 25% of their full-time professional effort.

Faculty on twelve-month contracts may not receive extra compensation for teaching summer terms or for performing sponsored research. For faculty members on nine-month or ten-month contracts, summer activities involving funds administered by or through the University may be formed by negotiation into an amended contract for a period up to twelve months and for assignments up to 1.0 full-time professional effort, and they may engage in professional activities for extra remuneration (from within the University or from outside sources or in any combination of the two) up to a maximum of 25% of their full-time professional effort. During any portion of the summer in which faculty members are not on contract with the University, they may engage in outside employment without restriction.

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

Approval of outside employment shall be requested on a form "Application for Permission to Engage in Outside Employment" available from the Senior Vice President and Provost's Office or from the Office of Human Resources. Such applications and arrangements must be submitted at the beginning of each contract year. Submission is the responsibility of the faculty member. All activities performed inside the University for extra compensation must be arranged, as all in-load assignments are, with the agreement of the department chairperson, dean, and Senior Vice President and Provost.

Faculty should avoid possible conflicts of interest with the University in all outside employment. Questions regarding potential conflicts of interest should be addressed to the dean, who may wish to consult the University's Legal Counsel.

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

STAFF

The policy for Norman Campus faculty with twelve-month contracts shall apply to the Norman Campus staff who are on the monthly payroll. Each vice president may stipulate a more restrictive policy pertaining to staff within their administrative areas.

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

Norman Campus staff who are on the fixed payroll shall request approval of outside employment on a form, "Request for Permission to Engage in Outside Employment," available from the Office of Human Resources. All activities performed inside the University for extra compensation must be arranged, as regular assignments are, with the agreement of the appropriate department head, dean where applicable, and Senior Vice President and Provost.

GENERAL

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

The base period for the policy is September 1 through August 31.

(RM, 6-12-75, pp. 13478-80; 7-12-77, pp. 14537-39; 1-27-2004, p. 28868)

3.1.10—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)

3.1.11—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 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. 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.
- 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) Violating 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 a lowered immune system, damage to critical nerve cells, physical dependency, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes, and thought disorders.

The appropriate 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.

- (1) All fraternities and residence halls will be dry. Sororities are already dry. Alcoholic beverages will not be allowed inside Greek houses and OU dormitories 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 will be increased.
- (2) To curtail alcohol abuse on and off Campus, the University will adopt a mandatory, minimum "3 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 offense 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) Parties at which alcohol is served that 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. Those attending in private vehicles will be required to check car keys at the door and meet an appropriate sobriety standard before being allowed to drive themselves home.
- (5) Further expand alcohol education programs and require all entering students to complete these programs to remain in good standing. Attendance at these programs shall be mandatory before any student will be eligible to participate in sorority or fraternity recruitment.
- (6) An anonymous, confidential hotline will be established where violations of the anti-hazing and dry fraternity and dormitory policies may be reported.
- (7) Unregulated “Summer Rush” conducted by fraternities will be strictly prohibited. A limited number of publicly announced pre-registered dry events may be allowed in the period prior to formal fraternity recruitment. The events shall be attended by members of Interfraternity Council and monitored by alumni members of the organization.
- (8) Campus-affiliated student organizations will be required to present a plan annually for organizationally-sponsored events prior to any activities at which alcohol is served.
- (9) The Greek system will enhance 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 pledges/associate members who will sign a statement promising to report violations. This statement on prohibited hazing activities also will be given to the pledge’s parents/guardians, who will be urged to report any violations.
- (10) The University will establish a formal relationship with licensed alcohol counselors for immediate student referrals.
- (11) The University will enhance the SafeRide program by seeking to establish a voucher system with a local taxi or public transportation company 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.

Sanctions

The University of Oklahoma’s 3 Strikes Policy

The following mandatory, minimum sanctions will be administered for violations of the University of Oklahoma’s alcohol policies. Based upon the severity of the infraction, the university reserves the right to impose any additional sanction at any time as set forth in this policy or the Student Code of Responsibilities and Conduct for the Norman Campus.

Individual Sanctions

Any offense by an individual student remains part of the individual's "3 Strikes" 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 Offense – Minimum Sanctions

- Parent/guardian notification via return receipt, certified mail
- \$75 fine
- Satisfactorily complete a defined alcohol education program
- 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 institution regulation within a stated period of time. This type of action does not restrict the student in any way. Upon fulfillment of all sanctions, the censure shall be removed from the student's individual educational record yet remain a record in the Vice President's office until the student's graduation from the University of Oklahoma.

2nd Offense – Minimum Sanctions

- Parent/guardian notification via return receipt, certified mail with a follow-up telephone call
- \$150 fine
- Satisfactorily complete an approved alcohol counseling program
- Satisfactorily complete 20 hours of approved community service
- A written notice of exclusion from participation in privileged or extracurricular institution activities (including Greek life and campus organized campus activities) set forth in the notice for a specified period of time. Other conditions of the probation may apply to any other activities of the student in the University Community, except those which would affect his or her academic pursuits. Upon fulfillment of all sanctions, the disciplinary probation shall be removed from the student's individual educational record yet remain a record in the Vice President's office until the student's graduation from the University of Oklahoma.

3rd Offense – Minimum Sanctions

- Parent/guardian notification via return receipt, certified mail with a follow-up telephone call
- Automatic Suspension: Exclusion from classes and other privileges or activities as set forth in the notice for a minimum of one full semester, either fall or spring.

Organization Sanctions

Organizational sanctions will be administered based on the possession and use of alcohol in an organization's resident facility or the illegal use of alcohol at an event which was endorsed, organized or sponsored by the organization when in either case the organization itself knew, or should have known, of such use and failed to take appropriate action.

Any offense by the group remains part of the organization's "3 Strikes" record for a period of three calendar years.

1st Offense – Minimum Sanctions

- A minimum fine of \$500 or a per capita rate of \$1 to \$20, based on the organization's membership at the time of the offense
- 100% of membership 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 offense. Under ordinary circumstances pledges or associate members will not be included in fulfilling the requirements of this 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 institution regulation within a stated period of time. This type of action does not restrict the organization in any way.

2nd Offense – Minimum Sanctions

- A minimum fine of \$1,000 or a per capita rate of \$5 to \$20, based on the organization's membership at the time of the offense
- 100% of membership 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 offense. Under ordinary circumstances pledges or associate members will not be included in fulfilling the requirements of this sanction.
- Disciplinary Probation: Exclusion from participation in privileged or extracurricular institution 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 which would affect organization's academic pursuits.

3rd Offense – Minimum Sanctions

- A minimum fine of \$1,500 or a per capita rate of \$10 to \$20, based on the organization's membership at the time of the offense
- 100% of membership 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 offense. Under ordinary circumstances pledges or associate members will not be included in fulfilling the requirements of this sanction.
- Organizational suspension for a minimum of one year with University approval before the organization is reinstated.

Enforcement
of The University of Oklahoma's 3 Strikes Policy

Definition of "Strike"

1. A conviction of, or a deferred sentence for, an alcohol-related¹ offense.
2. A University finding of an on-campus alcohol related misconduct, including, but not limited to, sanctions as set forth in Title 17 of the Student Code of Conduct, Student Alcohol Policy, incident reports and citations.

Reporting Mechanisms

The University of Oklahoma will consider any of the following appropriate notification to implement an investigation and possible imposition of the 3 Strikes Policy. The policy may be enforced on individual students and recognized university student organizations (including, but not limited to fraternities and sororities):

1. A police report from the University of Oklahoma Police Department; or
2. A police report from the Norman Police Department (this will require that NPD notifies the University of Oklahoma of any alcohol violation¹. NPD may make no assumptions by age or residence as to whether an individual charged with an alcohol offense is an OU student. University of Oklahoma staff will seek to determine OU student status; or
3. Reports from other law enforcement agencies that are received by the University of Oklahoma; or
4. Notification by an OU official that an alcohol violation has occurred; or
5. Any other information that comes to the attention of appropriate university officials.

¹ *Alcohol offenses and misconduct* shall include but 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.

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

3.1.12—FIREARMS POLICY

Firearms and munitions of all types are prohibited on all property owned, leased, or occupied by the Board of Regents at all times except as specifically authorized. The full text of the Firearms Policy is included in the Faculty, Staff and Student Handbooks of the Norman and Health Sciences Center campuses.

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

- A) For purposes of this policy, firearms include but are not limited to, the following: conventional weapons, from which a projectile is discharged by an explosive propellant charge; antique, replica, and inert firearms; compressed gas weapons; and spring-propelled weapons. For purposes of this policy, munitions include but are not limited to any projectile which incorporates a propellant charge and/or explosive contents.
- B) Firearms are permitted on campus only under the following circumstances:
 - 1) In the possession or control of sworn law enforcement officers or properly licensed armed security guards employed by the University who are performing their assigned duties. The Chief of Police at the Norman Campus, the Chief of Campus Police at the Oklahoma City Campus, or the Director of Operations 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 public performances, subject to the following conditions:

- a) Firearms for use in public performances shall be rendered inoperable whenever discharge is not required as an integral part of the production.
 - b) When discharge is necessary as part of a performance, blank ammunition shall be used. Blank ammunition is not permitted in weapons pointed at performers at any time during the production.
 - c) Weapons present for a performance shall be kept secure or in the possession 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 Chief of Police at the Norman Campus, the Chief of Campus Police at the Oklahoma City Campus, or the Director of Operations at the Tulsa Campus.
- 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 Chief of Police at the Norman Campus, the Chief of Campus Police at the Oklahoma City Campus, or the Director of Operations at the Tulsa Campus.
 - b) Such firearms must be approved and secured by means acceptable to the Chief of Police at the Norman Campus, the Chief of Campus Police at the Oklahoma City Campus, or the Director of Operations at the Tulsa Campus.
 - c) Munitions shall not be present with firearms when used in class.
- 8) As “starter pistols”, incapable of chambering or firing live projectile ammunition, for athletic events. Starter pistols and blank ammunition shall be secured at all times when not in use and shall be under the control of appropriate staff or athletic officials when in use.
- 9) As construction equipment employing blank ammunition as a propellant for setting fasteners 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 request to the Chief of Police at the Norman Campus, the Chief of Campus Police at the Oklahoma City Campus, or the Director of Operations at the Tulsa Campus.
 - a) The Chief of Police at the Norman Campus, the Chief of Campus Police at the Oklahoma City Campus, or the Director of Operations at the Tulsa Campus will review the request and forward it to the Office of Legal Counsel with a recommendation for approval or disapproval based upon public safety considerations.
 - b) The Office of Legal Counsel will notify the Chief of Police at the Norman Campus, the Chief of Campus Police at the Oklahoma City Campus, or the Director of Operations at the Tulsa Campus 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 Chief of Police at the Norman Campus, the Chief of Campus Police at the Oklahoma City Campus, or the Director of Operations at the Tulsa Campus.
 - 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 Chief of Police at the Norman Campus, the Chief of Campus Police at the Oklahoma City Campus, or the Director of Operations at the Tulsa Campus shall inspect and certify that it is inoperable.
 - D) Where permitted on campus for other than law enforcement or armed forces use, all firearms shall be secured by means approved by the Chief of Police at the Norman Campus, the Chief of Campus Police at the Oklahoma City Campus, or the Director of Operations at the Tulsa Campus.

The Chief of Police at the Norman Campus, the Chief of Campus Police at the Oklahoma City Campus, or the Director of Operations at the Tulsa Campus 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.

- A) The Chief of Police at the Norman Campus, the Chief of Campus Police at the Oklahoma City Campus, or the Director of Operations at the Tulsa Campus will initiate criminal prosecution if they believe an individual has violated a local, state, or federal law.
- B) Copies of police reports regarding alleged unauthorized firearms incidents will be submitted to the Office of Legal Counsel.
 - 1) Upon determination made by the Chief of Police at the Norman Campus, the Chief of Campus Police at the Oklahoma City Campus, or the Director of Operations at the Tulsa Campus that a currently enrolled student, faculty, or staff member; dependent of student, faculty, or staff; or a visitor of a student, faculty, or staff member has violated this policy, the Office of Legal Counsel 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) Bar the dependent or visitor from campus.
- 2) Student 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.

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

3.1.13—CANDIDATES FOR POLITICAL OFFICE

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

In making the announcement of the adoption of the resolution, the Board of Regents stated: “In adopting this resolution, the Board of Regents does not want to be understood as offering discouragement to faculty members or employees from becoming candidates for public office. As an American citizen, an employee may regard it his or her duty to become a candidate.”

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

3.1.14—STAFF SENATES

The Norman Campus Staff Senate is organized to serve as a representative body of the staff of the Norman Campus of the University and to participate in such policy matters of the University as may directly affect staff appointed through the Norman Campus. The Health Sciences Center Staff Senate is organized to serve the same purpose for staff on the Health Sciences Center and Tulsa campuses.

The Senates shall function for the welfare of the University and for the staff they represent. Each shall function as an advisory and policy referral body to the University administration and to the staff it represents.

Member groups shall include without limitation, the Council of Administrative Officers, the Administrative Staff Conference, Managerial Staff Council, the Association of The University of Oklahoma Professional Employees, and the Employee-Management Council.

The President is authorized to approve changes in the Charter and By-Laws of the Staff Senates that do not change the purpose of the Staff Senate or the role of the Staff Senate 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)

3.2 — OFFICE OF EQUAL OPPORTUNITY POLICIES

3.2.1—EQUAL OPPORTUNITY POLICY

This University in compliance with all applicable federal and state laws and regulations does not discriminate on the basis of race, color, national origin, sex, age, religion, 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, financial aid, and education services.

(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)

3.2.2—AFFIRMATIVE ACTION PLAN

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

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

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

Coordination of the application of the Affirmative Action Plan is the responsibility of the 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)

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, 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)

3.2.4—RACIAL AND ETHNIC HARASSMENT 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 therefore is committed to maintaining employment and educational settings which are multicultural, multiethnic, and multiracial. Respecting cultural differences and promoting dignity among all members of the University community are responsibilities each of us must share.

Racial and ethnic harassment is a growing concern across American college campuses. It has taken various forms, from criminal acts (assault and battery, vandalism, destruction of property) to anonymous, malicious intimidation, most often directed toward persons whose race and ethnicity is readily identifiable. In employment, racial/ethnic harassment is race discrimination which interferes with an employee's ability to perform his or her duties or creates a hostile or intimidating work environment, prohibited by law under Title VII of the Civil Rights Act of 1964. In the educational context, racial/ethnic harassment is race discrimination which interferes with the students' opportunities to enjoy the educational program offered by the University, prohibited by law under Title VI of the Civil Rights Act of 1964.

II. POLICY STATEMENT

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

Agents or employees of the University, acting within the scope of their official duties, shall not treat an individual differently on the basis of race or ethnicity 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 or ethnicity 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 Racial & Ethnic Harassment Policy is included in the Faculty, Staff and Student handbooks of the Norman and Health Sciences Center campuses.

The text below will appear in Handbooks as noted above:

III. CORRECTIVE ACTIONS

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

Violations of this policy by students will be considered as violations of the Student 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 racial/ethnic harassment on campus when it becomes aware of their existence, even if no complaints are filed; therefore, in such circumstances, the University reserves the right to take appropriate action unilaterally under this policy.

With respect to students, the University Vice President for Student Affairs and Dean of Students or other appropriate persons in authority may take immediate administrative or disciplinary action which is deemed necessary for the welfare or safety of the University community. Any student so affected must be granted due process including a proper hearing. Any hearing involving disciplinary suspension or expulsion shall be conducted by a campus disciplinary council in accordance with the applicable student handbook. Students who receive lesser administrative or disciplinary action may request a review of the action by the University Vice President for Student Affairs and Dean of Students. Such requests must be in writing and filed within seven calendar days following summary action. The University Vice President for Student Affairs and Dean of Students will issue a written determination to the student within three working days following the date the request is received.

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

V. RETALIATION

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

VI. COMPLAINT PROCESS

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

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

VII. RESPONSIBLE OFFICIAL

The University Equal Opportunity Officer is charged with the responsibility for administering this policy. The Office of Equal Opportunity will serve as a repository for all records of complaints, investigative reports, and remedies/corrective actions in connection with this policy. The University Equal Opportunity 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
Room 102, Evans Hall
325-3546

Health Sciences Center Campus
Room 113, Service Center Building
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)

3.2.5—SEXUAL HARASSMENT/SEXUAL ASSAULT POLICY

STATEMENT

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

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

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

The University is committed to providing an environment of study and work free from sexual harassment and to ensuring the accessibility of appropriate grievance procedures for addressing all

complaints regarding sexual harassment. The University reserves the right, however, to deal administratively with sexual harassment issues whenever becoming aware of their existence. Records of all complaints, except for hearings before the Faculty Appeals Board, shall be transmitted to and maintained by the University Equal Opportunity Officer as confidential records.

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

The full text of the Sexual Harassment/Sexual Assault policy is included in the Faculty, Staff and Student handbooks of the Norman and Health Sciences Center campuses.

The text below will appear in Handbooks as noted above:

DEFINITION OF SEXUAL HARASSMENT

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

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

EXAMPLES OF PROHIBITED CONDUCT

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

- Unwelcome sexual flirtation; advances or propositions for sexual activity.
- Continued or repeated verbal abuse of a sexual nature, such as suggestive comments and sexually explicit jokes.
- Sexually degrading language to describe an individual.
- Remarks of a sexual nature to describe a person's body or clothing.
- Display of sexually demeaning objects or pictures.
- Offensive physical contact, such as unwelcome touching, pinching, brushing against the body.

- Coerced sexual intercourse.
- Sexual assault.
- Rape, date or acquaintance rape, or other sex offenses, forcible or nonforcible.
- Actions indicating that benefits will be gained or lost based on response to sexual advances.

RETALIATION

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

SANCTIONS

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

COMPLAINT PROCEDURE

Complaints alleging a violation of the Sexual Harassment/Sexual Assault Policy shall be handled in accordance with the Grievance Procedure For Equal Opportunity. To contact the University Office of Equal Opportunity:

Norman Campus
Room 102, Evans Hall
325-3546

Health Sciences Center Campus
Room 113, Service Center Building
271-2110

(RM 9-27-95, p. 24621; 1-14-97, p. 25260 and 25263; 1-27-2004, p. 28924; 6-23-04, p. 29151)

3.2.6—DISCRIMINATION POLICY (FOR OTHER THAN SEXUAL OR RACIAL/ETHNIC HARASSMENT)

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

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

To contact the University Office of Equal Opportunity:

Norman Campus
Room 102, Evans Hall
325-3546

Health Sciences Center Campus
Room 113, Service Center Building
271-2110

(RM, 1-14-97, p. 25263; 1-27-2004, p. 28924)

3.2.7—CONSENSUAL SEXUAL RELATIONSHIPS POLICY

RATIONALE

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

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

As with faculty, staff may also be in a position to exert authority and control over students. Staff, too, must be conscious of the potential for abuse of power inherent in their relationships with students. Students rely on staff for assistance and guidance in dealing with issues such as scheduling of classes, financial aid, tutoring, housing, meals, employment, educational programs, social activities, and many other aspects of University life. Those who deal with students are expected to provide them with support and positive reinforcement. Staff who would deal with students in a sexual manner abuse, or appear to abuse, their power and violate their duty to the University community.

The full text of the Consensual Sexual Relationships policy is included in the Faculty and Staff handbooks for the Norman and Health Sciences Center campuses.

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

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 which 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.

COMPLAINT PROCEDURE

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

To contact the University Office of Equal Opportunity:

Norman Campus
Room 102, Evans Hall
325-3546

Health Sciences Center Campus
Room 113 , Service Center Building
271-2110

(RM, 9-95, p. 24621; 1-14-97, p. 25260 and 25263; 1-27-2004, p. 28924; 6-23-04, p. 29151)

GRIEVANCE PROCEDURE FOR EQUAL OPPORTUNITY

A. WHAT IS COVERED AND WHO MAY USE PROCEDURE

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

The full text of the Grievance Procedure for Equal Opportunity is included in the Faculty, Staff and Student handbooks of the Norman and Health Sciences Center campuses.

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

B. FILING OF COMPLAINT

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

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

C. TIMING OF COMPLAINT

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

D. ADMINISTRATIVE ACTION

- 1) The University recognizes its obligation to address incidents of discrimination, harassment, or retaliation on campus when it becomes aware of their existence. Even

if no complaints are filed, the University reserves the right to take appropriate action unilaterally under this procedure.

- 2) With respect to students, the University Vice President for Student Affairs and Dean of Students or other appropriate persons in authority may take immediate administrative or disciplinary action which is deemed necessary for the welfare or safety of the University community. Any student so affected must be granted appropriate due process. For Norman Campus students, a campus disciplinary council, in accordance with the Student Code, shall conduct any hearing involving disciplinary suspension or expulsion. Lesser administrative or disciplinary action may be appealed to the University Vice President for Student Affairs and Dean of Students. Such requests must be in writing and filed within seven calendar days following the summary action. The University Vice President for Student Affairs and Dean of Students will issue a written determination to the student within three working days following the date the request is received.
- 3) With respect to employees, upon a determination at any stage in the investigation or grievance procedure that the continued performance of either party's regular duties or University responsibilities would be inappropriate, the proper executive officer may suspend or reassign said duties or responsibilities or place the individual on leave of absence pending the completion of the investigation or grievance procedure.

WITHDRAWAL OF COMPLAINT

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

CONFIDENTIALITY OF PROCEEDINGS AND RECORDS

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

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

PROCEEDINGS

INVESTIGATION

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

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

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

- a) Satisfactory Resolution—Resolve the matter to the satisfaction of the University and both the complainant and the respondent. If a resolution satisfactory to the University and both parties is reached through the efforts of the University Equal Opportunity Officer he or she shall prepare a written statement indicating the resolution. At that time, the investigation and the record thereof shall be closed.
- b) Dismissal—Find that no policy violation occurred and dismiss the complaint, giving written notice of said dismissal to each party involved. Within 15 calendar days of the date of the notice of dismissal, the complainant may appeal said dismissal in writing to the University Equal Opportunity Officer by requesting a hearing according to the provisions of this policy. If no appeal is filed within the 15 calendar day period, the case is considered closed.
- c) Determination of Impropriety
 - 1) Make a finding of impropriety and notify the parties of the action to be taken. Either party has the right to appeal said determination in writing within 15 calendar days of the date of the notice of determination to the University Equal Opportunity Officer by requesting a hearing according to the provisions of this policy. If no appeal is filed within the 15 calendar day period, the case is considered closed.
 - 2) In the case of a complaint against a faculty member, the administrative investigator may determine that the evidence is sufficiently clear and serious so as to warrant the immediate commencement of formal proceedings as provided in the Severe Sanctions sections of the Faculty Handbook. If the President concurs with the investigator's finding, the case may be removed at the option of the accused from the grievance proceedings contained herein, and further action in the case shall be governed by the Severe Sanctions section in the Faculty Handbook. Otherwise, this policy and procedure shall apply.

(RM 1-14-97, p. 25260; 1-26-99, p. 26226; 1-27-2004, p. 28924; 6-23-04, p. 29151)

3.3—RETIREMENT POLICY

The provisions of The University of Oklahoma Retirement Policy (“Policy”) shall be effective July 1, 2002.

I. SUPERCEDED

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” are those Eligible Employees retired from the University and are eligible to receive Benefits under the Policy.
- 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 (OSEGIB) 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:

<p>With 10-14 Years of Service and eligible to retire from TRS:</p>	<p>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.</p>
<p>With 15-19 Years of Service and eligible to retire from TRS:</p>	<p>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.</p>
<p>With 20 or more Years of Service and eligible to retire from TRS:</p>	<p>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.</p>

- 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.

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)

3.3.1—RETIREEES 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)

(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)

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(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, SEAL, AND COAT OF ARMS

UNIVERSITY NAME, LOGOS, OTHER IDENTIFYING MARKS, AND SEAL

A. NON-COMMERCIAL USE

- University-related organizations, foundations, associations, and groups shall obtain the written approval of the Vice President for Public Affairs before using the name of the University or logos and other identifying marks which are registered by the University. The policy applies to letters of solicitation, promotional items, and other uses of the University name, logos, and other identifying marks. Such uses may not state or imply, directly or indirectly, that the products or services of or activities sponsored by such University-related entities are endorsed, sponsored, or approved by the University.
- All internal University departments or divisions shall obtain the prior written approval of the Vice President for Public Affairs before using the name of the University or logos or other identifying marks that are registered by the University for matters other than official University business.

B. COMMERCIAL USE

- The University's name or logos and other identifying marks registered by the University may be used for commercial purposes provided appropriate authorization is granted by the University's commercial licensing agent. The use must not be disparaging, constitute false representation as to sponsorship/affiliation, contravene public morals and decency, or reflect unfavorably on the University.
- The above notwithstanding, any entity wishing to use the University Seal must have the prior written approval of the Vice President for Public Affairs. Provided, however, The University of Oklahoma Alumni Association is authorized to imprint the Seal on "OU chairs."

(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)

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 AUDITING CHARTER

PURPOSE

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

AUTHORITY

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

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

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

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

RESPONSIBILITIES

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

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

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

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

University employees have a duty to report instances of suspected fraud to the Internal Audit Department. The Internal Audit Department will coordinate internal investigations of suspected fraud with the appropriate University officials (e.g., Office of Legal Counsel, Campus Police, University officers, the Compliance Office, and/or departmental personnel).

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

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

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

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

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

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

The Internal Audit Director will have the responsibility for the direction, personnel, budget, and day-to-day operation of the internal audit function.

(RM, 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)

3.5.3—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.

This policy 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 outlined below apply 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 Ethics in Research policy is 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)

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)

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 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 Officer (Norman) and the Controller (Health Sciences Center) will make recommendations to the Vice Presidents of Administrative Affairs 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 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 sources are expected to finance a portion of 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 the highest acceptable credit rating that will permit 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

$$\text{Debt Service Coverage Ratio} = \frac{\text{Excess of Project Operating Revenues} + \text{Depreciation} + \text{Interest}}{\text{Annual Principal} + \text{Interest (Debt Service)}}$$

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 project's net income stream (excluding depreciation and interest) available to meet its debt service obligations.

The target for this ratio is project specific. On a project-by-project basis, the target for this ratio is to be no less than 1.25X.

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.

(RM, 1-4-62, p. 6982; 3-29-00, p. 26909; 1-27-04, p. 28924; 6-23-04, p. 29151)

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

In recognition of multiple cash management responsibilities, the Board of Regents has adopted the following statement of investment policy to deal with intermediate term funds (ITFs). This policy establishes the investment strategies and guidelines to be used in the management of ITFs that are defined as excess funds above the funds required for the normal operations of the University and are otherwise available for investment with a two- to five-year time horizon. Operating funds and the reserves needed for short term (less than two year needs) shall be invested in accordance with the University's and State Treasurer's short-term investment policy.

The investment of these ITF assets will be limited to those securities, strategies, and advisory firms that adhere to the standards of this ITF investment policy and which meet all other relevant legal, ethical, and fiduciary standards.

4.4.1 PURPOSE

The purpose of the account in which these ITF assets are invested (hereafter referred to as the "Intermediate Term Funds Account" or "ITF Account") is to enhance the yield (return) on cash investments of the University. Accordingly, the purpose of this statement is to establish a written policy for the investment of the ITF Account assets, in order to achieve a greater return than would otherwise be obtained in the short-term cash fund.

4.4.2 OBJECTIVES OF INTERMEDIATE TERM FUNDS ACCOUNT

The objectives of the ITF Account are to generate a greater return on assets than that of the short-term fund while maintaining similar quality and liquidity. The significant difference is to extend maturities of the investments to between two and five years. Interest, dividends, and other monies earned shall be reinvested in the ITF Account until such time the University's Chief Financial Officer or Controller requests transfer to another University account. Such transfer will be made within three business days of the request.

As more fully defined below, the ITF Account shall pursue a strategy of broad diversification. Investments will be made in investment-grade securities only within the three highest rating categories. A dollar weighted average maturity of three years or less will be maintained.

4.4.3 SECURITY TYPES

Specific securities will be selected from the following Security Types with weighting adjusted to take advantage of market opportunities:

- U.S. Treasury Securities
- U.S. Government Agency Securities
- Corporate bonds and notes
 - Investment-grade corporate securities are traditionally defined as 3A/3B
 - Rated 3A/A- = Permitted
 - Rated BBB = Excluded

- Mortgage-backed securities, including CMOs
- Commercial paper
- Money market mutual funds and other cash equivalents

4.4.4 INVESTMENT MANAGER(S) APPOINTED

ITF assets will be managed by an Investment Management fiduciary appointed by the Board of Regents, who will be responsible for the oversight of the entire portfolio. The Investment Management fiduciary normally will be the same as the Board of Regents' appointed Regents' Fund Investment Manager. Similarly, the Investment Management fiduciary normally will be compensated using the same fee structure as provided for in the Regents' Fund. The fee structure will be reviewed periodically based on performance and industry standards.

4.4.5 PERFORMANCE STANDARDS

In the prudent exercise of its fiduciary responsibility, the University intends to regularly assess the Fund Investment Managers' performance and to report such assessment to the Board of Regents, with more formal evaluations to occur every two years. By taking into account relevant measures, the following is the general measure established by the University:

Composite ITF results should exceed the return of the two-year U.S. Treasury note.

In fulfilling its fiduciary responsibility to periodically review and report to the Board of Regents the results achieved by the Fund Investment Manager, the University will not base its judgments regarding a manager's suitability solely on the results of a relatively short time period. This objective shall be measured over annualized, rolling one-, three-, and five-year time periods.

In evaluating a manager, factors for consideration include, but are not limited to, substantive changes in investment strategy, portfolio structure, and market value of the assets, as well as significant changes in ownership, organizational structure, financial conditions, and senior personnel staffing at the firm. The Fund Investment Manager shall meet regularly, or as reasonably expected, with interested parties representing the University and the Board of Regents.

4.4.6 DUTIES AND RESPONSIBILITIES

The University, as fiduciary, is responsible for the general administration of the ITF Account. These responsibilities include the following specific duties, which may be undertaken by the University or delegated to appropriate committees of the Board of Regents, staff, or outside parties:

- Comply with and fulfill all aspects of pertinent state and federal laws, regulations, and rulings that relate to the investment process to ensure that fund assets are well managed.
- Review and evaluate the results of the Fund Investment Managers against the established performance standards, and review the manager structure to confirm the continued suitability of the managers, given the fund's overall investment objectives and risk levels.

- Take whatever corrective action is deemed prudent and appropriate when a Fund Investment Manager or any fiduciary fails to perform against established policy objectives and guidelines.
- Select a custodian to account for and custody fund assets, as necessary and appropriate.

The Fund Investment Manager, as a fiduciary retained by the University, is responsible for the prudent and careful management of assets under its direction. These responsibilities include the following specific duties:

- Accept assets as directed by the University and exercise complete investment discretion within the guidelines assigned to them.
- Invest assets in various funds and/or separately managed portfolios, so long as they adhere to Section 4.4.3 above, at the discretion of the Fund Investment Manager. Consistent with Board of Regents' investment policies, the Fund Investment Manager has full investment discretion over the assets under its control with respect to asset mix and security selection, so long as they adhere to Section 4.4.3 above and timing of transactions.
- Supply statements of activity to the University at least quarterly, including a detailed description of time-weighted rates of return, asset allocation, and portfolio strategy and characteristics.
- Provide, at least annually, audited financial statements of any pooled or collective trust fund in which fund assets are invested.
- Exercise any and all voting rights that relate to its role under the Board of Regents' investment policies, with the intent of fulfilling the investment policies and objectives of the fund.
- Inform the University of any significant matters affecting the Fund Investment Manager and its ability to manage the fund's assets; such matters may include, but are not limited to, substantive changes in investment strategy, portfolio structure, and market value of the assets, as well as significant changes in ownership, organizational structure, financial conditions, or senior personnel staffing.
- Meet periodically with the University administration and the Board of Regents to review the portfolio and investment results within the context of the Board of Regents' investment policies.
- Provide advice, assistance, reports, research, and other such services as the University and the Board of Regents may reasonably expect from the Fund Investment Manager.

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

4.4.7 REVIEW OF INVESTMENT POLICIES

The Board of Regents will periodically review these policy statements in detail.

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

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 or during the first two weeks of a regular semester or first week of a summer term.
- 2) Students may pay fees in the Bursar's Office beginning one week prior to the first day of the fall or spring semester or the first day of the summer term. 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 enrollment, students will receive detailed information regarding tuition and fee payment.

- 4) Students may pay their tuition and fees in four payments during each fall and spring semester. These payments are subject to the service charge as defined below. 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 billing cycle 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) 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 release of those students' transcripts.
- 9) Withdrawal from classes after the first two weeks of a fall or spring semester or first week of a summer term does not relieve students of their financial obligation to the University, and these students will be charged 100% of the tuition and fees due the University.
- 10) Those students who wish to pay tuition and fees to reinstate for a semester or summer term after the last day of finals for that session must be referred to the Vice Provost for Instruction on the Norman Campus or the Vice Provost for Educational Services on the Health Sciences Center campus for a final decision. The basic posture is 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 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 is not permitted.

- 11) All payments for delinquent accounts must be made in cash or by cashier's check or money order.

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

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

By contractual arrangement, all returned checks are purchased by a contracted agent. The agent will contact the writer of the check for the amount indicated plus a published service charge. If the check remains uncollected for four to six weeks, it is returned to the University and charged back to the student's account or returned to the originating department. The University reserves the right to withdraw students for uncollected checks.

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)

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

4.8.1.A NORMAN AND HEALTH SCIENCES CENTER CAMPUSES

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.

4.8.1.B TULSA CAMPUS

At the Tulsa Campus, the University shall employ security officers. These officers are not empowered as law enforcement officers. These officers report to the Director of Operations on the Tulsa Campus.

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).

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.

(RM, 3-29-00, p. 26909; 1-27-04, p. 28924; 6-23-04, p. 29151)

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 Physical Plant/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. If competition is required, it must be conducted formally. 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.

- Such other purchases as may be identified by the Vice Presidents for Administrative Affairs 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 be accordance with applicable law).

Unless they are otherwise governed, restricted, or addressed by University 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 Administrative Affairs no less frequently than quarterly. The Purchasing Department shall continually review such orders for need and shall audit their usage for compliance with the principles of competition, fairness, and best value. The Purchasing Department may 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 \$250,000 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 \$250,000 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 \$250,000 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 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—INVENTORY CONTROL AND CAPITALIZATION OF CERTAIN PURCHASES, GIFTS OR OTHER ACQUISITIONS

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

Capital assets coming under the control of a University department, whether through purchase, gift or otherwise, shall be recorded in the University's inventory system. Additionally, capital assets that are movable shall be tagged. If a movable capital asset is transferred from one location to another, the 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 superceded.

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 superceded.

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 Administrative Affairs
- Controllors
- Assistant Controllors
- Purchasing Director
- Assistant Purchasing Directors

4.11.11—DEMONSTRABLE EMERGENCY

The President shall have authority to approve a financial decision up to \$300,000 in the case of a demonstrable emergency.

4.11.12—SELLING GOODS AND SERVICES

The University provides a substantial volume of services for compensation. To protect and preserve the University's interests and ensure that it remains in compliance with all applicable laws and regulations, 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.

(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)

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/department 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

Definition and Function

In recognition of its fiduciary responsibilities, the Board of Regents of the University of Oklahoma (hereafter referred to as the "University") has adopted the following statement of investment policy. This policy will establish the investment strategies and guidelines to be used in the management of gifts and donations received by the University in the form of endowments, other University funds with long-term investment objectives, and other monies designated by the University as quasi-endowments.

The investment of these assets will generally be limited to those securities, strategies and advisory firms which adhere to the standards of this investment policy statement, and which meet all other relevant legal, ethical and fiduciary standards.

Purpose of Statement

The purpose of the endowment fund in which these assets are invested (hereafter referred to as the "Consolidated Investment Fund" or "CIF") is to support the University and its mission over the long term. Accordingly, the purpose of this statement is to establish a written policy for the investment of the CIF assets, and to ensure that the future growth of the CIF is sufficient to offset normal inflation, fees and costs, and a reasonable rate of spending. A principal objective of this policy, therefore, is to preserve the constant dollar value and purchasing power of the Regents' Fund endowments for future generations. This statement will establish appropriate risk and return objectives for the CIF in light of the University's risk tolerance, investment time horizon and other objectives. These objectives, as well as the related asset allocation guidelines, summary of suitable investments, and description of responsibilities of the Investment Manager(s) chosen to manage these funds, are contained herein.

Objectives of the Consolidated Investment Fund (CIF)

The objectives of the CIF include a number of specific measures related to the investment and operation of the fund. In order to meet the principal objective of the University, which is to maintain the purchasing power of the endowment, the rate of return of the investment funds will be an important measure of success. Also important will be the time horizon of the endowment, the risk tolerance of the University, the planned spending policy and the degree of liquidity required to maintain this spending policy.

In terms of spending, the University plans to distribute annually 5.5% of a trailing three year (twelve quarter) average of the CIF's total market value, with the understanding that this spending rate, plus the rate of inflation, will not normally exceed the long-term total return earned on the investments. It is understood, nonetheless, that this total return basis for calculating spending is sanctioned by the Uniform Management of Institutional Funds Act (UMIFA), under which guidelines the University is permitted to spend an amount in excess of current yield (interest and dividends earned), including realized or unrealized appreciation. The return policy of the University, in turn, is driven by the spending policy.

In terms of investment return policy, the University will measure the return on investment in three ways as follows:

Absolute Return Objective - which shall be measured in real (i.e., net of inflation) rate-of-return terms and shall have the longest time horizon for measurement;

Relative Return Objective - which shall be measured as time-weighted rates of return versus market index benchmarks; and,

Comparative Return Objective - which shall measure performance as compared to a universe of similar investment funds.

The Absolute Return Objective of the CIF is to seek an average total annual return equal to CPI and other costs plus 5%. This objective shall be measured over an annualized, rolling five and ten year time periods. As note above, the intent of this objective is to preserve, over time, the principal value of the assets as measured in real, inflation adjusted terms. This is the principal objective of the University regarding performance of the endowment.

The Relative Return Objective of the CIF is to seek competitive investment performance versus appropriate or relative capital market measures, such as securities indices. This objective shall be measured primarily by comparing investment results, over a moving annualized one, three, five, and ten year time periods to the appropriate market index benchmark for the total assets of the endowment and each asset class. The principal asset class market index benchmarks are as follows:

The Russell 3000 Index as the benchmark for the U.S. Equity Component;

The Salomon Brothers Broad Market Index (“BMI”) World ex-US Index for the International Equity Component;

The Lehman Aggregate Bond Index as the benchmark for the Fixed Income Component;

The Salomon Brothers 91-Day Treasury Bill Index as the benchmark for the Cash and Cash Equivalent Component.

The Comparative Return Objective of the CIF is to achieve a total rate of return that is equal to or greater than the median performance of a universe of similar managed funds. This objective will be measured over the same time horizons as the Relative Return Objective. The Relative Return and Comparative Return Objectives are important as measures of progress toward the Absolute Return Objective and as measures of the performance of asset classes and investment advisors selected for use in the fund.

In terms of time horizon and risk tolerance, the CIF assets have a long term, indefinite time horizon that runs concurrent with the endurance of the University. In effect, the time horizon of the endowment funds will run into perpetuity. As such, these funds can make investments and take on risks that will run well beyond a normal market cycle of five to seven years, and can assume an above-average level of risk as measured by the standard deviation of annual returns. It is expected, however, that both professional investment management and sufficient portfolio diversification will have the effect of smoothing the shorter-term volatility of endowment returns, and will help to assure a reasonable consistency of return.

Target Asset Allocation

The University believes that the asset allocation decision significantly affects the long-term rate of return and return volatility of the fund. The asset allocation of the CIF should reflect a proper balance of the University's objectives regarding return, risk, spending policy and liquidity. The target asset mix that will be consistent with the achievement of these long-term objectives will be a balanced investment approach.

Thus, to achieve the investment objectives outlined above, the CIF shall be allocated among a number of asset classes. These asset classes shall include: U.S. and international equity, U.S. and international fixed income, and cash.

Based on the University's assessment of their objectives, the CIF shall have an overall target asset allocation of 60% equities and 40% fixed income, and be invested in the major asset classes as follows:

Target Asset Mix Table

<u>Asset Class</u>	<u>Minimum</u>	<u>% Target</u>	<u>Maximum %</u>	<u>Representative Index</u>
U.S. Equities	40%	50%	60%	Russell 3000 Index
International Equities	5%	10%	15%	Salomon BMI World Ex-US Index
Fixed Income*	35%	40%	45%	Lehman Aggregate Bond Index
Cash	0%	0%	5%	Salomon 91-Day Treasury Bill Index

* This target asset allocation may include both U.S. and international fixed income.

The general policy shall be to diversify investments among both equity and fixed income securities so as to provide a balance that will enhance total return while avoiding undue risk concentration in any single asset class or investment category.

It is the University's policy to rebalance to its target asset allocation on a uniform basis so as not to cause undue expense to be allocated to the portfolio. It is the University's policy to review rebalancing the portfolio at least annually or sooner if desired by the person(s) charged with the oversight of the portfolio's investments. The method of rebalancing will be based on the "tolerance" rebalancing formula, which generally states that the portfolio will be rebalanced if the target asset allocation goes beyond the stated tolerance for any particular asset class. As an example, if the target asset allocation for U.S. Equities is 50% with a 10% tolerance, then no rebalancing would be required under this investment policy if the range for equity investments remained within a 40% to 60% range; otherwise, management is required to direct the investment manager(s) to rebalance the portfolio to within target limits. Further, at least annually (usually corresponding to the year-end report to the Board of Regents), the University will review these rebalancing ranges to assure that they remain reasonable and workable within the context of the goals of the endowment.

Asset Class Strategies

The University believes that no single asset class, investment style, or strategy can consistently be the top performer. Therefore, as outlined above, CIF assets will be diversified across asset classes, and they will also be diversified across investment strategies and styles within each asset class.

Equities will be diversified by investment style and strategy (i.e., growth, value, market-oriented, and quantitative and qualitative). The equity category may include US dollar denominated and international common, preferred, and convertible stocks. All assets will be of sufficient size and held in issues that are actively enough traded to facilitate transactions at minimum cost and accurate market valuation. The aggregate equity portfolio should be well diversified to avoid undue exposure to any single economic sector, industry group, country, currency or individual security. Within the above guidelines and restrictions, the Investment Manager(s) has complete discretion over the timing and selection of equity securities.

Fixed income will be diversified by investment style and strategy (i.e., duration, sector, and quality). The fixed income category may include US dollar denominated marketable bonds and convertible securities. All assets will be of sufficient size and held in issues that are actively enough traded to facilitate transactions at minimum cost and accurate market valuation. The aggregate fixed income portfolio should be well diversified to avoid undue exposure to maturity, issuer, country, currency and credit quality. Within the above guidelines and restrictions, the Investment Manager(s) has complete discretion over the timing and selection of fixed income securities.

Uninvested cash and cash equivalent reserves shall be kept to a minimum as short term, cash equivalent securities are usually not considered an appropriate investment vehicle for endowment assets. The University has made no policy allocation to cash. However, such vehicles are appropriate as depository for income distributions from longer-term endowment investments, or as needed for temporary placement of funds directed for future investment to the longer-term capital markets.

Cash managers may invest in the highest quality commercial paper, repurchase agreements, Treasury Bills, certificates of deposit, and money market funds to provide income, liquidity for expense payments, and preservation of the CIF's principle value. Commercial paper assets must be rated at least A1 or P-1 (by Moody's or S&P). No more than 5% of the total market value of the CIF's cash assets may be invested in the obligations of a single issuer, with the exception of the U.S. Government and its agencies. Within this asset class, the Investment Manager(s) has complete discretion over the timing and selection of cash equivalent securities.

The University may, from time to time, decide to invest in real estate, private equity, venture capital, or other types of investment not explicitly permitted in this investment policy statement. This will represent a specific decision and will be handled either by a special arrangement with the existing Investment Manager(s) or through the selection of a new Investment Manager(s). It is not anticipated that such special investment will exceed 5% of assets.

The use of the derivative securities for speculative purposes shall be prohibited. The Investment Manager(s), however, may and shall be expected to make use of derivative securities (such as listed stock and bond index futures and options) for the purpose of securitizing cash holdings within a portfolio or as an alternative means of achieving exposure to the stock and bond markets.

Investment Manager(s) Appointed

Endowment assets will be managed by a duly appointed investment management fiduciary. Assets in the CIF may be invested in various funds and/or separately managed portfolios. Consistent with this investment policy statement, each Investment Manager has full investment discretion over the assets under its control with respect to asset mix, security selection, and timing of transactions, subject to the specific investment guidelines and performance objectives established for that Manager. These guidelines and objectives will be developed relative to, and documented with, the selection of specific Managers. Each set of guidelines and objectives will be tailored to an individual Investment Manager and reflect the characteristics of the investment approach utilized by that Manager. The purpose of tailored guidelines and objectives is to help ensure that each Investment Manager adds value while serving in a well-defined, diversifying role within the overall fund.

Performance Standards

In the prudent exercise of its fiduciary responsibility, the University intends periodically to evaluate the Investment Managers' performance over a full market cycle (i.e., historically five years or longer) by taking into account relevant measures. The following are the general long-term measures established by the University. Specific measures for the individual Manager(s) will be developed relative to, and documented with, the selection of specific Managers. (Note: Performance will be measured using time-weighted rates of return.)

Composite CIF results should exceed the return of a Composite Market Index, which combines the various market index benchmarks representing the fund's asset allocation as established in this policy.

U.S. Equity results should exceed the return of appropriate market index and, where reasonable, attain above median performance in a universe of professionally managed domestic equity funds with similar characteristics

International Equity results should exceed the return of appropriate market index and, where reasonable, attain above median performance in a universe of professionally managed international equity funds with similar characteristics.

Fixed Income results should exceed the return of appropriate market indexes and, where reasonable, attain above median performance in a universe of professionally managed domestic fixed income funds with similar characteristics.

In fulfilling their fiduciary responsibility to periodically review the results achieved by the Investment Manager(s), the University will not base its judgments regarding a Manager's suitability solely on the results of a relatively short time period. Generally, a full market cycle of performance history is needed before results alone can play a substantial role in evaluating a Manager. In the short term, other factors should be given significant consideration. These may include, but are not be limited to, substantive changes in investment strategy, portfolio structure, and market value of the assets, as well as significant changes in ownership, organizational structure, financial conditions, and senior personnel staffing at the firm. The Investment Manager(s) shall meet regularly, or as reasonably expected, with interested parties representing the University.

Duties and Responsibilities

The University, as fiduciary, is responsible for the general administration of the fund. These responsibilities include the following specific duties, which may be undertaken by the University or delegated to appropriate committees, staff or outside parties.

- Comply with and fulfill all aspects of pertinent state and federal laws, regulations, and rulings that relate to the investment process, to ensure that fund assets are well managed.
- Select appropriate asset classes and ranges, and continually review the fund's overall asset allocation to ensure it remains within the stated target ranges.
- Evaluate and select a qualified Investment Manager(s) for the management of fund assets; with appropriate regard for diversification, the University determines the number and types of Investment Managers as well as the portion of fund assets allocated to each; the University will review Investment Manager selections in light of investment philosophy, process, personnel, investment performance, the capital market outlook, and changes in the characteristics of the fund.
- Establish investment objectives, guidelines, and performance standards for the fund and each Investment Manager, and communicate these to all appropriate fiduciaries.
- Review and evaluate the results of the Investment Managers against the established performance standards, and review the Manager structure to confirm the continued suitability of the Managers given the funds overall investment objectives and risk levels.
- Take whatever corrective action is deemed prudent and appropriate when an Investment Manager or any fiduciary fails to perform against established policy objectives and guidelines.
- Select a trustee/custodian to account for and custody fund assets, as necessary and appropriate.

The Investment Manager(s), as a fiduciary retained by the University, is responsible for the prudent and careful management of assets under its direction. These responsibilities include the following specific duties.

- Accept assets as directed by the University, and exercise complete investment discretion within the guidelines assigned to them; such discretion includes security selection and timing of transactions, subject to the specific investment guidelines and performance standards established for that Manager.
- Supply statements to the University at least quarterly, which include a detailed description of time-weighted rates of return, asset allocation, and portfolio strategy and characteristics.
- Provide, at least annually, audited financial statements of any pooled or collective trust fund in which fund assets are invested.
- Exercise any and all voting rights, with the intent of fulfilling the investment policies and objectives of the fund.

- Inform the University of any significant matters affecting the Investment Manager and its ability to manage the fund's assets; such matters may include, but not be limited to, substantive changes in investment strategy, portfolio structure, and market value of the assets, as well as significant changes in ownership, organizational structure, financial conditions, or senior personnel staffing.
- Meet periodically with the University to review the portfolio and investment results within the context of this Statement of Investment Policy.
- Provide advice, assistance, reports, research and other such services as the University may reasonably expect from the Manager.

Review of Investment Policy Statement

The investment policy statement should be reviewed in detail no less than biannually (every two years) by the Board of Regents of the University. There are external factors that can have an immediate effect on the governance of the policy. If such factors occur, the Regents may deem it necessary to review the policy prior to the next scheduled review. These factors include but are not limited to donations, market conditions effecting spending, and new investment options.

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)

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 UOSA 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

Fraternalities 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 single freshmen students who are not 20 years of age, who do not have at least 24 hours of college credit from an accredited institution (advance placement or CLEP hours do not apply to this 24-hour requirement), or who have not lived in University residence halls for at least two semesters must live in a University residence hall for the two semesters. Exception from this policy is by special permission only, granted in writing by the University Vice President for Student Affairs and Dean of Students or his/her delegate(s). Special permissions are granted for a period of one semester only and are subject to review prior to renewal.

(RM, 3-29-79, p. 15449; 3-8-84, p. 17861; 12-02-03, p. 28868)

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__.

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, and student publications. It is the responsibility of the Board of Regents to see that the Student Activity Fee funds are utilized to support needs in these extracurricular 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 University of Oklahoma Student Association ("UOSA") 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 UOSA 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 UOSA "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 UOSA 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 UOSA student government accounts. Additionally, the Office of Student Affairs shall maintain a set of accounting records for each of the UOSA 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 UOSA 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 UOSA:
 - The Executive Budget Committee of the UOSA will be established consisting of the UOSA President, Chair of the Undergraduate Student Congress, and Chair of Graduate Student Senate.

- As soon as possible in the Spring, the Executive Budget Committee of the UOSA 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 UOSA 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 UOSA 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 UOSA, Chair of UOSA 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 UOSA Undergraduate Student Congress and Graduate Student Senate to fund. This should in no way preclude UOSA from establishing its own reserve account from its allocated funds.

- 3) The remaining portion of the Student Activity Fee funds shall be used to fund the Student Government and those programs recommended by the UOSA 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 UOSA will not be less than \$350,000 per year.

The UOSA 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 UOSA. 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, UOSA 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 UOSA:

- 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 UOSA are permissible. However, no Student Activity Fee funds money may be used in any court action against the University. Authorization for the use of UOSA legal assistance funds must come from the UOSA 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 UOSA 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)

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—UNIVERSITY OF OKLAHOMA STUDENT ASSOCIATION CONSTITUTION

The Constitution of The University of Oklahoma Student Association can be found at <http://www.ou.edu/uosabudget/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 Council annually shall review the admission and academic performance of student-athletes. Reports to the 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 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 Council and its Equity and Sportsmanship 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—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.	3 years
2 HSC Faculty Members	The HSC Faculty Senate appoints 1 member, and the President appoints 1 member	3 years
2 Staff Representatives	1 each appointed by the EEC and ELC	3 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	2 years
Director of Athletics		Ex officio, non-voting
Other Athletics Department Representatives*		Ex officio, non-voting

* The Director of Athletics is welcome to bring any representatives from the Athletics Department to meetings of the Council.

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.

6.1.10—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.

(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)

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 Athletics Department may contract for such services.

(RM, 4-9-53, p. 4575; 4-30-53, p. 4590; 12-02-03, p. 28868)

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

(RM 9-10-58, p. 6094; 12-02-03, p. 28868)

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 pon 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 intercollegiate athletics competition will be scheduled without the advance approval of the Director of Athletics (or the Director's designee(s)), as follows:

1. No intercollegiate athletics competition 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.

2. 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 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 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.

3. Exceptions are permitted for good cause, with justification documented, and satisfactory academic performance by the individual(s) involved.

4. In a questionable situation, the Director of Athletics is encouraged to consult with the Athletics Council.

B. The Director of Athletics or his or her 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 competitions, 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)

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 DEVELOPMENT

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.

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 Partners designation for donors who give \$100 or more in unrestricted funding;
- 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 created charitable trusts and other life income gifts that benefit the University or who have designated the University as a beneficiary of their will or life insurance policy; or
- The Seed Sower Society for donors whose lifetime gifts total \$1 million or more.

7.1.1—GIFT RESTRICTIONS

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

7.1.2—ANNUAL FUND YEAR

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

7.1.3—DONOR GIFT CREDIT

If requested, donor and spouse may be jointly listed with one gift. If a joint or preferred listing has not been indicated on the gift remittance form, only the individual receipted for the gift (check signer) will receive gift credit. If special, public recognition is planned -- through a publication, signage, or an event - - University Development will contact the donor to determine their intention for gift recognition. Individuals may be credited within the recognition levels listed previously. Individual gifts paid with company or business checks will be credited to the individual(s) who received the original solicitation or the individual assigned to receive donor credit on the gift remittance form if requested.

7.1.4—GIFT CREDIT

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

Pledges are not credited toward a specific gift recognition level until the paid portion or entire paid balance exceeds the minimum gift level requirement. If the annual fund year concludes before a pledge is fulfilled, credit will be given for the amount of the paid portion.

(RM, 6-10-92, P. 22961; 12-02-03, p. 28868; 6-23-04, p. 29151)

7.2—GIFTS TO THE UNIVERSITY

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

The President will announce major gifts (over \$250,000) 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, and major programs.

The University of Oklahoma Foundation, Inc. is an independent organization with its own governing board and its own policies on accepting gifts. In certain situations that require action by the University – for example, establishing and filling a chair – the Foundation asks the University to join with it in accepting a gift, and the acceptance of such gifts is covered by this policy.

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 or (b) the purpose for or conditions on the gift are illegal or not in accord with the mission and goals of the University or the policies of the Board of Regents. The Board of Regents reserves the right to decline gifts, if in its sole judgment, not accepting the gift is in the best interest of the University.

(RM, 6-16-93, p. 23390; 12-02-03, p. 28868)

7.3—NAMES OF BUILDINGS AND OTHER GIFTS SELECTED BY DONORS

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

- 1) Donors, the University, and if applicable, The University of Oklahoma Foundation, Inc., must agree on terms before a gift is accepted, either as an endowment or an expendable account.
- 2) University Development should be notified immediately when a prospective donor inquires into establishing an endowment. University Development or a designated development officer will work with the academic dean, department head, and a representative of The University of Oklahoma Foundation, Inc., or Regents' Fund in establishing the endowed fund and developing the terms of the agreement.
- 3) Each endowment will have specific guidelines that detail the purpose(s) of the endowment and provide a method for obtaining approval of changes in the endowment guidelines and procedures.
- 4) The University or The University of Oklahoma Foundation, Inc., may seek changes through probate to any bequeathed endowment that has guidelines that are in violation of University policy and/or law.
- 5) Investment of endowment funds will be administered by the officially designated governing boards. (The Board of Regents will approve the investment policies for the Regents' Fund. Investment of endowment funds in The University of Oklahoma Foundation, Inc., will be administered by the Trustees of the Foundation in compliance with the Foundation's investment policy.) A donor may express his/her preference for investment of assets, but final determination will be made by the appropriate governing board.
- 6) The principal may be deposited as the initial gift or accumulated over a period of time, determined at the time the gift is accepted.
- 7) Unless otherwise stipulated by the terms of the gift, earnings on the endowment fund shall be made available for expenditure in accordance with the spending policies of the appropriate board. Endowments in the Regents' Fund will be administered according to the Regents' Fund Spending Policy as approved by the Board of Regents. Endowments in The University of Oklahoma Foundation, Inc. will be administered according to the guidelines adopted by the Trustees of The University of Oklahoma Foundation, Inc. It is the intent of the spending policies to maintain the purchasing power of endowment income and to protect the real value of the endowment for future generations.

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

7.3.1—ACADEMIC PROGRAMS

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

7.3.2—BUILDINGS

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

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

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

SPECIAL FACILITIES WITHIN BUILDINGS

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

7.3.3—NAMED GARDEN OR LANDMARKS

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

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

7.3.4—ENDOWED FACULTY POSITIONS

The establishment of endowed faculty positions is encouraged for the opportunities they provide to enrich and strengthen the teaching and research programs of the 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 in part by a State-funded faculty line.

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

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

For all endowed faculty positions, the dean will be the principal account sponsor and a University or The University of Oklahoma Foundation Inc., representative, as appropriate, will be second account sponsor.

Named Endowed Chair — Requires a minimum endowment of \$1 million, which can be provided entirely from private sources or through \$500,000 in private funding matched by \$500,000 from the Oklahoma State Regents' Endowment Program.

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

Named Presidential Professorship — Recommended endowment of \$150,000.

Named Endowed Lectureship —Recommended endowment of \$100,000.

Annually Funded Named Professorship — Requires a minimum annual gift of \$50,000.

Named Research Endowment — Requires a minimum 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.

7.3.5—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 —Recommended endowment of \$150,000.

Named Endowed Graduate Fellowship —Recommended endowment of \$100,000.

Named Endowed Graduate Scholarship —Recommended endowment of \$50,000.

7.3.6—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.

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

Named Four-Year Scholarship Funds — May be established with a suggested endowment of \$40,000. This generally will enable the scholarship recipient to maintain the award for four years, contingent upon maintaining minimum standards of academic performance and progress toward a degree. The fund will generate earnings to award one four-year scholarship each year, allowing for a maximum of four students to hold the named scholarship at one time.

Named Endowed Alumni Scholarship —May be established with a suggested endowment of \$15,000.

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

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

All criteria for endowed scholarships should be predetermined and outlined prior to approval and acceptance by the University and The University of Oklahoma Foundation, Inc., if applicable.

Scholarship recipients should communicate annually during the term of the scholarship with the donors of the endowed scholarships.

ANNUAL UNDERGRADUATE SCHOLARSHIPS

Named National Merit Scholarship — Requires a minimum annual gift of \$2,000.

Alumni Scholars — Requires a minimum annual gift of \$1,000, although smaller contributions may be pooled with other gifts to make annual awards.

Named Dean's Scholarship — Requires a minimum annual gift of \$1,000.

Named Upperclass Dean's Scholarship — Requires a minimum annual gift of \$1,500.

7.3.7—ENDOWED LIBRARY COLLECTIONS

The University Libraries are the largest and most comprehensive in the State. To continue the University Libraries' development as major research libraries, the University encourages the creation of endowed library collections which aim at achieving national eminence.

- 1) New named collections require a minimum endowment of \$50,000 to \$2,000,000, depending on the requirements for achieving national eminence in a selected field.
- 2) A Named Library Acquisitions Endowment Fund requires a minimum endowment of \$10,000.
- 3) Named endowed library collections will be established with the approval of the Dean of University Libraries on the Norman Campus, the Senior Vice President and Provost of the Health Sciences Center Campus, or the Director of the Law Center, as appropriate.
- 4) The use of income will be determined by the Dean of University Libraries, Senior Vice President and Provost of the Health Sciences Center, or Director of the Law Center, as appropriate, after consultation with a prospective donor.
- 5) Gifts of books, manuscripts, artifacts and other materials are subject to the guidelines established by The University of Oklahoma Libraries and require no minimum. Donors will be properly identified and acknowledged on or in each item.

(RM, 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)

7.4—NAMES OF CAMPUS FACILITIES

The Board of Regents will formally approve the naming of major campus buildings or additions. 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; and no facility shall ordinarily be named after individuals who are members of the active faculty or staff of the University.

(RM, 7-10-62, p. 7139; 12-02-03, p. 28868; 6-23-04, p. 29151)

7.5—PRIVATE FUND–RAISING

The President is responsible to the Board of Regents for all private fundraising for the University. The President may delegate responsibility for the function, but such delegation does not diminish his responsibility. This policy applies to all elements of the University and is designed to assist the President in coordinating and directing this very important function in the operation of the University.

(RM, 9-2-76, p. 14089; 12-02-03, p. 28868)

7.6—UNIVERSITY OF OKLAHOMA FOUNDATION, INC.

This Corporation is formed for charitable, benevolent, religious, educational, and scientific purposes, and has no stated capital.

This Corporation is created, and shall be administered and operated exclusively, for the benefit of the University, insofar as the same shall be in the aid of charitable, benevolent, religious, educational, scientific, and literary purposes, as, in the judgment of the Trustees, shall be in furtherance of the public welfare and done to promote the well-doing or well-being of mankind. Such distributions of the Corporate assets shall be made at one time or from time to time and at such times and in such manner and amounts, as the Trustees in their absolute discretion shall deem to be proper.

This Corporation is organized as the successor to The University of Oklahoma Foundation, a Trust Estate, established on the first day of December 1944, by Trustees who, by the original indenture of trust, were empowered to incorporate in order to more conveniently or efficiently administer the said Trust Estate and its successor.

In the event of the termination or liquidation of the Corporation, for any reason, after all liabilities of the Corporation have been paid, the remaining assets of the Corporation shall be turned over to the University to be used for scientific, literary, or educational purposes, as its Board of Regents (or governing body) shall in its sole discretion determine, subject to any restrictions or limitations placed upon said funds when accepted. (Foundation Articles of Incorporation, 1987, edited.)

Additional information is available through The University of Oklahoma Foundation Inc.'s printed and online publication, "[Guidelines For Use Of Foundation Funds](#)."

REQUEST FOR FUNDS FROM THE UNIVERSITY OF OKLAHOMA FOUNDATION, INC.

7.6.1—LOANS

No University official may request or receive a loan from The University of Oklahoma Foundation, Inc., unless said request has been authorized by the Board of Regents. Requests must be submitted to the Board of Regents and must include as a minimum, (1) the rationale for the loan, (2) the amount of the loan request, (3) the proposed term of the loan, (4) the source of funds for the repayment of the loan, and (5) the recommendation of the appropriate campus executive officer and the President. Upon authorization of the Board of Regents, the Chair of the Board of Regents shall forward the loan request to the President of The University of Oklahoma Foundation, Inc., for action.

7.6.2—GRANTS AND AWARDS

No University official may request or receive any grant or award from The University of Oklahoma Foundation, Inc., unless said request has been authorized by the President. Requests for such funds shall be reviewed and approved by the appropriate dean or director, the appropriate campus executive officer, and the President. Upon authorization by the President, the request shall be forwarded to the President of The University of Oklahoma Foundation, Inc., for action.

This policy does not prohibit cash advances that are contractual arrangements between the University and The University of Oklahoma Foundation, Inc., which are covered by contracts approved by University Legal Counsel and authorized by the Board of Regents, nor does it prohibit short term (180 days or less) cash advances that The University of Oklahoma Foundation, Inc., might provide a University department or college to meet a temporary cash flow requirement (e.g., football bowl game expenses pending receipt of conference allocation, immediate settle-up with promoters for concerts held at Lloyd Noble Center, international travel, student group travel).

Additional information is available through The University of Oklahoma Foundation Inc.'s printed and online publication, "Guidelines For Use of Foundation Funds."

(RM, 3-21-95, p. 24298; 12-02-03, p. 28868; 6-23-04, p. 29151)

7.7—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)

7.8—THE PRESIDENT'S ASSOCIATES

The President's Associates Program is the University's principal source of unrestricted enrichment funds dedicated to academic purposes. 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 President's Associates Program includes the following levels:

- 1) Young Associate – Recognizes an individual donor 39 or younger for an annual contribution.
- 2) Annual Associate – Recognizes an individual donor for an annual contribution.
- 3) Honored Associate – Recognizes an individual, couple or company for an annual contribution.
- 4) Distinguished Associate – Recognizes an individual, couple or company for an annual contribution.
- 5) Life Associate – Recognizes an unrestricted gift to the Associates Second-Century Endowment. An individual who becomes a Life Associate will be listed as such throughout his or her lifetime.
- 6) Endowed Associate – Recognizes an unrestricted gift to the Associates Second-Century endowment. Individuals or couples who become Endowed Associates will be listed as such for life.

All gifts received through the President's Associates Program are used for academic purposes. The entire gift may be given unrestricted, or one-half may be designated to a college, school, department or academic program.

- Restricted funds will be administered by the dean or director of the college, school, department, or academic program of the donor's choice and must be used for academic purposes. The appropriate dean will submit a report at the end of each fiscal year outlining the use of the Associates Program funds within the college.
- 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, 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 development activities through the Associates and Annual Fund Programs.

The full costs of the fundraising activities and personnel associated directly with the President's Associates Program will be paid from the President's Associates Program funds, and such costs are not to exceed 12% of the funds raised each year. Up to twelve percent of the President's Associates Program gifts, both restricted and unrestricted, will be used to defray costs of administration of the Program. These funds are subject to the normal budget approval and control processes of the University.

(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)

7.9—ALUMNI/DONOR RECORDS

7.9.1—MAINTENANCE OF RECORDS

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

7.9.2—REQUESTS FOR INFORMATION

All requests for alumni or friends information from any University division should be directed to the manager of Alumni/Donor Records in University Development. Such requests will be forwarded to the appropriate University Development administrator for approval.

(RM, 12-02-03, p. 28868; 6-23-04, p. 29151)

7.10—APPROVAL OF ALL FUNDRAISING ACTIVITY

The Vice President for University Development has final authority for developing and implementing policy 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 Development prior to being initiated. The Vice President will maintain a system by which any and all gift solicitations above \$5,000 are assigned, tracked and managed. Furthermore, any communication developed for potential donors, whether individuals, corporations, or foundations, must be approved by the Vice President for University Development. This includes proposals, letters, brochures, and pledge or gift cards. This policy is designed to protect the University's friends and alumni from multiple solicitations by the University's divisions. If multiple University divisions seek to solicit the same prospective donor, the President shall determine which divisions move forward with a solicitation.

(RM, 12-02-03, p. 28868; 6-23-04, p. 29151)

7.11—ORGANIZATION OF UNIVERSITY DEVELOPMENT

The Vice President of University Development shall oversee all aspects of development and alumni affairs. The Vice President of University Development will oversee management of the alumni association and assume responsibility for annual, major, corporate, and foundation giving for both the Norman and Health Sciences Center campuses. In addition, the Vice President will regulate fundraising efforts within all divisions of the University. Although these colleges/programs may choose to hire development officers to operate on their behalf, the Vice President of University Development must approve any fundraising activity connected with these efforts.

(RM, 12-02-03, p. 28868; 6-23-04, p. 29151)

7.12—RECEIPT OF GIFTS

The Vice President of University Development shall have administrative responsibility for all gifts coming to the University. University Development will forward gifts for deposit and receipt to The University of Oklahoma Foundation, Inc., or the OU Regents Fund, as appropriate, where they will be assigned to an account based on the donor's wishes. Acknowledgements of gifts will be prepared by University Development.

(RM, 12-02-03, p. 28868)

7.13—SCOPE OF DEVELOPMENT ACTIVITY

University Development, at the direction of the Vice President of University Development, will coordinate solicitation efforts. Constituencies will be solicited for support via any means deemed appropriate, including personal contact, telephone, or direct mail. Campaigns directed by University Development might include annual, capital, special needs, college, unrestricted, endowment, or planned gift. Gifts to support the University may be restricted to a college, 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)

7.14—USE OF UNIVERSITY NAME IN FUNDRAISING

The use of the name of the University in any form in fundraising appeals shall be restricted to the University Development Office.

(RM, 12-02-03, p. 28868)

7.15—WAYS TO GIVE

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. The University of Oklahoma Foundation Inc., staff is available to share expertise in these areas with donors and their attorneys and tax advisers.

CASH GIFTS OR PLEDGES

A gift of cash or a pledge over a period of years is the most direct way to support the University. Checks should be made payable to “The University of Oklahoma Foundation, Inc.”

SECURITIES

Stocks, bonds, certificates of deposit, and other securities may be donated to the University through The University of Oklahoma Foundation, Inc. Depending upon circumstances of the gift, The University of Oklahoma Foundation, Inc. will manage or liquidate the securities to achieve the donor’s goals.

GIFTS OF PROPERTY

Many donors contribute their personal residences, farmland, or commercial or other property to the University through The University of Oklahoma Foundation, Inc. Certain personal property, including works of art, books, furnishings and other valuables, may be appropriate gifts to enhance a particular discipline or one of the University’s museum or library collections.

DEFERRED OR PLANNED GIFTS

An increasingly popular method of giving is the charitable remainder trust, of which there are two varieties – the charitable remainder unitrust and the charitable remainder annuity trust. Both can be funded through a gift during a donor’s lifetime or through a testamentary disposition. Both provide life income for the donor and/or a designated beneficiary(ies).

Life insurance can become a gift of much greater value than the actual money expended when the policy is given to the University through The University of Oklahoma Foundation, Inc., which is named as the beneficiary. The donor can pay up the entire policy or make annual contributions to The University of Oklahoma Foundation, Inc., for the cost of the premiums.

The University of Oklahoma Foundation, Inc. often is named beneficiary in the wills of University alumni and friends. The donor may elect to leave all or part of an estate to benefit the University.

GIFTS IN MEMORY OR HONOR

Donors may establish a fund to honor the memory of a loved one, friend or mentor or contribute to an existing fund for that purpose. Not all such funds are memorials, however, for a number of donors also make contributions to honor individuals during their lifetime.

MATCHING GIFTS

Many corporations match the gifts their employees make to the University. Donors are asked to consult their employers to determine if such a program exists in their firm.

(RM, 12-02-03, p. 28868; 6-23-04, p. 29151)

APPENDIX A

BY-LAWS OF THE BOARD OF REGENTS

ARTICLE 1. GENERAL POLICY

The Board of Regents has full responsibility and authority to the extent specified by law for the control and administration of the University. Its functions are legislative to the extent of establishing all general policies affecting the University, the general policies and purposes of the separate schools and colleges, their relation one to another, and the prescribing of such rules and regulations as may bring these policies into effect.

Its judicial functions will be limited to acting as a court of final settlement for matters that cannot be satisfactorily adjusted by the President of the University.

Its judicial functions normally will be limited to acting as a court of final review for matters that cannot be resolved satisfactorily under University policy. 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 of the review as it deems appropriate. Provided, nothing herein shall be construed to condition or limit the Board's authority to review any other matter relating to governance of the University.

Its executive power is delegated to the President of the University and his/her assistants.

ARTICLE 2. OFFICERS

Section 1. The officers of the Board shall consist of a Chairman/Chairwoman, a Vice Chairman/Vice Chairwoman, and an Executive Secretary.

Section 2. The Chairman/Chairwoman and Vice Chairman/Vice Chairwoman of the Board shall be elected by ballot at the annual meeting in March and shall serve from March 21 following their election for one year and until their successors are elected and qualified.

All vacancies shall be filled by election by ballot at the next succeeding regular or special meeting of the Board and shall be for the unexpired term.

Section 3. The Executive Secretary of the Board shall be elected to serve without salary during the pleasure of the Board, subject to discontinuance on September 1 in any year by vote of the Board at its annual meeting in March.

ARTICLE 3. DUTIES OF OFFICERS

Section 1. The Chairman/Chairwoman of the Board shall preside at all its meetings but shall

have full right of discussion and voting;

He/she shall approve, on behalf of the Board of Regents, the general orders of the Board and approve emergency appointments as they may from time to time arise;

He/she shall sign all diplomas;

He/she shall submit to the Board such recommendations and information as he/she may consider proper concerning the business of the University; and

He/she shall appoint all committees not specifically named by the vote creating them.

Section 2. The Vice Chairman/Vice Chairwoman of the Board shall perform the duties of the Chairman/Chairwoman of the Board in his/her absence or temporary disability.

Section 3. The Executive Secretary of the Board shall keep an accurate record of the proceedings of the Board and shall have the care of all communications and reports made to the Board.

He/she shall notify the President of the University of all votes, orders or resolutions of the Board relating to the management and control of the University or to the teachers and employees therein.

He/she shall be the custodian of the official seal of the Regents.

Section 4. The President of the University shall be the executive officer of the Board charged with the duty of carrying out the orders and policies of the Board. The President of the University shall perform the duties usual and customary to the office and such other duties as the Board may direct.

He/she shall attend all meetings of the Board and shall have the right to participate in all discussions but not vote.

The President of the University shall be ex officio member of all committees and shall make such recommendations and reports to the Board as he/she may deem desirable concerning University policy and administration.

He/she shall, subject to the approval of the Board, make all appointments of teachers and employees of the University and, in case the appointments are not approved by the Board, shall make others.

The President of the University is 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 University requiring approval of this Board of Regents be submitted to the Board through the President of the University.

The President shall act as intermediary between the Board and the teachers and employees of the University. All communications from the Board or its committees to any teacher or employee, or from any teacher or employee to the Board or its committees, shall be transmitted by the President.

ARTICLE 4. MEETINGS

Section 1. The Board will hold an annual meeting on the second Thursday of March of each year and monthly meetings on the second Thursday of each month.

Section 2. Special Meetings. Special meetings may be called, whenever necessary, by the Chairman/Chairwoman of the Board or by any three members of the Board, by giving five days' notice thereof by mail to each member of the Board. In such notice, the object and general character of the business to be transacted at such meetings shall be stated and no other business shall be transacted except with the consent of a majority of the Board.

Section 3. A majority of all members constituting the Board shall be a quorum to transact business; provided that a smaller number may meet and adjourn to some other time or until such quorum is obtained.

Section 4. Order of Business. In so far as applicable the following shall be the order of business, unless suspended or modified by a majority vote of the Board:

- (a) Roll call.
- (b) Reading and approval of the minutes of previous meeting, provided that if a copy thereof has been furnished each member before the beginning of the session, the reading may, on motion, be dispensed with.
- (c) Election of Officers. (Annual meeting)
- (d) Unfinished business.
- (e) Reports and recommendations of the President of the University.
- (f) Reports and recommendations of the Chairman/Chairwoman of the Board.
- (g) Reports of committees.
- (h) Communications and petitions.
- (i) New business.

ARTICLE 5. RULES OF ORDER

Section 1. Robert's Rules of Order shall govern the considerations of all discussions and debates.

Section 2. All motions, resolutions or other propositions shall be reduced to writing before being voted upon (except the usual short parliamentary motions).

Section 3. No second shall be required to any motion.

Section 4. A record vote of the Board shall be held upon demand of three members.

ARTICLE 6. COMMITTEES

Section 1. Such special committees shall be appointed as the Board may from time to time direct. The first named member of each committee shall act as chair, call the meetings thereof and direct its proceedings but shall not otherwise have greater power or authority than any other member. Such committees shall cease to exist when discharged from further consideration of the subject assigned.

The Chair shall submit all reports of the committee in writing, signed by all members agreeing thereto. A dissenting minority shall submit a report in like manner.

ARTICLE 7. AMENDMENTS

Section 1. These bylaws may be amended or repealed at any regular meeting of the Board by a majority vote of record of all members of the Board constituting it by law; provided that copies of such amendments shall be submitted in writing and furnished each member at the beginning of such meeting. (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)