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# POLICY MANUAL

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REGIONAL UNIVERSITY SYSTEM  
OF OKLAHOMA



## TABLE OF CONTENTS

1. ADMINISTRATION.....	1-1
1.1 BODY CORPORATE, CREATION AND APPOINTMENT .....	1-1
1.1.1 Creation .....	1-1
1.1.2 Appointment.....	1-1
1.2 OATHS .....	1-2
1.3 MISSION STATEMENT .....	1-3
1.4 PHILOSOPHY .....	1-3
1.5 MANAGEMENT RESPONSIBILITY .....	1-4
1.6 GOALS .....	1-6
1) LEADERSHIP .....	1-6
2) EFFECTIVENESS.....	1-6
3) EXCELLENCE .....	1-7
4) ACCOUNTABILITY .....	1-7
1.7 GOVERNING BOARD ADMINISTRATIVE OFFICE .....	1-7
1.7.1 Function .....	1-7
1.7.2 Administrative Staff .....	1-8
1.8 TERMS AND DUTIES OF OFFICERS .....	1-8
1.8.1 Chair .....	1-8
1.8.2 Vice-Chair .....	1-9
1.8.3 Secretary .....	1-9
1.9 BOARD MEETINGS .....	1-9
1.9.1 Proceedings .....	1-9
1.9.2 Disposition of Business .....	1-9
1.9.3 Meeting Schedule - Notice .....	1-10
1.9.4 Agenda .....	1-11

## TABLE OF CONTENTS

### 1. ADMINISTRATION (Continued)

CALL TO ORDER .....	1-11
MINUTES OF PREVIOUS MEETING(S) .....	1-11
COMMITTEE REPORTS .....	1-11
PRESIDENTS' RECOMMENDATIONS .....	1-11
EXECUTIVE DIRECTOR'S REPORT .....	1-11
CHAIR'S REPORT .....	1-11
PRESIDENTS' COUNCIL REPORT .....	1-11
NEW BUSINESS .....	1-11
PROPOSED EXECUTIVE SESSION .....	1-11
REGENTS' COMMENTS AND ANNOUNCEMENTS .....	1-11
ADJOURNMENT .....	1-11
 1.10 REPORTS SUBMITTED TO THE BOARD .....	 1-12
1.10.1 Accrediting Reports.....	1-12
1.10.2 New Programs - Changes in Courses of Study .....	1-12
1.10.3 Travel Expenses .....	1-12
1.10.4 Financial Reports .....	1-12
1.10.5 Enrollment.....	1-12
1.10.6 Employment.....	1-12
1.10.7 Budgets.....	1-12
 1.11 EXECUTIVE SESSIONS OF THE BOARD .....	 1-13
 1.12 STANDING COMMITTEES .....	 1-13
1.12.1 Academic Affairs .....	1-13
1.12.2 Audit and Finance .....	1-13
1.12.3 Building .....	1-13
1.12.4 Personnel.....	1-14
1.12.5 Policy and Procedure.....	1-14
1.12.6 System Advancement .....	1-14
 1.13 SPECIAL COMMITTEES.....	 1-14
 1.14 COMMUNICATION WITH REGENTS AND PUBLIC CORRESPONDENCE .....	  1-14
 1.15 MEDIA RELATIONS.....	 1-14
 1.16 BOARD VACANCY .....	 1-15

## TABLE OF CONTENTS

1.	ADMINISTRATION (Continued)	
	1.17 BOARD MEMBER LIMITATION .....	1-15
	1.18 ELIGIBILITY FOR EMPLOYMENT .....	1-15
	1.19 MEMBERS - PROFESSION.....	1-15
	1.20 MEETING ATTENDANCE .....	1-15
	1.21 COMPENSATION .....	1-15
	1.22 FINANCIAL DISCLOSURE.....	1-15
	1.23 TRAVEL EXPENSE.....	1-16
	1.24 OFFICIAL SEAL .....	1-16
	1.25 THE UNIVERSITY PRESIDENT - QUALIFICATIONS, RESPONSIBILITY AND RETENTION .....	1-16
	1.25.1 .....	1-16
	1.25.2 .....	1-16
	1.25.3 .....	1-17
	1.25.4 .....	1-18
	1.25.5 .....	1-19
2.	FINANCE AND MANAGEMENT .....	2-1
	2.1 INSTITUTIONAL RESPONSIBILITY FOR INTERNAL CONTROL .....	2-1
	2.1.1 University Budgets.....	2-1
	2.1.2 Budget Submission and Approval.....	2-2
	2.1.3 Transfer of Funds .....	2-2
	2.2 GROUP TRAVEL ADVANCE .....	2-2
	2.3 EXPENDITURES .....	2-2

**April 2015**

## TABLE OF CONTENTS

2.	FINANCE AND MANAGEMENT (Continued)	
2.3	EXPENDITURES (Continued)	2-2
2.3.1	Supplies, Materials, Services and Equipment	2-2
2.3.2	Purchases of \$25,000 or less	2-4
2.3.3	Purchases exceeding \$25,000 but not over \$100,000	2-4
2.3.4	Purchases exceeding \$100,000	2-4
2.3.5	Sole Source Purchases	2-4
2.3.6	Exceptions	2-5
2.4	PUBLIC CONSTRUCTION AND IMPROVEMENT PROJECTS	2-5
2.4.1	Revenue Bonds	2-6
2.4.2	Public Construction. Guidelines for procedures for public construction contracts	2-6
2.5	INVESTMENTS	2-6
2.6	EXTERNAL AUDITS	2-7
2.6.1	Employment of External Auditors	2-7
2.6.2	Audit Exit Conferences and Release of Audits	2-8
2.7	INTERNAL AUDIT ACTIVITY CHARTER	2-8
2.7.1	Scope of Work	2-9
2.7.2	Accountability	2-9
2.7.3	Independence	2-10
2.7.4	Responsibility	2-10
2.7.5	Authority	2-11
2.7.6	Transitional Audits	2-11
2.7.7	Quality Assurance Review	2-12
2.8	FEDERAL PROGRAMS	2-12
2.9	FINANCIAL REPORTING REQUIREMENT	2-12

## TABLE OF CONTENTS

3.	ACADEMIC AFFAIRS .....	3-1
	3.1 FACULTY PERSONNEL POLICY .....	3-1
	3.1.1 Membership.....	3-1
	Regular Faculty .....	3-1
	Supplemental Faculty.....	3-1
	3.1.2 Types of Appointments to Faculty .....	3-2
	Tenured.....	3-2
	Non-Tenured .....	3-2
	Tenure Track.....	3-2
	Non-Tenure Track .....	3-2
	Temporary.....	3-3
	Administrative.....	3-3
	3.1.3 Length of Appointments .....	3-3
	3.1.4 Initial Appointments to the Regular Faculty.....	3-3
	3.1.5 Appointments to the Supplemental Faculty.....	3-3
	3.1.6 Appointments to the Summer Teaching Faculty .....	3-3
	3.1.7 Full- and Part-Time Appointments .....	3-4
	Full-Time Appointments .....	3-4
	Part-Time Appointments .....	3-4
	Graduate Assistants.....	3-4
	Joint Appointments.....	3-4
	Adjunct Appointments .....	3-4
	3.2 ACADEMIC RANK AND PROMOTION OF FACULTY .....	3-5
	3.2.1 Rank or Promotion Granted By Board of Regents .....	3-5
	3.2.2 Principal Academic Ranks of the University.....	3-5
	Professor.....	3-5
	Associate Professor .....	3-5
	Assistant Professor .....	3-5
	Instructor .....	3-5
	Others .....	3-5

## TABLE OF CONTENTS

3.	ACADEMIC AFFAIRS (Continued)	
	3.2.3 Education Requirements.....	3-5
	3.2.4 Experience Requirements.....	3-6
	3.2.5 Educational and Experience Requirements .....	3-6
	3.2.6 Other Criteria .....	3-6
	3.2.7 Reduction in Rank.....	3-6
	3.2.8 Appeal.....	3-6
	3.2.9 Exceptions .....	3-6
	3.3 ACADEMIC FREEDOM, ACADEMIC RESPONSIBILITY AND TENURE OF FACULTY.....	3-6
	3.3.1 Academic Freedom.....	3-6
	3.3.2 Academic Responsibility .....	3-7
	3.3.3 Academic Tenure.....	3-9
	3.3.4 Periods of Appointment and Tenure .....	3-11
	3.3.5 Procedure for Granting Tenure and Reviewing of Tenured Faculty .....	3-11
	3.4 DISCIPLINARY ACTION AND DISMISSAL .....	3-12
	3.4.1 Disciplinary Action Other Than Dismissal or Suspension .....	3-13
	3.4.2 Suspension of a Tenured Faculty Member .....	3-14
	3.4.3 Dismissal of a Tenured Faculty for Cause .....	3-14
	3.4.4 Dismissal of Tenured Faculty for Program Discontinuance or Financial Retrenchment .....	3-14
	3.4.5 Appellate Committee on Dismissal of Tenured Faculty Members.....	3-15
	3.4.6 Appeal Procedures for Tenured Faculty .....	3-15
	3.4.7 Non-Tenured Faculty .....	3-17
	3.5 SABBATICAL LEAVE.....	3-18
4.	STUDENT AFFAIRS.....	4-1
	SCOPE OF POLICIES .....	4-1
	4.1 INSTITUTIONAL RESPONSIBILITY FOR STUDENT AFFAIRS.....	4-1
	4.2 MILITARY LEAVE .....	4-2
	4.3 STUDENT NEWSPAPER POLICY .....	4-2
	4.4 STUDENT DISCIPLINARY REGULATIONS .....	4-3

## TABLE OF CONTENTS

### 4. STUDENT AFFAIRS (Continued)

4.4.1 Scope of University Authority .....	4-3
4.4.2 Authority of Presidents .....	4-3
4.4.3 Students' Obligations and Regulations .....	4-3
Acts of Dishonesty .....	4-4
Alcohol .....	4-4
Change of Address .....	4-5
Technology Theft and/or Abuse .....	4-5
Controlled Substances .....	4-5
Disturbing the Peace and Destruction of Property .....	4-6
Failure to Comply .....	4-6
Off Campus .....	4-6
Payment of Accounts .....	4-6
Personal Behavior .....	4-6
Public Law .....	4-6
Weapons .....	4-6
4.4.4 Sanctions .....	4-7
4.4.5 Temporary Suspension .....	4-9
4.4.6 Appeals Process .....	4-9
4.4.6.1 Composition and Quorum of the Committee .....	4-10
Faculty Members .....	4-10
Student Members .....	4-10
Administrative Staff Members .....	4-10
Quorum .....	4-10
4.4.6.2 Initiation of the Appeal .....	4-11
4.4.6.3 Effect of an Appeal .....	4-11
4.4.7 Explanation of Rights .....	4-11
4.4.8 Hearing Before Committee .....	4-11
4.5 ATHLETICS .....	4-13



## TABLE OF CONTENTS

5.	GENERAL POLICIES.....	5-1
5.1	EQUAL OPPORTUNITY .....	5-1
5.2	AFFIRMATIVE ACTION .....	5-1
5.3	REGENTS' INSURANCE PROGRAM.....	5-1
5.3.1	Group Health Insurance Program .....	5-1
5.3.2	Group Life Insurance Program.....	5-2
5.3.3	Directors and Officers Liability Insurance.....	5-2
5.3.4	Group Long-Term Disability Insurance Program.....	5-2
5.3.5	Unemployment Compensation.....	5-2
5.3.6	Workers' Compensation.....	5-2
5.3.7	Governmental Tort Claims Act.....	5-2
5.4	RETIREMENT .....	5-3
5.4.1	Employer to Pay Elective Member O.T.R.S. Contributions .....	5-3
5.4.2	Retirement Annuity .....	5-3
5.4.3	Retirement Insurance Program .....	5-3
5.4.4	Active Employees With a Date of Employment Prior to July 1, 1987 and a Date of Retirement Before July 1, 1995.....	5-3
5.4.5	Active Employees With a Date of Employment Prior to July 1, 1995 401(a) .....	5-3
5.4.6	Retired Personnel - Emeritus Status Authorized.....	5-3
5.5	LEAVE POLICIES .....	5-4
5.5.1	Presidential Authorization .....	5-4
5.5.2	Paid Holidays Regents' Administrative Office .....	5-4
5.5.3	Military Leave.....	5-4

<b>JANUARY 2013</b>
---------------------

## TABLE OF CONTENTS

5.6 SEXUAL HARASSMENT/SEXUAL RELATIONSHIP POLICY .....	5-5
5.6.1 Statement of Policy .....	5-5
Definition of Sexual Harassment.....	5-5
Examples of Prohibited Conduct.....	5-5
Sexual Violence Prohibited.....	5-6
Definition of Sexual Violence.....	5-6
Retaliation.....	5-7
Sanctions .....	5-7
Complaint Process .....	5-7
5.6.2 Sexual Relationship Policy.....	5-8
Definition of Sexual Relationship Policy.....	5-5
Sexual Conduct with Students Prohibited.....	5-8
Sexual Conduct with Supervisee Prohibited.....	5-8
Definition of Sexual Conduct.....	5-8
Sanctions .....	5-9
Exceptions.....	5-9
5.7 RACIAL AND ETHNIC POLICY .....	5-10
Introduction .....	5-10
Statement of Policy .....	5-10
Sanctions .....	5-11
Retaliation.....	5-11
Complaint Process.....	5-11
5.8 DRUG FREE SCHOOL AND WORKPLACE .....	5-12
5.8.1 Drug Free Workplace .....	5-12
Purpose .....	5-12
Establishment of Program.....	5-12
Minimum Implementation Measures .....	5-12
Employee Responsibility .....	5-14
Sanctions .....	5-14
Definitions .....	5-15
5.8.2 Drug Free Schools .....	5-16
Purpose .....	5-16
Establishment of Program.....	5-16
Minimum Implementation Measures .....	5-17
Sanctions .....	5-17

## TABLE OF CONTENTS

DRUG-FREE SCHOOL AND WORKPLACE POLICY STATEMENT _____ _____ UNIVERSITY NOTICE TO ALL UNIVERSITY EMPLOYEES .....	5-18
ACKNOWLEDGMENT OF UNDERSTANDING AND COMPLIANCE .....	5-19
5.9 POLITICAL ACTIVITIES OF EMPLOYEES.....	5-20
5.10 BUILDINGS .....	5-20
5.10.1 Policies On Naming Buildings.....	5-20
5.10.2 Plaques On Buildings.....	5-21
5.11 DISPLAYING MATERIALS.....	5-21
5.12 NEPOTISM.....	5-21
5.13 PATENTS/COPYRIGHTS .....	5-22
5.13.1 Patent Policy - General Statement.....	5-22
Inventions and Patents.....	5-22
5.13.2 Copyright Policy .....	5-23
Policy .....	5-23
Basic Objectives.....	5-23
Copyright Ownership and Royalty Distribution .....	5-23
5.14 PRIVATELY OWNED BUSINESS POLICY .....	5-25
5.15 EMPLOYMENT OF CAMPUS POLICE OFFICERS .....	5-25
5.16 ALCOHOLIC BEVERAGES.....	5-26
5.17 COMPUTER USE.....	5-26
5.18 PRIOR POLICIES.....	5-26
5.18.1 Institutional Prerogatives.....	5-27
5.18.2 Provisions for Amendment.....	5-27

## TABLE OF CONTENTS

### ANNEX A

Public Competitive Bidding Act of 1974 As Amended.....	A-1
--	-----

### ANNEX B

Change Order Form.....	B-1
------------------------	-----

#### STATE OF OKLAHOMA

Standard Provisions for Construction Contracts.....	B-2
---	-----

Forms .....	B-23
-------------	------

#### DEPARTMENT OF CENTRAL SERVICES CONSTRUCTION & PROPERTIES DIVISION

Selection of Architects, Engineers and Other Design Consultants .....	B-36
Forms .....	B-42
Instructions to Bidders.....	B-59
Forms .....	B-64

### ANNEX C

#### BI-ANNUAL FINANCIAL REPORTS

Educational and General Part I Operations.....	C-1
--	-----

Auxiliary Enterprise Operation .....	C-2
--------------------------------------	-----

#### BUDGET PRESENTATION

Table of Contents.....	C-4
------------------------	-----

E & G Part I, Schedule A.....	C-5
-------------------------------	-----

E & G Part I, Schedule B.....	C-6
-------------------------------	-----

E & G Part I, Schedule C .....	C-7
--------------------------------	-----

## TABLE OF CONTENTS

### ANNEX D

SUPPLEMENTAL RETIREMENT PLAN FOR ACTIVE EMPLOYEES WITH A DATE OF EMPLOYMENT PRIOR TO JULY 1, 1987 WITH A RETIREMENT DATE BEFORE JULY 1, 1995 .....	D-1
Supplemental Retirement Annuities .....	D-1
Additional Annuity Contracts .....	D-1
Employees With a Date Of Employment On Or After July 1, 1987 .....	D-1
Definitions .....	D-1
The Plan .....	D-1
O.T.R.S. ....	D-2
O.S.S.H.E. ....	D-2
Oklahoma Regional Universities .....	D-2
Fiscal Year .....	D-2
Academic Year .....	D-2
Date of Employment .....	D-2
First Date of Employment .....	D-2
Date of Birth .....	D-2
Supplemental Retirement Annuity .....	D-2
The Rule-of-80 .....	D-2
Date of Retirement .....	D-3
Teachers' Retirement Maximum Life Option Annuity .....	D-3
Attained Age At D.O.R. ....	D-3
Full Time .....	D-3
Average Monthly Salary .....	D-3
Annual Base Salary .....	D-3
Average Annual Base Salary .....	D-4
Vesting .....	D-4
O.S.S.H.E. Service Year .....	D-4
Non-Service Year .....	D-5
Normal Retirement .....	D-5
Early Retirement .....	D-5
Option One S.R.A. Calculation .....	D-6
Option Two S.R.A. Calculation .....	D-6
Option Three S.R.A. Calculation .....	D-6
Retirement Calculation Option .....	D-6
Compulsory Retirement .....	D-7

## TABLE OF CONTENTS

### ANNEX E

SUPPLEMENTAL RETIREMENT PLAN FOR ACTIVE EMPLOYEES WITH A DATE OF EMPLOYMENT PRIOR TO JULY 1, 1995 (401 (a) .....	E-1
Preamble .....	E-2
ARTICLE I .....	E-3
Purpose .....	E-3
Effective Date .....	E-3
ARTICLE II .....	E-3
Definitions .....	E-3
Accrued Benefit .....	E-3
Method One S.R.A. Calculation (SRA-1) .....	E-3
Method Two S.R.A. Calculation (SRA-2) .....	E-4
Actuarial Equivalent .....	E-4
Actuary .....	E-5
Academic Year .....	E-5
Annual Base Salary or A.B.S. ....	E-5
Annuity Contract .....	E-5
Attained Age at D.O.R. (Date of Retirement) or A.A.R. ....	E-5
Authorized Leave of Absence .....	E-5
Average Annual Base Salary or "A.A.B.S. ....	E-5
Average Monthly Salary or A.M.S. ....	E-5
Beneficiary .....	E-5
Board of Regents .....	E-5
Code .....	E-5
Code Section 415 Salary .....	E-6
Date of Birth or D.O.B. ....	E-6
Date of Employment or D.O.E. ....	E-6
Date of Retirement or D.O.R. ....	E-6
Early Retirement .....	E-6
Effective Date .....	E-7
Eligible Employee .....	E-7
Employee .....	E-7
Employer .....	E-7
Employer Contributions .....	E-7
E.R.I.S.A. ....	E-7
First Date of Employment .....	E-7
Fiscal Year .....	E-7
Full-Time .....	E-7

## TABLE OF CONTENTS

Joint and Survivor Benefit.....	E-8
Normal Retirement .....	E-8
Oklahoma Regional Universities or Oklahoma Regional Colleges .....	E-8
O.S.S.H.E.....	E-8
O.S.S.H.E. Service Year or Service Year.....	E-8
O.T.R.S. or T.R.S. ....	E-8
Participant .....	E-8
Plan .....	E-8
Plan Administrator .....	E-8
Plan Year.....	E-8
Rule of 80 .....	E-8
Salary .....	E-9
Service Year or O.S.S.H.E. Service Year.....	E-9
Social Security Retirement Age.....	E-9
Spouse .....	E-9
Supplemental Retirement Annuity or S.R.A.....	E-9
Teachers' Retirement Maximum Life Option Annuity or T.R.A. ....	E-9
TIAA/CREF Retirement Plan .....	E-10
ARTICLE III .....	E-10
Participation.....	E-10
Age and Service Eligibility .....	E-10
General Eligibility.....	E-10
Ineligible Employment Date.....	E-10
Construction .....	E-11
ARTICLE IV .....	E-11
Contributions .....	E-11
Participant Contributions .....	E-11
Employer Contributions .....	E-11
Return of Contributions .....	E-11

<b>JANUARY 2013</b>
---------------------

## TABLE OF CONTENTS

### ANNEX E (Continued)

ARTICLE V .....	E-11
Service Years .....	E-11
General Rule .....	E-11
Maximum Service Years.....	E-12
Sick Leave .....	E-12
Military Service .....	E-12
Out-of-State Service .....	E-12
Leave of Absence.....	E-12
ARTICLE VI .....	E-13
Retirement Benefits .....	E-13
Normal Retirement .....	E-13
Early Retirement.....	E-13
Vested Benefit Retirement Election .....	E-13
Distribution Requirements .....	E-14
Required Information .....	E-14
ARTICLE VII .....	E-15
Amount of Benefit.....	E-15
Normal Retirement Benefit .....	E-15
Early Retirement Benefit.....	E-15
Maximum Benefits.....	E-15
Required Beginning Date .....	E-15
ARTICLE VIII.....	E-15
Vesting .....	E-15
Rule of 80 Vesting .....	E-16
ARTICLE IX .....	E-16
Payment Options.....	E-16
Options.....	E-16
Option 1.....	E-16
Option 2.....	E-16
Option 3.....	E-16
Death Benefit.....	E-17
Other Benefits Canceled by Option .....	E-17



## TABLE OF CONTENTS

### ANNEX E (Continued)

ARTICLE X .....	E-17
Administration of Plan .....	E-17
Allocation of Responsibilities .....	E-17
Plan Administrator .....	E-18
Delegation of Responsibilities .....	E-18
Actuarial Examinations .....	E-18
Annuity Contract .....	E-19
ARTICLE XI .....	E-19
Governmental Plan .....	E-19
General .....	E-19
Not Subject to E.R.I.S.A. ....	E-19
ARTICLE XII .....	E-19
Amendments or Termination .....	E-19
Right to Amend .....	E-19
Nature of Amendment .....	E-20
Right to Terminate .....	E-20
ARTICLE XIII .....	E-20
Adoption and Withdrawal .....	E-20
Procedure for Adoption .....	E-20
Withdrawal .....	E-21
Adoption Contingent upon Initial and Continued Qualification .....	E-21
ARTICLE XIV .....	E-21
Miscellaneous .....	E-21
Nonguarantee of Employment .....	E-21
Rights of Plan Assets .....	E-21
Eligible Rollover Distributions .....	E-21
Definitions .....	E-22

<b>JANUARY 2013</b>
---------------------

## TABLE OF CONTENTS

### ANNEX E (Continued)

Eligible Rollover Distribution.....	E-22
Eligible Retirement Plan .....	E-22
Distributee .....	E-22
Direct Rollover .....	E-22
Misstatement.....	E-23
Missing Persons .....	E-23
Payment to Minors and Incompetents .....	E-23
Alienation or Assignment .....	E-23
ARTICLE XV .....	E-23
Claims Procedure.....	E-23
Initial Claim for Benefits.....	E-23
Review of Claim Denial .....	E-24
ARTICLE XVI.....	E-25
Special Provisions for Rogers State University .....	E-25
Background.....	E-25
Effect .....	E-24
SAMPLE-QUALIFIED DOMESTIC RELATIONS ORDER (QDRO).....	E-26
BOARD RESOLUTIONS .....	E-33

**JANUARY 2013**

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 1 ADMINISTRATION</b>	<b>Page 1-1</b>
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# 1. ADMINISTRATION

## 1.1 BODY CORPORATE, CREATION AND APPOINTMENT.

**1.1.1 Creation.** The Board of Regents of Oklahoma Colleges was created by Article XIII-B of the Oklahoma Constitution on July 6, 1948 to govern the six regional universities: East Central University, Northeastern State University, Northwestern Oklahoma State University, Southeastern Oklahoma State University, Southwestern Oklahoma State University and the University of Central Oklahoma. The Board consists of nine (9) members, eight (8) appointed by the Governor by and with the consent of the Senate, for nine-year staggered terms which expire on the 10th day of June. The ninth member is the elected State Superintendent of Public Instruction. Effective July 1, 2006, the Board was authorized to perform official acts under the name of the Regional University System of Oklahoma. [See 70 O.S. §3507.1]

**1.1.2 Appointment.** The Board of Regents of the Regional University System of Oklahoma members are appointed by numbered positions as follows:

- a) Position No. 1 shall be a resident of one of the following counties: Blaine, Kingfisher, Canadian, Caddo, Grady, Comanche, Stephens, Jefferson or Cotton.
- b) Position No. 2 shall be a resident of one of the following counties: Ottawa, Delaware, Craig, Mayes, Nowata, Rogers, Washington, Tulsa, Pawnee or Osage.
- c) Position No. 3 shall be a resident of one of the following counties: Ellis, Dewey, Roger Mills, Custer, Beckham, Washita, Kiowa, Greer, Jackson, Harmon or Tillman.
- d) Position No. 4 shall be a resident of one of the following counties: Adair, Sequoyah, Cherokee, Wagoner, Muskogee, Haskell, McIntosh or Okmulgee.
- e) Position No. 5 shall be a resident of one of the following counties: Creek, Lincoln, Okfuskee, Seminole, Pottawatomie, Pontotoc, Hughes, Johnston or Coal.
- f) Position No. 6 shall be a resident of one of the following counties: Cimarron, Texas, Beaver, Harper, Woodward, Woods, Major, Alfalfa, Grant, Garfield, Kay or Noble.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 1 ADMINISTRATION	Page 1-2
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## **1.1 BODY CORPORATE. CREATION AND APPOINTMENT.** (Continued)

### **1.1.2 Appointment.**

- g) Position No. 7 shall be a resident of one of the following counties: LeFlore, Latimer, Pittsburg, Atoka, Pushmataha, McCurtain, Choctaw, Bryan, Marshall, Carter or Love.
- h) Position No. 8 shall be a resident of one of the following counties: Logan, Oklahoma, Cleveland, McClain, Garvin, Murray or Payne.
- i) Position No. 9 One member shall be the State Superintendent of Public Instruction, who shall serve as such member during his/her tenure as State Superintendent of Public Instruction. (Compare: Okla. Const. Article XIII-B, §1, 70 O.S. § 3507)

**1.2 OATHS.** Each member of the Board shall take and subscribe to oaths required of state officials generally.

### **OATH OF OFFICE**

"I, . . . . ., do solemnly swear (or affirm) that I will support, obey, and defend the Constitution of the United States, and the Constitution of the State of Oklahoma, and that I will not, knowingly, receive, directly or indirectly, any money or other valuable thing, for the performance or nonperformance of any act or duty pertaining to my office, other than the compensation allowed by law; I further swear (or affirm) that I will faithfully discharge my duties as . . . . . to the best of my ability." (Okla. Const., Art. XV)

### **LOYALTY OATH**

I do solemnly swear (or affirm) that I will support the Constitution and the laws of the United States of America and the Constitution and the laws of the State of Oklahoma, and that I will faithfully discharge, according to the best of my ability, the duties of my office or employment during such time as I am . . . . .  
(Compare: 51 O.S. § 36.2A)

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 1 ADMINISTRATION</b>	<b>Page 1-3</b>
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**1.3 MISSION STATEMENT.** The mission of RUSO is to provide higher education programs and service to eligible students in the universities' service areas and generally to insure educational opportunities in the preparation of students to succeed in a global society.

**1.4 PHILOSOPHY.** The Board of Regents of RUSO affirms the following:

- a) That higher education is a function of the State and that RUSO shall act as an entity of the State.
- b) That the senior regional universities under its control are an integral part of the unified system which is known as the Oklahoma State System of Higher Education as provided under Article XIII-A of the Oklahoma Constitution.
- c) That the Board of Regents of RUSO is fundamentally and primarily a policy-determining body.
- d) That the responsibility for administration of each university is delegated to each university president.
- e) That authority resides only in the Board as a whole and not in its individual members.
- f) That the Board exercises its control over the universities through the President of each university.
- g) That the universities exist to serve the students, the community, the state, and the global society.
- h) That students and faculty should have representation where appropriate on committees that address issues affecting their living and learning, and that the university Presidents will give due consideration to faculty and student recommendations when making presentations to the Board.

<b>February 2009</b>
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<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 1 ADMINISTRATION</b>	<b>Page 1-4</b>
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**1.5 MANAGEMENT RESPONSIBILITY.** The Board of Regents has the supervision, management and control of the senior regional universities under its jurisdiction and it has the following additional powers and duties which are enumerated in Section 3510 of Title 70 of the Oklahoma Statutes:

- a) Adopt such rules and regulations as it deems necessary to govern each of the institutions under its jurisdiction.
- 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 institutions under its jurisdiction. 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, payable to the State of Oklahoma and conditioned upon a faithful accounting of all such funds and property.
- c) Enter into contracts, purchase supplies, materials and equipment, and incur such other expenses as may be necessary to make any of its powers effective.
- d) Authorize officials at the several institutions under its jurisdiction to act on its behalf in making of contracts, or in carrying out the powers conferred upon it.
- e) Receive and make disposition of monies, 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 monies appropriated by the Legislature or by the Congress or derived from the sale of bonds or received from the sale of bonds or received from any other source by the institutions under its jurisdiction.

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 1 ADMINISTRATION</b>	<b>Page 1-5</b>
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**1.5 MANAGEMENT RESPONSIBILITY.** (Continued)

- h) Acquire and take title to real and personal property in its name, on behalf of any of the institutions under its jurisdiction, and convey, exchange or dispose of, or otherwise manage or control, such property in the interest of such institutions, including the granting of leases, permits, easements and licenses over or upon any such real property. The Board shall have the power to institute any legal action in the name of the Board before any court having jurisdiction of such actions. The Board shall have custody of abstracts of title and instruments affecting the ownership of or title to real property acquired for or belonging to such institutions.
- i) Have supervision and charge of the construction of all buildings at institutions under its jurisdiction.
- j) Determine the need for and cause to be constructed residence halls and other buildings, on a self-liquidating basis, at any institution under its jurisdiction.
- k) Establish and maintain plans for tenure and retirement of employees of the Board and of the institutions under its jurisdiction, and for payment of deferred compensation of such employees; and provide hospital and medical benefits, accident, health and life insurance, and annuity contracts, for such employees and their dependents. The Board 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 his or her salary.
- l) Maintain an inventory of all property belonging to each of the institutions under its jurisdiction.
- m) Audit all accounts against the funds allocated to the institutions under its jurisdiction.
- n) Provide penalties and forfeitures by way of damages and otherwise for the violation of rules and regulations of the Board, which may be sued for and collected in the name of the Board before any court having jurisdiction of such actions.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 1 ADMINISTRATION	Page 1-6
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### **1.5 MANAGEMENT RESPONSIBILITY.** (Continued)

- o) Do all things necessary or convenient to carry out the powers expressly granted to it by Article XIII-B of the Constitution and the Statutes of Oklahoma, or to make institutions under its jurisdiction effective for the purposes for which they are maintained or operated. (See: 70 O.S. § 3510)

### **1.6 GOALS.**

#### **a) LEADERSHIP**

The Board commits itself to provide leadership to the institutions it governs which will:

insure the selection and retention of chief executive officers who will provide vision, management, dedication and guidance to the institutions they serve and foster their growth as leaders;

provide proper oversight and control of the administrative, academic and fiscal affairs of the institutions; and

encourage the practice of moral and ethical integrity in all institutional and Board activities.

#### **b) EFFECTIVENESS**

The Board will promote effectiveness for the institutions it governs by: providing practical and workable policies, procedures, and regulations; encouraging the

recruitment and retention of highly qualified faculty and students who will create an environment conducive to free scholarly inquiry and discussion; and

fostering goodwill and understanding with the general public, the state legislature, the executive branch of the State of Oklahoma, and the Higher Education System.



<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 1 ADMINISTRATION</b>	<b>Page 1-7</b>
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### **1.6 GOALS.** (Continued)

#### **c) EXCELLENCE**

The Board steadfastly encourages the pursuit of excellence by:

defending the unique role and mission of the regional universities it governs;

promoting a university environment which prepares students to succeed in an international, multicultural society; and

being sensitive to the dynamics of change and demonstrating willingness to address those changes.

#### **d) ACCOUNTABILITY**

The Board, vested by law with ultimate accountability for the supervision, management and control of the universities it governs, will:

provide for internal and external auditing as well as other financial reporting;

review regional and specialized accrediting reports;

evaluate results of individual academic program reviews; and

analyze institutional reports and take appropriate action.

### **1.7 GOVERNING BOARD ADMINISTRATIVE OFFICE**

**1.7.1 Function.** The RUSO Administrative Office is the headquarters for the governing board of the senior regional universities. The Administrative Office provides professional staff to assist in the following functions:

- a) To coordinate the implementation of policies and procedures between the Board and the senior regional universities.
- b) To research information for review and consideration for policymaking.
- c) To provide appropriate custodial services to secure, for historical purposes, the official records of the Board.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 1 ADMINISTRATION	Page 1-8
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**1.7 GOVERNING BOARD AMINISTRATIVE OFFICE.** (Continued)

**1.7.2 Administrative Staff.** The Board of Regents of RUSO shall employ an Executive Director, Chief Audit Executive or outsourced internal auditors, and General Counsel for the Administrative Office. All other personnel for the Administrative Office may be employed, disciplined, or dismissed by his or her Division Supervisor.

**1.8 TERMS AND DUTIES OF OFFICERS.** The Officers of the Board shall consist of Chair, Vice Chair and Secretary. The Chair, Vice Chair and Secretary of the Board shall be elected annually at a meeting after April 1 but prior to June 30 with installation in June to serve until their successors are elected and qualified. (Compare: 70 O.S. § 3509).

**1.8.1 Chair.** The Board Chair shall preside at all Regular or Special Board Meetings and shall have right of discussion and voting. Furthermore, the Board Chair shall:

- a) approve, on behalf of the Board of Regents of RUSO, the general orders of the Board and approve any emergency request for appropriate disposition at the next Board meeting;
- b) sign all diplomas, contracts, bonds, and any other official Board documents;
- c) submit to the Board recommendations and information concerning the business of the universities or the Administration Office;
- d) appoint all committees not specifically named by the vote creating them.
- e) appoint members to serve on the following standing committees: Academic Affairs, Audit and Finance, Building, Personnel, Policy and Procedure, and System Advancement.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 1 ADMINISTRATION	Page 1-9
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## **1.8 TERMS AND DUTIES OF OFFICERS.** (Continued)

**1.8.2 Vice-Chair.** The Vice Chair of the Board shall perform the duties of the chair in the absence or temporary disability of the chair.

**1.8.3 Secretary.** The responsibilities of the Secretary of the Board include, but are not limited to, reading the minutes for accuracy and signing, with the Chair of the Board, official Board documents.

## **1.9 BOARD MEETINGS.**

**1.9.1 Proceedings.** The Board shall adopt rules and regulations as necessary for the governing of the Board and the discharge of its duties, and shall keep the minutes of all meetings and transactions considered at each meeting. (Compare: 70 O.S. § 3509). All meetings of the Board of Regents of RUSO are open to the public. (Compare: 25 O.S. § 301 et seq.). *Robert's Rules of Parliamentary Procedure* is the official standard for meeting procedure, except when it conflicts with a Board policy, which shall supersede.

**1.9.2 Disposition of Business.** All motions and amendments to motions shall require a second before being voted upon. The vote of each regent shall be publicly cast and recorded. Aye votes may be made by group acclamation. Any nay vote or abstention will necessitate an individual roll call vote. Items on the agenda may be advanced or postponed until later in that meeting by the chair. If an objection is voiced, the chair will call for a motion and vote on the advancement or postponement of an item on the agenda.

The proceedings of RUSO meetings shall be kept by the Executive Director or designee in the form of written minutes which shall be an official summary of the proceedings showing clearly those members present and absent, all matters considered and all actions taken by the Board. The minutes of each meeting will be open to public inspection and will reflect the manner and time of notice required by the Oklahoma Open Meeting Act. Actions expressing the opinion, will, or intent of the Board will be referred to as resolutions. Official formal announcements may be referred to as proclamations. (Compare: 25 O.S. § 301 et seq.).

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 1 ADMINISTRATION</b>	<b>Page 1-10</b>
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## **1.9 BOARD MEETINGS.** (Continued)

### **1.9.3 Meeting Schedule – Notice.**

- a) Notice in writing is given to the Secretary of State by December 15 of each calendar year showing the date, time, and place of the regularly scheduled meetings for the following calendar year. In addition, advance public notice is displayed in prominent public view at the office of the RUSO at least twenty-four (24) hours prior to such meetings, setting forth thereon the date, time, place, and agenda for said meeting.

This twenty-four (24) hours prior public posting excludes Saturdays and Sundays and holidays legally declared by the State of Oklahoma. However, the posting of an agenda does not preclude the Board of Regents of RUSO from considering at its regularly scheduled meeting any new business. If any change is to be made on the date, time, or place of regularly scheduled meetings, notice in writing will be given to the Secretary of State not less than ten (10) days prior to the implementation of any such change.

- b) Special meetings may be called as necessary by the Chair or any five members of the Board. Written notice will be given to all Regents accordingly at least five days in advance of the meeting, or each Regent will be notified by personal telephone call. Public notice will be given at least forty-eight (48) hours prior to special meetings. Such public notice of date, time, and place shall be given in writing, in person, or by telephonic means to the Secretary of State. In addition, public notice will be displayed in prominent public view at the office of the Board of Regents of RUSO at least twenty-four (24) hours prior to such special meetings, setting thereon the date, time, place, and agenda for said meetings. Only matters appearing on the posted agenda may be considered at said special meetings. The twenty-four (24) hours prior public posting shall exclude Saturdays and Sundays and holidays legally declared by the State of Oklahoma.
- c) Under the Oklahoma Open Meeting Act, an emergency meeting of the Board of Regents of RUSO may be held without public notice heretofore required. Should an emergency meeting be necessary, as much advance public notice as is reasonable and possible under the circumstances existing must be given, in person or by telephonic or electronic means.

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 1 ADMINISTRATION</b>	<b>Page 1-11</b>
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## **1.9 BOARD MEETINGS.** (Continued)

### **1.9.3 Meeting Schedule – Notice.**

- d) In the event any meeting is to be continued or reconvened, public notice of such action, including date, time, and place of the continued meeting, will be given by announcement at the original meeting. Only matters appearing on the agenda of the meeting which is continued will be discussed at the continued or reconvened meeting. (Compare: 25 O.S. § 303)

**1.9.4 Agenda.** The agenda is assembled by the Executive Director in collaboration with the Chair of the Board. All university recommendations requiring action by the Board must be electronically mailed to the Administrative Office a minimum of ten (10) days in advance of the meeting in which action is expected. Presidents' recommendations and committee requests should be electronically mailed to the Administrative Office.

Insofar as applicable, the following shall be the order of business for regular meetings unless modifications are necessary as the Chair requests. Items of business are categorized under the following topics:

CALL TO ORDER  
MINUTES OF PREVIOUS MEETING(S)  
COMMITTEE REPORTS  
PRESIDENTS' RECOMMENDATIONS  
EXECUTIVE DIRECTOR'S REPORT  
CHAIR'S REPORT  
PRESIDENTS' COUNCIL REPORT  
NEW BUSINESS  
PROPOSED EXECUTIVE SESSION  
REGENTS' COMMENTS AND ANNOUNCEMENTS  
ADJOURNMENT

Minutes of the previous meetings, committee reports, and presidents' recommendations may be placed on a separate consent docket on the agenda. Prior to or at a meeting, a regent may direct that any item or items be removed from the consent docket and placed on the agenda for discussion and consideration. A president will be accorded the same privilege relating to his or her own recommendations. Items on a consent docket will be handled with one vote which will be considered by a roll call vote. This voting procedure supersedes the voting procedure in policy 1.9.2.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 1 ADMINISTRATION	Page 1-12
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**1.10 REPORTS SUBMITTED TO THE BOARD.** The following reports shall be submitted by the university presidents to the Administrative Office, which will submit them to all members of the Board.

**1.10.1 Accrediting Reports.** The university presidents shall furnish copies of all regular and interim reports concerning accreditation to the Board.

**1.10.2 New Programs – Changes in Courses of Study.** Each university shall submit to the Board, prior to submission to the Oklahoma State Regents for Higher Education, any matters involving changes in a course or courses of study or institution of new degree programs which require approval by the Oklahoma State Regents for Higher Education. Where possible, descriptive materials shall be distributed in advance of a Board meeting.

**1.10.3 Travel Expenses.** Each university and the Administrative Office shall quarterly submit to the Board a report of all E&G I and Auxiliary employee travel expenditures of \$1,500.00 and over for the previous quarter year. (Compare: 74 O.S. § 500.17)

**1.10.4 Financial Reports.** Each university shall submit financial reports required by policy 2.9.

**1.10.5 Enrollment.** Each university shall submit to the Board enrollment reports at the time they are submitted to the Oklahoma State Regents for Higher Education.

**1.10.6 Employment.** Each university shall submit to the Board at the time they are submitted to the Oklahoma State Regents for Higher Education employment reports showing increase or decrease in employees employed by them during the fiscal quarter immediately preceding the filing of the report. (Compare: 74 O.S. § 3602)

**1.10.7 Budgets.** Prior to the beginning of the fiscal year, the Board and the universities shall prepare a budget, setting out in detail its expenses for the entire fiscal year and shall, not later than July 1, file a copy of its budget with the Director of State Finance. Not later than July 1, the Board shall notify each institution of its pro rata share of the Board's expense budget that will be assessed against the institution during the fiscal year. (Compare: 70 O.S. § 3903)

**1.11 EXECUTIVE SESSIONS OF THE BOARD.** An Executive Session of the Board shall occur only by unanimous vote of the Board. Executive Sessions will be held only for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, discussing negotiations concerning employees and representatives of employee groups or for the purpose of confidential communication with the attorney concerning a pending investigation, claim, or action when it is determined that disclosure would impair the ability to process the claim or conduct pending investigation, litigation, or proceeding in the public interest; for the purpose of discussing negotiations concerning employees and representatives of employee groups; discussing the purchases or appraisal of real property; discussing matters involving a specific handicapped child, or discussing any matter where disclosure would violate confidentiality requirements of state or federal law. (Compare: 25 O.S. § 307)

**1.12 STANDING COMMITTEES.** Recommendations for Board action which relate to standing committee functions should be submitted to the applicable committee chair and addressed in the committee reports portion of the Board meeting. The functions of the standing committees are as follows:

**1.12.1 Educational Excellence.** (1) review and support the general academic policy and its administration within the six regional universities; (2) be informed of relevant academic issues and their potential impact on the institutions; and (3) cooperate with institutional Presidents and Chief Academic Officers in planning strategy to address issues at the institutional and governing Board level of the State System.

**1.12.2 Audit and Finance.** (1) recommend the auditing firm to perform external and internal audits; (2) oversee the financial reporting structure and the validity of the output; (3) assure Regents that the reporting structure and financial controls are adequate and responsive; (4) review and recommend action regarding requests for mid-year budget revisions; and (5) educate Regents as to the nature of the system and the audit procedure.

**1.12.3 Facilities Stewardship.** (1) recommend action concerning public construction contracts as defined by the Public Competitive Bidding Act, 61 O.S. § 101 et. seq.; (2) review and recommend action relating to real property or capital assets (excluding personal property) in excess of the University's purchasing authority in policy 2.3; (3) review and make recommendations concerning real estate transactions for acquisition, sale, leases in excess of \$50,000 per year or acceptance of real property gifts; and (4) provide guidance and oversight regarding long-range physical planning and optimizing capital assets.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 1 ADMINISTRATION	Page 1-14
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### **1.12 STANDING COMMITTEES.** (Continued)

**1.12.4 Personnel.** (1) review and recommend employment, evaluation, termination and all other employment matters of Administrative Office Executive Director and General Counsel; (2) review and analyze presidents' compensation packages annually; (3) review and recommend any and all RUSO insurance-related matters; and (4) review and recommend employment matters as directed by the Board.

**1.12.5 Policy and Procedures.** (1) review and update policies on an as-needed basis; (2) recommend action concerning system-wide policies and procedures; review proposed or revised procedure changes; (3) ensure compliance with all legislative mandates.

**1.12.6 System Advancement.** (1) explore, plan, and develop a comprehensive approach to advocacy, public relations and marketing for the Board and RUSO; (2) generate ideas and develop plans for advancement of RUSO; (3) provide guidance to the Distance Learning Excellence Subcommittee and recommend appropriate action to the Board; and (4) recommend action to the Board on issues affecting system advancement.

**1.13 SPECIAL COMMITTEES.** 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 meeting thereof and direct its proceeding, 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.

### **1.14 COMMUNICATION WITH REGENTS AND PUBLIC CORRESPONDENCE.**

The Universities are directed to conduct all university affairs requiring approval to be submitted through the President of the university.

Any public correspondence sent to one or more Regents may be referred to the Administrative Office for response.

**1.15 MEDIA RELATIONS.** Any statement made on behalf of the Board to the public through the press or through any other agency should be made only by the Chair of the Board or the Chair's designee. This policy shall not be construed to abridge the right and privilege of any member of the Board to state publicly the member's personal opinion on any matter.



REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 1 ADMINISTRATION	Page 1-15
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**1.16 BOARD VACANCY.** The successor of a member of the Board shall be appointed within ninety (90) days after the term of such member expires; and any vacancy in an appointive position on the Board shall be filled by the Governor by and with the consent of the Senate for the unexpired term within ninety (90) days after the vacancy occurs. (Compare: 70 O.S. § 3507)

**1.17 BOARD MEMBER LIMITATION.** No member of the Board shall be employed upon any work to be performed in connection with institutions under its jurisdiction, nor shall any member of said Board enter into any contract or business transaction involving a financial consideration with institutions under its jurisdiction. (Compare: 70 O.S. § 3507)

**1.18 ELIGIBILITY FOR EMPLOYMENT.** No member of the Board will be eligible to be an officer, supervisor, president, instructor, or employee of any of the senior regional universities within two (2) years from the date of expiration of term. (Compare: 70 O.S. § 3508)

**1.19 MEMBERS – PROFESSION.** The personnel of the Board shall not include more than two (2) members from any one profession, vocation, or occupation. (Compare: Okla. Const. Art. XIII-B)

**1.20 MEETING ATTENDANCE.** If any member fails to attend a Board meeting more than two (2) consecutive meetings without the consent of a majority of the Board, the position will be declared vacant by the Governor and a successor shall be appointed. (Compare: Okla. Const. Art. XIII-B 70 O.S. § 3508)

**1.21 COMPENSATION.** Each member of the Board, except the State Superintendent of Public Instruction, shall receive as compensation for services the sum of ten dollars (\$10.00) per day, not to exceed sixty (60) days in any fiscal year, while engaged in the performance of official duties. (Compare: Okla. Const. Art. XIII-B)

**1.22 FINANCIAL DISCLOSURE.** Members of the Board of Regents of RUSO Executive Director and Finance Officer shall file a Financial Disclosure Statement with the Oklahoma Ethics Commission upon initial appointment and not later than April 30 of each year. The Administrative Office will coordinate the filing of the Financial Disclosure Statements. (Compare: 74 O.S. 4223)

September 2006
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**1.23 TRAVEL EXPENSE.** All members shall be allowed necessary travel expenses, as may be approved by the Board, which shall be payable in the same manner as travel expenses of other state officials. (Compare: Okla. Const. Art. XIII-B 70 O.S. § 3508)

**1.24 OFFICIAL SEAL.** The RUSO shall be a body corporate, and shall adopt and use an official seal. (Compare: 70 O.S. § 3509)

**1.25 THE UNIVERSITY PRESIDENT – QUALIFICATIONS, RESPONSIBILITY AND RETENTION.**

**1.25.1** The University Presidents are the chief executive officers of the universities to which they have been appointed and are responsible for the internal administration thereof. The presidents shall obtain approval from the Board prior to the employment of Vice Presidents and Provosts and shall report to the Board on their promotions and salaries. The Presidents may delegate authority to selected administrators in order to facilitate the management of the universities while still retaining the responsibility and accountability vested in the President. The presidents or their designees are solely responsible for employment, discipline and termination of all faculty, administrators and staff and are required to report to the Board on the hiring, promotion, rank and salaries of faculty personnel, and as to matters pertaining to the operation of the institution. Attorneys hired by the president to represent the university, its employees, or the Board in litigation shall report to the Board through the Board's General Counsel. The president shall obtain approval from the Board prior to authorizing representation by attorneys other than the Attorney General's Office. The presidents or their designees will be governed by the regulations of the Board, the Oklahoma State Regents for Higher Education and Oklahoma Statutes.

**1.25.2** The Presidents may bring any dispute that may affect the university to the Board for disposition. A professional administrator at or above the director level whose appointment is not renewed will be given written notice from the university on or before April 1, prior to termination of the current appointment. Administrators whose positions are externally funded may be non-renewed without prior notice. Failure to reappoint may be without specific cause. There shall be no right of review of such actions by the Board.

A professional administrator at or above the director level may be terminated within an existing contract period based on genuine financial retrenchment, bona fide discontinuance of a program or department, or lack of need of one's services, and shall not have greater job protection than tenured faculty.

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 1 ADMINISTRATION</b>	<b>Page 1-17</b>
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**1.25 THE UNIVERSITY PRESIDENT – QUALIFICATIONS, RESPONSIBILITY AND RETENTION.** (Continued)

**1.25.3** The Board has sole responsibility for appointment of personnel to any presidential vacancies that may occur in the six universities. Any process leading to the selection of a university president is the responsibility and prerogative of the Board. The Board may, at its discretion, involve faculty, students and other citizenry in the screening and nomination procedures in each situation as circumstances dictate. In all instances, the fact that a vacancy exists will be widely circulated, and anyone who wishes to file an application for presidential vacancy will be given the opportunity, subject to appropriate deadlines. An earned doctorate shall be preferred for selection as a President.

The President is a member of the Regents' staff, and reappointment is based on the following:

a) Academic Leadership

The university demonstrates academic quality based upon maintenance of regional accreditation and either maintenance of, or increases in the number of, academic program accreditations or approvals by outside academic bodies.

b) Financial Responsibility

Financial obligations can be met to the satisfaction of the Board.

c) Support and respect of the many constituencies for which the President has responsibility. Some of these are:

- 1) Other administrators
- 2) Faculty
- 3) Students and parents
- 4) Staff and other employees
- 5) Alumni
- 6) Communities

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 1 ADMINISTRATION</b>	<b>Page 1-18</b>
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**1.25 THE UNIVERSITY PRESIDENT – QUALIFICATIONS, RESPONSIBILITY  
AND RETENTION.** (Continued)

**1.25.4 The Board as a whole will evaluate university presidents using the  
following guidelines:**

- a) new presidents will be given expectations which will be reviewed in six months.
- b) evaluations will generally be done every other year, but standard questions will be submitted to each president every year in time for consideration by the Board at the November meeting.
- c) information will be acquired prior to the evaluation which will include:
  - 1) personal interviews of certain university employees conducted by the executive director of RUSO;
  - 2) online surveys available to all university employees and students;
  - 3) standard questions will be submitted to each president which will address five year trends for the following criteria:
    - strategic plan
    - fiscal management
    - quality of educational programs and accreditation status
    - quality of faculty
    - meeting fund raising goals and foundation report
    - enrollment retention and graduation rates
    - relations with constituencies
    - quality and size of freshman class
    - any internal campus assessment
- d) Presidents' responses to the standard questions will be submitted one month before the evaluation.
- e) evaluations are the responsibility of the Board as a whole;
- f) concerns or issues arising between evaluations may be brought to the attention of the Board which will determine what actions should be taken to address such concerns or

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 1 ADMINISTRATION</b>	<b>Page 1-19</b>
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issues; such actions may include individual counseling, additional evaluations and/or the call for a formal evaluation; the Board may elect to use professional consultants to assist in formal evaluations;

- g) evaluations will be an interactive process with the president, conducted in executive session;
- h) after an evaluation, the president will be given written feedback from the Board and an opportunity to respond to the Board within thirty days regarding such evaluation;
- i) a president may request an opportunity to address the board at any reasonable time between evaluation periods concerning his or her performance or institutional concerns.

**1.25.5** In determining the numbering of presidential succession the universities of the Regional University System of Oklahoma shall only enumerate those persons who are hired by the Regents as president on a permanent basis rather than on an acting or interim basis. This policy will become effective on adoption by the Board and will not impact any numbering in place as of the effective date. Effective date April 10, 2015.

**April 2015**

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 2 FINANCE AND MANAGEMENT	Page 2-1
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## 2. FINANCE AND MANAGEMENT

**2.1 INSTITUTIONAL RESPONSIBILITY FOR INTERNAL CONTROL.** The university's system of internal control must be designed to provide reasonable assurance that the following objectives can be achieved:

Effective and efficient operations;  
Reliable financial reporting; and  
Compliance with applicable laws and regulations.

The administrators of the universities will follow the appropriate authoritative guidelines when determining administrative and financial issues. These authoritative guidelines and publications include but are not limited to:

College and University Business Administration published by NACUBO.  
Financial and Reporting Manual published by NACUBO.  
The pronouncements of the Governmental Accounting Standards Board.  
The Policy Manual of the Oklahoma State Regents for Higher Education.  
The pronouncements of the Financial Accounting Standards Board.  
Other appropriate state and federal statutes and guidelines.

Administrators will exercise professional judgment in the resolution of conflicts between guidelines and statutes.  
(Compare: 70 O.S. § 3911).

### **2.1.1 University Budgets.**

The operational budget presentation to the board will include summaries of the following activities:

Educational and General Part I  
Educational and General Part II  
Auxiliary and Ancillary Operations  
Student Activities

The summaries submitted for Education and General Part I and II will follow the guidelines of the Oklahoma State Regents for Higher Education and NACUBO. The summaries for the remaining operational budgets will include estimates of the beginning cash balances, current and prior year revenue, expenditures and transfers, and ending cash balances.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 2 FINANCE AND MANAGEMENT	Page 2-2
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## **2.1 INSTITUTIONAL RESPONSIBILITY FOR INTERNAL CONTROL.**

**2.1.2 Budget Submission and Approval.** The annual university budgets shall be submitted to the members of the Board prior to submission to any other entity, except for the Oklahoma State Regents for Higher Education, and in advance of the meeting in which the budgets are to be approved.

The annual operational budgets and any interim budget which reflects an increase in expenditure levels requires board approval. The board will coordinate the scheduling of the approval process with OSRHE. Budgets may be submitted concurrently to both boards and to the board members prior to the budget meeting as requested by the executive staffs.

**2.1.3 Transfer of Funds.** Non-mandatory transfers of excess funds from unrestricted auxiliary and ancillary accounts to other university accounts may be made at the discretion of the university president or his or her designee.

**2.2 GROUP TRAVEL ADVANCE.** The universities utilize non-appropriated revenues in funding student-related trips. The universities are authorized to advance these funds to a faculty sponsor or sponsoring coaches. The funds must be used only for travel, transportation, food, lodging, and/or other trip-related expenses in the exact amount of the actual and reasonable expenditures that will be incurred. The unused portion of the funds advanced for a trip must be returned to the institution upon the trip's completion. A report of expenses incurred during the trip must be prepared by the sponsor within a reasonable time after the completion of the trip.

## **2.3 EXPENDITURES.**

**2.3.1 Supplies, Materials, Services and Equipment.** The university president and his or her designees are authorized to purchase supplies, materials, services, equipment or other appropriate items in accordance with the policies and procedures of the university as well as the minimum criteria established in the Expenditures policy.

- a) All purchases must be for a public purpose. Purchases which constitute gifts to a non-public or private entity are unauthorized.
- b) The universities shall not make any expenditure which is prohibited by law.

**2.3 EXPENDITURES.** (Continued)

**2.3.1 Supplies, Materials, Services and Equipment.**

- c) The value of a purchase equals the cost of an individual item or the cost of a bulk purchase of similar items from a vendor.

Split purchasing for the purpose of avoiding bidding or Board approval or notice requirements is prohibited.

Purchases relating to public construction and improvement contracts are covered by the Public Competitive Bidding Act of 1974, 61 O.S. §101 et. seq.

- d) Bidding requirements do not apply to purchases made at or below the current pricing of: a state or federal contract; a state or federal governmental entity contract; an existing contract awarded by a state college or university, or an educational purchasing consortium contract. Professional services, as defined by Oklahoma Statutes (see 18 O.S. § 803), sole source or sole brand items, items placed by direct order with the prison industries of the Oklahoma Department of Corrections, and items which are statutorily exempt from bidding are not required to be bid.
- e) Each university must maintain written internal procedures and adequate file documentation which are consistent with these policies and which include procedures for purchases which may be based on informal quotations and procedures for purchases that must be bid. This documentation must include, but is not limited to, collection of non-collusion affidavits for items which are competitively bid, and other attachments and documents supporting bids and quotations, pricing of existing contracts, and bid exceptions.



**2.3 EXPENDITURES.** (Continued)

- f) The Board encourages continuing professional development for university employees with responsibilities for purchasing and encourages membership in professional purchasing associations and participation in the information networks available through such associations.

**2.3.2 Purchases of \$50,000 or less.**

- a) A purchase of \$50,000 or less is covered by university internal policies and procedures which may include formal bidding, informal quotation, or other prudent business practices.
- b) A purchase of \$50,000 or less is not required to be reported to the Board.

**2.3.3 Purchases exceeding \$50,000 but not over \$150,000.**

- a) A purchase exceeding \$50,000 but not over \$150,000 must be reported to the Board as an informational item.
- b) A purchase exceeding \$50,000 must be competitively bid.

**2.3.4 Purchases exceeding \$150,000.**

- a) A purchase exceeding \$150,000 must have prior approval from the Board.
- b) A purchase exceeding \$150,000 must be competitively bid.

**2.3.5 Sole Source Purchases.** Each university may purchase from a sole source or sole brand only after reasonable efforts have been made to identify all possible sources. When purchases are made from a sole source, the university shall sign a sole source statement and document in writing the justification for the purchase from a sole source.

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 2 FINANCE AND MANAGEMENT</b>	<b>Page 2-5</b>
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### **2.3 EXPENDITURES.** (Continued)

**2.3.6 Exceptions.** The following items are not required to be bid or reported to the Board:

- a) Library books and media
- b) Utilities
- c) Agency special account operations (700 series)
- d) University memberships
- e) State Risk Management premiums
- f) Aircraft and aircraft related parts
- g) Livestock

**2.4 PUBLIC CONSTRUCTION AND IMPROVEMENT PROJECTS.** It is the intent of the Board to give every qualified bidder an equal opportunity to compete for construction contracts required at the universities and that such competition be fair and impartial. At the same time, it is the policy of the Board to assure the universities quality in workmanship and materials at the best possible cost to the university, and that all transactions in this respect be in accordance with the laws of the State of Oklahoma. University requests to bid public construction and improvement projects which require compliance with the Public Competitive Bidding Act of 1974 (the "Act") shall be presented to the Board for approval. The awarding of a construction contract shall be approved by the Board when such contract exceeds \$100,000. The Board delegates to each university president the authority to award construction contracts not exceeding \$100,000 and all contracts exceeding \$25,000 will be reported to the Board as information items at the meeting immediately following the award of the contract.

The Board delegates to each university president the authority to approve change orders to construction contracts, not to exceed the statutory limitations in the Act. (See 61 O.S. §121). Each university shall maintain a cumulative record of all change orders, alternates, and amendments made to each construction contract, using the forms shown in Annex B. This record shall be updated as change orders, alternates, and amendments to construction contracts are presented to the Board. Change orders shall be reported to the board at the next meeting following the approval of any change order in excess of \$25,000.

<b>April 2015</b>
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#### **2.4 PUBLIC CONSTRUCTION AND IMPROVEMENT PROJECTS.** (Continued)

The Board delegates to each university president the authority to declare an emergency situation in which event the provisions of the Public Competitive Bidding Act with reference to notice and bids shall not apply, but such authority shall not extend to any contract exceeding thirty-five thousand dollars (\$35,000.00) in amount or any amount consistent with the provisions of 61 O.S. § 130 B.

**2.4.1 Revenue Bonds.** Revenue bonds shall be issued pursuant to the provisions of 70 O.S. §§ 4001-4017 and 62 O.S. § 695.8 as these statutes may be amended. Proposals for the issuance of revenue bonds shall be presented to the Board for approval.

**2.4.2 Public Construction. Guidelines for procedures for public construction contracts.** (See Annex A and B)

**2.5 INVESTMENTS.** The procedures listed below are to govern the process of investing funds of the institutions.

- a) Each university president is administratively responsible to the Board for the effective implementation and maintenance of such procedures. The chief business officer of the institution is responsible to the president for transactions concerning investments in accordance with the policies of the Board.
- b) Allowable monies for investment shall include all monies residing in the Agency Special Fund and Agency Relationship accounts.
- c) Institutions may invest allowable monies through the Office of State Treasurer or, with other financial institutions. Allowable investment instruments shall include those permitted for the investment of state monies, as enumerated in Title 62 O.S. 2001, §89.2(A) (as amended).

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	<b>CHAPTER 2</b> <b>FINANCE AND MANAGEMENT</b>	<b>Page</b> <b>2-7</b>
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## **2.5 INVESTMENTS.** (Continued)

- d) Competitive bidding will be utilized in the investment of state funds outside the State Treasurer.
- e) Interest derived from the investment of monies generated by the collection of restricted accounts shall be deposited to the original accounts generating the principal invested. Interest accrued by the investment of unrestricted monies shall be distributed to accounts which the institution believes best serve the objectives of the institution.
- f) Records pertaining to the investment of funds, interest accrued from such investments, as well as all other records of the university shall be available at reasonable times for review of or examination by internal, external, and state auditors.

## **2.6 EXTERNAL AUDITS.**

**2.6.1 Employment of External Auditors.** The financial records of each university and the Board's administrative office shall be annually examined by an independent accounting firm or individual holding a permit to practice public accounting in Oklahoma and such examination shall encompass a complete financial audit for the preceding fiscal year. (See, 70 O.S. § 3909). The audits shall be filed in accordance with Section 212A of Title 74 of the Oklahoma Statutes. The Audit and Finance Committee of the Board recommends the qualifications of any accounting firm or individual seeking to be hired to perform audit(s) for the Board and shall recommend to the Board the firms or individuals who the Board shall invite to submit competitive bids. The Board shall select the auditor(s) from among the competitive bidders.

The auditor(s) shall be willing, at the minimum, to include within the scope of the audit:

- a) All funds and accounts.
- b) Where operations of constituent entities are relevant to the complete financial audit of the institution, records of those enterprises.
- c) To the extent required by subsection (d) of Section 4306 of Title 70, records of college- or university-related foundations.

**2.6 EXTERNAL AUDITS.** (Continued)

**2.6.2 Audit Exit Conferences and Release of Audits.** Auditing firms or persons performing external audits for the Board shall meet with the president of the university and the Board Audit and Finance Committee to review the audit report to be issued, the management letter, other comments or suggestions to be issued, and any other findings. Findings of material weaknesses, qualifications of the auditor's report other than those deriving from inadequate plant records and of defalcations, or a report of lack of such findings, shall be communicated in writing to the Board, the Office of Management and Enterprise Systems, the State Auditor and Inspector, the Legislative Service Bureau, the Oklahoma State Regents for Higher Education and any entity required by the Legislative Audits Act with or in advance of the filing of the audit report required by Section 452.10 of Title 74 of the Oklahoma Statutes.

Such written communications shall include any responses or other comments which the president or Audit and Finance Committee wishes to have included. The Board shall furnish copies of financial audits, compliance audits, and program reviews to the Office of Management and Enterprise Systems, the State Auditor and Inspector, and the Legislative Service Bureau. The Legislative Service Bureau shall provide copies to the House of Representatives and the Senate. Copies of financial audits furnished to the Office of Management and Enterprise Systems shall be furnished in accordance with the provisions of the Legislative Review of State Audits Act. (See 74 O.S. §212A.).

**2.7 INTERNAL AUDIT ACTIVITY CHARTER.** The mission of the internal audit function is to provide independent, objective assurance and consulting services designed to add value and improve RUSO operations. It helps RUSO accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

In accordance with 70 O.S. § 3909 (D), the Board shall require the employment of a sufficient number of internal auditors to meet the Board's fiduciary responsibilities. In addition, the Board and the Executive Director shall have direct responsibility over all internal audits as required by 74 O.S. § 228 including, but not limited to, assuring that all internal audits are conducted in accordance with the *Standards for the Professional Practice of Internal Auditing* developed by the Institute of Internal Auditors.

The Board and Executive Director may not delegate their responsibility over internal audits but may delegate any internal audit functional activities. This delegation may include outsourcing or co-sourcing to external firms qualified to provide internal audit services. All outsourced or co-sourced internal audit functions shall be monitored by the Board and/or the Executive Director.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 2 FINANCE AND MANAGEMENT	Page 2-9
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## **2.7 INTERNAL AUDIT ACTIVITY CHARTER.** (Continued)

**2.7.1 Scope of Work.** The scope of work of the internal auditing function is to determine whether RUSO's network of risk management, control, and governance processes, as designed and represented by management, is adequate and functioning in a manner to ensure:

- a) Risks are appropriately identified and managed.
- b) Significant financial, managerial, and operating information is accurate, reliable, and timely.
- c) Compliance with applicable provisions of policies, standards, procedures, contracts, and applicable laws and regulations.
- d) Resources are acquired economically, used efficiently, and adequately protected.
- e) Programs, plans, and objectives are achieved.
- f) Quality and continuous improvement are fostered in RUSO's control processes.

Opportunities for improving management control, profitability, and RUSO's image may be identified during audits. They will be communicated to the appropriate level of management.

**2.7.2 Accountability.** The chief audit executive, and/or outsourced or co-sourced internal audit function shall be accountable to management and the audit committee upon request to:

- a) Provide annually an assessment on the adequacy and effectiveness of the RUSO's processes for controlling its activities and managing its risks in the areas set forth under the mission and scope of work.
- b) Report significant issues related to the processes for controlling the activities of RUSO and its affiliates, including potential improvements to those processes, and provide information concerning such issues through resolution.
- c) Periodically provide information on the status and results of the annual audit plan and the sufficiency of department resources.

## **2.7 INTERNAL AUDIT ACTIVITY CHARTER.** (Continued)

**2.7.3 Independence.** To provide for the independence of the internal audit function, its personnel report to the chief audit executive, who reports functionally to the audit and finance committee and administratively to the executive director in a manner outlined in the above section on accountability.

In the case of outsourced or co-sourced internal audit functions, entities retained to provide internal audit services shall designate an appropriate individual within their firm with sufficient experience and expertise to serve as the primary point of contact with the Board and the Executive Director and to provide additional assurance that internal audit services are being performed independently and in accordance with appropriate standards and best practices.

**2.7.4 Responsibility.** The chief audit executive and staff of the internal audit function, and/or outsourced or co-sourced internal audit function as defined above, have the responsibility to:

- a) Develop a flexible annual audit plan using an appropriate risk-based methodology, including any risks or control concerns identified by management, and submit that plan to the audit and finance committee for review and to the Board for approval as well as periodic updates.
- b) Implement the annual audit plan, as approved, including as appropriate any special tasks or projects requested by management and approved by the Board.
- c) Maintain a professional audit staff with sufficient knowledge, skills, experience, and professional certifications to meet the requirements of this charter.
- d) Issue periodic reports summarizing results of audit activities.
- e) Keep the audit and finance committee informed of emerging trends and successful practices in internal auditing.
- f) Provide a list of significant measurement goals and results to the audit and finance committee.
- g) Assist in the investigation of significant suspected fraudulent activities within RUSO and notify management and the audit and finance committee of the results.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 2 FINANCE AND MANAGEMENT	Page 2-11
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## **2.7 INTERNAL AUDIT ACTIVITY CHARTER.** (Continued)

**2.7.5 Authority.** The chief audit executive and staff of the internal audit function, and/or outsourced or co-sourced internal audit function as defined above, are authorized to:

- a) Have unrestricted access to all functions, records, property, and personnel.
- b) Have full and free access to the audit and finance committee.
- c) Allocate resources, set frequencies, select subjects, determine scopes of work, and apply the techniques required to accomplish audit objectives.
- d) Obtain the necessary assistance of personnel in units of RUSO where they perform audits, as well as other specialized services from within or outside RUSO.

The chief audit executive and staff of the internal audit function, and/or outsourced or co-sourced internal audit function as defined above, are not authorized to:

- a) Perform any operational duties for RUSO.
- b) Initiate or approve accounting transactions external to the internal auditing department.
- c) Direct the activities of any RUSO employee not employed in the internal auditing department, except to the extent such employees have been appropriately assigned to auditing teams or to otherwise assist the internal auditors.

**2.7.6 Transitional Audits.** An internal transitional audit should occur when a president or executive officer leaves his or her position. The audit should consist of a formal review of all operations under the supervision of the officer, but should not duplicate any other related audits recently completed. The Audit and Finance Committee should recommend to the Board the timing and the scope of the transitional audit.



REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 2 FINANCE AND MANAGEMENT	Page 2-12
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## **2.7 INTERNAL AUDIT ACTIVITY CHARTER.** (Continued)

**2.7.7 Quality Assurance Review.** In accordance with 74 O.S. §213 (B), the Board shall require a quality assurance review of the internal audit function at least once every three (3) years. This review shall be in accordance with the "Quality Assurance Review Manual for Internal Auditing" developed by the Institute of Internal Auditors. A copy of the report on the quality control review shall be filed with the State Auditor and Inspector. (See 74 O.S. § 213 (B)).

**2.8 FEDERAL PROGRAMS.** The presidents of the universities or designees are authorized to enter into agreements with the Federal Government when such agreements are within the mission of the university and are beneficial to the university. Agreements shall be reported by the president to the Board. All rules and regulations pertaining to the federal program or agreement shall be followed.

**2.9 FINANCIAL REPORTING REQUIREMENT.** For the next regularly scheduled board meeting following February 28 and June 30 of each year, each university will provide each Board member a Sources and Uses of Funds report for Education & General Part I primary budget.

April 2015
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REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-1
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### 3. ACADEMIC AFFAIRS

**3.1 FACULTY PERSONNEL POLICY.** It is the policy of Board to recognize and implement the functions assigned to the regional universities by the Oklahoma State Regents for Higher Education. These functions are teaching, research, continuing education, and public service. The responsibility for carrying out this policy is shared by the Board of Regents of the Regional University System of Oklahoma, administrative officers, and the faculty of the constituent universities.

**3.1.1 Membership.** The faculty is composed of two groups, the regular and the supplemental faculty. In most cases, these individuals have an instructional or research relationship to the university, either direct or supervisory. The faculty includes permanent and temporary, full-time and part-time personnel.

Regular Faculty: The regular faculty includes members of the faculty who are full-time employees of the university and who hold the rank of professor, associate professor, assistant professor, instructor, or special instructor. Regular faculty may hold one of the following appointments: 1) Tenured; 2) Tenure Track (non-tenured, on tenure track); 3) Non-Tenure Track (non-tenure earning); 4) Temporary (one academic year or less).

Supplemental Faculty: The supplemental faculty consists of:

- a) Members of the Department of Military Science or National Guard GOLD Program. Members of the Department of Military Science include the commissioned and non-commissioned officers assigned to the university by the Department of Defense or the National Guard GOLD Program. The senior commissioned officer holds the rank of professor.
- b) Adjunct Faculty. Adjunct faculty hold part-time appointments that may be made for one academic year or less. The rank of such faculty may be instructor or lecturer.
- c) Visiting Faculty. Visiting faculty are employed by the university to teach or perform research for a limited time and are on leave of absence from another institution of higher education or professional practice. Visiting faculty may be appointed at any rank.

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 3 ACADEMIC AFFAIRS</b>	<b>Page 3-2</b>
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### **3.1 FACULTY PERSONNEL POLICY.** (Continued)

#### **3.1.1 Membership.**

- d) Volunteer Faculty. A person who has special talents or expertise and whose time and services are donated, may be appointed to the university volunteer faculty. Volunteer faculty enjoy all the privileges of the academic community except those, such as tenure, which are applicable specifically to regular faculty. Volunteer faculty who meet the education qualifications may hold academic rank.
- e) Clinical Supervisors. Clinical supervisors are not employees of the university. They are practitioners who are assigned regular and continuing responsibilities in the clinical setting.

#### **3.1.2 Types of Appointments to Faculty.** The regular faculty holds one of six types of appointments:

- a) Tenured A tenured appointment is reserved for those regular faculty members who have been granted tenure by the Board. Tenured faculty members are on continuous appointment and, therefore, are not notified of their appointment status for the following year unless their appointment is being terminated. The procedures for dismissal of tenured faculty are covered in this chapter.
- b) Non-Tenured. A non-tenured appointment refers to any appointment which is not tenured. This includes, but is not limited to, tenure track, non-tenure track, temporary, and administrative appointments.
  - 1) Tenure Track. A tenure track appointment is one in which the faculty member may become eligible to receive tenure in accordance with policy. Tenure track appointments are for one (1) year, renewable annually at the option of the university.
  - 2) Non-tenure Track. A non-tenure track appointment is one in which the faculty member is appointed to the regular faculty but is not eligible to receive tenure and is classified as on a non-tenure track. A faculty member on non-tenure track appointment may be continued annually, at the option of the university. A non-tenure track appointment may be changed to a tenure track appointment upon written agreement between the university president and the faculty member.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-3
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### **3.1 FACULTY PERSONNEL POLICY.** (Continued)

#### **3.1.2 Types of Appointments to Faculty**

- 3) Temporary. A temporary appointment is one in which the faculty member is appointed to the regular faculty for a period of one year or less. Upon termination of the temporary appointment, the position, if continued, will be opened and advertised.
- 4) Administrative. An administrative appointment is one in which the faculty member is assigned to perform executive duties and function as part of the administration of the university.

**3.1.3 Length of Appointments.** The Board may not obligate itself beyond a current fiscal year for salaries or compensation in any amount to its employees except as authorized by the Oklahoma Constitution.

**3.1.4 Initial Appointments to the Regular Faculty.** Authority to make appointments to the regular faculty is delegated to the university president. Appointments to the regular faculty are reported to the Board at the next regular meeting following the appointment.

**3.1.5 Appointments to the Supplemental Faculty.** Authority to make appointments to the supplemental faculty is delegated to the university president. These appointments are limited to specific duties and a specific period of time. Supplemental faculty are not entitled to notification of non-reappointment.

**3.1.6 Appointments to the Summer Teaching Faculty.** An appointment to the summer faculty is limited to the specific summer for which the appointment is made. Summer faculty appointments from regular faculty are made by the university president.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-4
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### **3.1 FACULTY PERSONNEL POLICY.** (Continued)

#### **3.1.7 Full- and Part-Time Appointments.**

- a) Full-Time Appointments. Full time faculty have instructional and non-instructional duties as assigned by the university. Instructional duties include but are not limited to the teaching of assigned classes, evaluating the students in the classes, and meeting with those students who require assistance in their classes. Non-instructional duties include but are not limited to conducting research and other scholarly activity, advising students, serving on committees, sponsoring organizations, and participating in professional organizations. A full-time faculty member should generally carry an instructional load of twenty-four (24) to twenty-seven (27) hours per academic year and a non-instructional equivalent load of nine (9) to twelve (12) hours per academic year so the full-time load would be the equivalent of thirty-six (36) hours per academic year.
- b) Part-Time Appointments. Part-time faculty are generally employed only for the purpose of teaching classes. The assigned responsibilities are to provide instruction, evaluate students pertaining to that instruction, and to meet with those students who require assistance in their classes. The load of a part-time faculty member who does not have additional duties will be determined by dividing his teaching load by eighteen (18). For example, a nine (9) hour teaching load would equal one-half time.
- c) Graduate Assistants. Graduate assistants are graduate students at the institution who hold appointments as teaching, research, or administrative assistants. Graduate assistants must be enrolled in a minimum of three (3) semester hours. Teaching assistants shall not teach more than six (6) credit hours per semester.
- d) Joint Appointments. Appointments between two or more academic units or colleges or universities are encouraged when they are of mutual benefit. However, they (a) must not total more than 1.0 full-time equivalent (FTE) and (b) must be approved by all the units and colleges or universities involved. Such appointments must have the approval of the appropriate administrative officials of all units involved and one academic unit and college shall have primary responsibility for promotion and tenure consideration.
- e) Adjunct Appointments. Adjunct appointments are temporary appointments made for one semester or summer session only and involve instructional duties for certain course sections only. Compensation is determined at the university level.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-5
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### **3.2 ACADEMIC RANK AND PROMOTION OF FACULTY.**

**3.2.1 Rank or Promotion Granted by Board of Regents.** Authority to grant academic rank or promotion in academic rank is delegated to the university president. Determination of merit and granting promotion in rank shall be in accordance with the promotion policies and procedures of the university as well as the minimum criteria contained in these policies.

**3.2.2 Principal Academic Ranks of the University.** The principal academic ranks of the university shall be Professor, Associate Professor, Assistant Professor, and Instructor. Educational qualifications for these ranks shall be as follows:

- a) **Professor:** An earned doctorate degree awarded by a regionally accredited or internationally recognized institution. Institutions may elect to award the rank of professor to individuals who have completed a non- doctoral terminal degree program requiring a minimum of 60 graduate hours.
- b) **Associate Professor:** An earned doctorate degree awarded by a regionally accredited or internationally recognized institution. Institutions may elect to award the rank of associate professor to individuals who have completed a non- doctoral terminal degree program requiring a minimum of 60 graduate hours.
- c) **Assistant Professor:** An earned doctorate degree awarded by a regionally accredited or internationally recognized institution. Institutions may elect to award the rank of assistant professor to individuals who have completed all requirements in a doctoral program except the dissertation (or equivalent requirement) or have completed a non- doctoral terminal degree program requiring a minimum of 60 hours.
- d) **Instructor** An earned degree awarded by a regionally accredited or internationally recognized institution.
- e) **Others** Institutions may classify instructional personnel who are not subject to assignment of rank by such titles as special instructors, lecturers, graduate assistants, adjunct instructors, part-time instructors, or by other title.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-6
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### **3.2 ACADEMIC RANK AND PROMOTION OF FACULTY.** (Continued)

**3.2.3 Education Requirements.** The university shall verify the credentials of each faculty member according to the policies and procedures of the Higher Learning Commission: A Commission of the North Central Association of Colleges and Schools, the Oklahoma State Regents for Higher Education and the Regional University System of Oklahoma. The earned degrees or graduate work should be in a field related to the individual's assignment.

**3.2.4 Experience Requirements.** Faculty members remain at the same rank for a minimum of five (5) years. Exceptions may be made by the university president.

**3.2.5 Educational and Experience Requirements.** The educational and experience requirements delineated above do not imply that attainment of given educational qualifications and/or experience requirements shall be the sole criteria for granting rank or promotion in rank.

**3.2.6 Other Criteria.** Providing that candidates possess the required educational and experience qualifications the following are considered minimum criteria upon which promotion in rank is based: 1) effective classroom teaching, 2) scholarly or creative achievement, 3) contributions to the institution and profession, and 4) performance of non-teaching or administrative duties.

**3.2.7 Reduction in Rank.** No person presently employed shall suffer reduction in rank as a result of the operation of these policies.

**3.2.8 Appeal.** Individuals who are not satisfied with action taken as a result of the review process for change in rank may follow the established university appeal procedure.

**3.2.9 Exceptions.** Exceptions to criteria for promotion in rank may be recommended by the President.

### **3.3 ACADEMIC FREEDOM, ACADEMIC RESPONSIBILITY AND TENURE OF FACULTY.**

#### **3.3.1 Academic Freedom.**

a) Faculty members are entitled to freedom regarding research and in the publication of the results, subject to the adequate performance of instructional and non-instructional duties. Patent and copyright ownership will vest consistent with Board policy.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-7
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### **3.3 ACADEMIC FREEDOM. ACADEMIC RESPONSIBILITY AND TENURE OF FACULTY.** (Continued)

#### **3.3.1 Academic Freedom.**

b) Faculty members are entitled to freedom in the classroom in discussing their subject, but faculty should be objective in teaching of a controversial matter which has relation to that subject and of controversial topics introduced by students. The faculty member should not introduce controversial matters which have little or no relation to the subject of instruction.

c) University faculty members are individuals, members of a learned profession, and representatives of a university. When faculty members speak or write as individuals, they should be free from institutional censorship or discipline, but faculty position in the community imposes special obligations. As persons of learning and education representatives, the faculty members should remember that the public may judge the profession and the university by extramural utterances. Hence, each faculty member should, at all times, be accurate, should exercise appropriate restraint, should show respect for the opinions of others and should make every effort to indicate that faculty do not speak on behalf of the university.

d) Academic freedom should be distinguished clearly from constitutional freedoms, which all citizens enjoy equally under the law. Academic freedom is an additional assurance to those who teach and pursue knowledge and, thus, pertains to rights of expression regarding teaching and research within specific areas of recognized professional competencies.

#### **3.3.2 Academic Responsibility**

a) The concept of academic freedom must be accompanied by an equally-demanding concept of academic responsibility. The concern of the university and its members for academic freedom safeguards must extend equally to requiring responsible service, consistent with the objectives of the university.

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



REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-8
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### **3.3 ACADEMIC FREEDOM. ACADEMIC RESPONSIBILITY AND TENURE OF FACULTY.** (Continued)

#### **3.3.2 Academic Responsibility.**

c) Faculty members have responsibilities to their students. They shall encourage in students the free pursuit of learning and independence of mind, while holding before them the highest scholarly and professional standards. Faculty members shall show respect for the student as an individual and adhere to their proper role as intellectual guides and counselors. They shall endeavor to define the objectives of their courses and to devote their teaching to the realization of those objectives. A proper academic climate can be maintained only when faculty members meet their fundamental responsibilities regularly, such as preparing for and meeting their assignments, conferring with and advising students, evaluating fairly and participating in group deliberations which contribute to the growth and development of students and the university. All faculty members also have the responsibility to accept those reasonable duties assigned to them within their fields of competency, whether curricular, co-curricular, or extra-curricular. Faculty members make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflects their true merit. They do not exploit students for private advantage and acknowledge significant assistance from them. They protect students' academic freedom.

d) Faculty members have responsibilities to their colleagues, deriving from common membership in a community of scholars. They shall respect and defend the free inquiry of their associates. In the exchange of criticism and ideas, they should show due respect for the opinions of others. They shall acknowledge their academic debts and strive to be objective in the professional judgment of their colleagues. Faculty members accept a reasonable share of faculty responsibilities for the governance of the university.

e) Institutions of higher education are committed to open and rational discussion as a principal means for the clarification of issues and the solution of problems. In the solution of certain difficult problems, all members of the academic community must take note of their responsibility to society, to the institution, and to each other, and must recognize that at times the interests of each may vary and will have to be reconciled. The use of physical force, harassment of any kind, or other disruptive acts which interfere with ordinary institutional activities, with freedom of movement from place to

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-9
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### **3.3 ACADEMIC FREEDOM. ACADEMIC RESPONSIBILITY AND TENURE OF FACULTY.** (Continued)

#### **3.3.2 Academic Responsibility.**

place on the campus, or with freedom of all members of the academic community to pursue their rightful goals, are the antithesis of academic freedom and responsibility. So, also, are acts which, in effect, deny freedom to speak, to be heard, to study, to teach, to administer, and to pursue research. It is incumbent upon each member of the academic community to be acquainted with his individual responsibilities, as delineated by appropriate institutional statements found in the faculty handbook.

f) Faculty members have responsibilities to the educational institution in which they work. While maintaining their right to criticize and to seek revisions, they shall observe the stated regulations of the institution. Faculty members shall determine the amount and character of the work they do outside their institution with due regard to their paramount responsibilities within it. When considering the interruption or termination of his or her service, the faculty member recognizes the effect of such a decision upon the program of the institution and gives due notice of the decision.

g) Faculty members have responsibilities to their community. As a person engaged in a profession that depends upon freedom for its health and integrity, the faculty members have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

h) Administrators must protect, defend and promote academic freedom.

#### **3.3.3 Academic Tenure.**

a) Tenure is a privilege and a distinctive honor. Tenure is defined as continuous reappointment which may be granted to a faculty member in a tenure-track position, subject to the terms and conditions of appointment. 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 at a minimum whether each candidate has achieved excellence in:

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 3 ACADEMIC AFFAIRS</b>	<b>Page 3-10</b>
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**3.3 ACADEMIC FREEDOM, ACADEMIC RESPONSIBILITY AND TENURE OF FACULTY.** (Continued)

**3.3.3 Academic Tenure.**

- 1) effective classroom teaching; 2) scholarly or creative achievement; 3) contributions to the institution and profession; and 4) performance of non-teaching or administrative duties. Each university may formulate standards for this review and determine the appropriate weight to be accorded each criteria consistent with the mission of the academic unit.
- b) Tenure is granted by the Board of Regents of the Regional University System of Oklahoma upon recommendation of the university president. Determination of merit and recommendation for granting tenure shall comport with the minimum criteria and policies and procedures contained in this chapter.
- c) The terms and conditions of every appointment or reappointment shall be stated in writing and be in the possession of both the institution and faculty member before the appointment is consummated. Tenure shall be granted only by written notification after approval by the Board. Only full-time faculty members holding academic rank of assistant professor, associate professor, or professor may be granted tenure. Qualified professional librarians shall be considered faculty members if they are given academic rank.
- d) Tenure does not apply to administrative positions, but a tenured faculty member appointed to an administrative position retains tenured status previously granted as a member of the faculty.
- e) The Board intends that tenured personnel are reappointed to the faculties of the institutions under its control within existing positions that are continued the next academic year. The Board reserves the right to terminate tenured faculty at the end of any fiscal year if the Legislature fails to appropriate or the Oklahoma State Regents for Higher Education fails to allocate sufficient funds to meet obligations for compensation.
- f) The Board recommends that not more than sixty-five percent (65%) of the full-time faculty at a university receive tenure.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-11
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### **3.3 ACADEMIC FREEDOM, ACADEMIC RESPONSIBILITY, AND TENURE OF FACULTY.** (Continued)

#### **3.3.4 Periods of Appointment and Tenure**

- a) Faculty members holding academic rank above the level of instructor (assistant professor, associate professor, or professor) shall be on probation for a minimum of five (5) years after date of first being employed by the university in a tenure track position. Years of experience in any position other than a tenure track position may be used for the probation only if approved by the university president. Seven (7) years shall be the maximum probationary period for the eligible faculty member to become eligible for tenure. If, at the end of seven (7) years any faculty member has not attained tenure, there will be no renewal of appointment for the faculty member unless a specific recommendation for waiver of policy from the president to the contrary is approved by the Board each year.
- b) For the purpose of determining probationary employment of faculty members for tenure consideration, sabbatical leave counts as a part of the period of probationary employment, and a leave of absence is not included as part of the probationary period.

#### **3.3.5 Procedure for Granting Tenure and Reviewing of Tenured Faculty.**

- a) When a faculty member is to be considered for tenure, the chair of a division or department shall call a meeting of the tenured members of the division or department for a discussion of the case. The faculty member's contributions to the mission of the university shall be reviewed and evaluated by the tenured members of his or her division or department including his or her division and/or department chair if applicable, and a poll by secret ballot will be taken to determine whether a recommendation for the granting of tenure will be made. The results of all balloting will be confidential and will not be included in the faculty member's personnel file. This review may be conducted in a manner that allows for input from non-tenured colleagues, students, alumni and administrative information from the department chair. In the event that the number of tenured faculty members in a division or department is fewer than five (5), the actual tenured members in that division or department, plus additional tenured faculty members appointed by the chief academic officer or his or her designee to form a group of at least five (5) tenured faculty members shall act as an ad hoc committee for tenure recommendation. A simple majority rule shall prevail. The division or department chair shall report the results of the vote, separate from his

### **3.3 ACADEMIC FREEDOM, ACADEMIC RESPONSIBILITY AND TENURE OF FACULTY.** (Continued)

#### **3.3.5 Procedure for Granting Tenure and Reviewing of Tenured Faculty** (Continued)

or her recommendation, to the dean who will forward that recommendation as well as the dean's recommendation to the chief academic officer. The chief academic officer will report these recommendations as well as his or her recommendation to the president.

A recommendation for tenure may also come directly from the chief academic officer or from the president of the university without prior recommendation from the division or department. If the president determines to recommend granting of tenure, he or she will make the recommendation to the Board.

- b) The academic and professional performances of each tenured faculty member at each institution must be reviewed at least every three (3) years. When the review results in a finding that a tenured faculty member's academic and professional performance is unsatisfactory, the faculty member shall be notified of the deficiencies in performance and must be reviewed again within one (1) year. The results of each review will be placed in the personnel record of the tenured faculty member. The tenured faculty member should be given a copy of the review and an opportunity to respond. Two consecutive unsatisfactory post-tenure performance evaluations may be grounds for dismissal or suspension.

**3.4 DISCIPLINARY ACTION AND DISMISSAL** No tenured member of the faculty shall have his or her appointment terminated in violation of the principles of tenure adopted by the Board except for one or more causes which may include, but are not limited to, the following:

- a) Committing a felony or other serious violation of law that is admitted or proved before a court of competent jurisdiction, preventing the faculty member from satisfactory fulfillment of professional duties or responsibilities, or violation of a court order which relates to the faculty member's proper performance of professional responsibilities.
- b) Moral turpitude.
- c) Insubordination.
- d) Professional incompetence or dishonesty.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-13
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### **3.4 DISCIPLINARY ACTION AND DISMISSAL.** (Continued)

- e) Substantial or repeated failure to fulfill professional duties or responsibilities or substantial or repeated failure to adhere to Board or university policies.
- f) Personal behavior preventing the faculty member from satisfactory fulfillment of professional duties or responsibilities.
- g) An act or acts which demonstrate unfitness to be a member of the faculty.
- h) Falsification of academic credentials.
- i) Two consecutive unsatisfactory post-tenure performance evaluations.
- j) Bona fide lack of need for one's services in the university.
- k) Bona fide necessity for financial retrenchment.

**3.4.1 Disciplinary Action Other Than Dismissal or Suspension.** Disciplinary action affecting the terms of employment taken by the university against a tenured faculty member must be based upon causes stated in this chapter, or any other adequate cause which related directly and substantially to the fitness of the tenured faculty member to perform professional duties. Disciplinary action shall begin with a conference between the tenured faculty member and the appropriate academic officer. If as a result of the conference, the academic officer finds that disciplinary action is warranted, a written recommendation for action should be forwarded to the appropriate dean or division head. If, after review, the dean or division head decides not to proceed with further disciplinary action, both parties should be notified in writing. If the dean or division head determines that additional action is warranted, then a conference with the tenured faculty member should be arranged. The dean or division head may determine that no further action is necessary. If, however, additional action is warranted, the faculty member and the chief academic officer shall be notified in writing within fourteen (14) days. The chief academic officer should arrange for a conference with the faculty member. The chief academic officer may then determine that no additional action is necessary.

However, the chief academic officer should notify the faculty member in writing if an additional plan of disciplinary action is made. A copy of the disciplinary action should be placed in the faculty member's personnel file.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-14
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### **3.4 DISCIPLINARY ACTION AND DISMISSAL.** (Continued)

**3.4.2 Suspension of a Tenured Faculty Member.** The president of the university shall have the authority to suspend any faculty member formally accused of causes a, b, c, d, e, f, g, h or i (listed above). The president shall notify the General Counsel of the Board in writing of the terms and conditions of the suspension within 30 days of notifying the faculty member. A faculty member should be suspended only if harm to the faculty or students is possible or disruption of proper conditions for teaching and learning are threatened by the faculty member's continuance. During the suspension period, compensation for the suspended person should be continued. If during the suspension period the faculty member is convicted of or admits to the commission of a felony or a crime involving moral turpitude or other serious violation of law referenced above, the institution shall not continue compensation.

**3.4.3 Dismissal of a Tenured Faculty Member for Cause.** Dismissal proceedings shall begin with a conference between the faculty member and the appropriate academic officer. The conference may result in agreement that the dismissal proceedings should be discontinued or that the best interest of the tenured faculty member and the university would be served by the faculty member's resignation. If this conference does not result in mutual agreement, the academic officer will submit a recommendation in writing with rationale to the faculty member and to the vice president for academic affairs. Within fourteen (14) days, the chief academic officer should have a conference with the faculty member. At the conclusion of the conference the chief academic officer will make a written recommendation to the president with a copy to the faculty member.

**3.4.4 Dismissal of Tenured Faculty for Program Discontinuance or Financial Retrenchment.** A faculty member with tenure whose position is terminated based on genuine financial retrenchment, bona fide discontinuance of a program or lack of need for one's services, will be given five (5) months written notice unless an emergency arises.

Before terminating an appointment because of discontinuance of a program or department, or because of other lack of need of services, the university will make reasonable efforts to place affected members in other suitable positions.

If an appointment is terminated because of financial retrenchment, or because of discontinuance of a program, the released faculty member's position will not be filled by a replacement within a period of two years, unless the released faculty member has been offered reappointment at the previous status.

### **3.4 DISCIPLINARY ACTION AND DISMISSAL.** (Continued)

**3.4.5 Appellate Committee on Dismissal of Tenured Faculty Members.** A faculty member who receives notice of recommendation of dismissal by the Chief Academic Officer may request and shall be afforded a hearing before the Appellate Committee on Dismissal of Tenured Faculty Members. Failure to make a request in writing to the president within fourteen (14) days after receipt of notification shall constitute a waiver by such faculty member of his or her right to a hearing before the Appellate Committee on Dismissal of Tenured Faculty Members and the president shall then make a final determination. Each university shall institute an Appellate Committee on Dismissal of Tenured Faculty Members. The committee shall not exceed nine (9) tenured faculty members, eight (8) of whom shall be nominated or elected by the faculty governing body of the university and one member appointed by the president of the university. A quorum shall be five (5) members or a majority of qualified members of the committee. Initially, one half ( $\frac{1}{2}$ ) of the elected members shall be elected for twelve (12) months and one half ( $\frac{1}{2}$ ) shall be elected for twenty-four (24) months; thereafter, one half ( $\frac{1}{2}$ ) shall be elected each year. No member may serve more than two (2) consecutive terms. One (1) or more alternate members of the committee shall be elected to serve in the event a regular member is unable to serve. If any member of the committee is an interested party in a case which comes before the Appellate Committee on Dismissal of Tenured Faculty Members, said committee member shall not serve on that case.

The incumbent committee shall serve until the completion of any case pending at the time their term of service expires.

The decision of the committee will be based on majority vote. Prior to any hearings the committee will hold an organizational meeting at which time the committee will at a minimum elect its own chair, who will have the right to vote.

### **3.4.6 Appeal Procedures for Tenured Faculty.**

a) After a faculty member has requested a hearing before the Appellate Committee on Dismissal of Tenured Faculty Members, service of notice of hearing with specific charges in writing will be made at least twenty (20) days prior to the hearing. The faculty member may respond by waiving the hearing and filing a written brief or the matter may proceed to a hearing. If the faculty member waives hearing, but denies the charge or asserts that the charges do not support a finding of adequate cause, the Appellate Committee on Dismissal of Tenured Faculty Members will evaluate all available evidence, including testimony and documentary evidence presented by the university, and make its recommendation upon the evidence in the record.



<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 3 ACADEMIC AFFAIRS</b>	<b>Page 3-16</b>
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### **3.4 DISCIPLINARY ACTION AND DISMISSAL.**

#### **3.4.6 Appeal Procedures for Tenured Faculty.** (Continued)

- b) If the faculty member requests a hearing, the Appellate Committee on Dismissal of Tenured Faculty Members shall, with due diligence, considering the interests of both the university and the faculty member affected, hold a hearing and report its findings and recommendations to the university president and to the involved faculty member.
- c) At hearings before the Appellate Committee on Dismissal of Tenured Faculty Members, faculty members and the university shall be permitted academic advisors and/or counsel. A court reporter will be retained by the university to record the proceedings. Parties will pay the cost of a copy of the transcript. The committee will determine whether the hearing should be public or private.
- d) The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence, and the administration of the university will attempt to secure the cooperation of such witnesses and will make available necessary documents and other evidence within its control. No employee of the institution, regardless of position, should be excluded or excused from appearing before the committee, if available.
- e) The hearing will begin with the Chief Academic Officer presenting the case for dismissal and continue with the faculty member presenting the case against dismissal. Each side may introduce evidence and/or call witnesses as desired. The faculty member and the university will have the right to cross examine all witnesses present. Depositions are admissible whenever a witness cannot appear.
- f) The committee may conclude: a) that adequate cause for dismissal has been established by the evidence; b) that adequate cause for dismissal has not been established by the evidence; or c) that adequate cause for dismissal has been established, but an academic penalty less than dismissal, including removal of tenure, would be more appropriate. The committee may make any other recommendations it determines are appropriate. The committee's findings and recommendations shall be made to the university president. The committee shall send a copy of its findings and recommendations to the affected faculty member.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-17
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### **3.4 DISCIPLINARY ACTION AND DISMISSAL.** (Continued)

#### **3.4.6 Appeal Procedures for Tenured Faculty.**

- g) The president shall notify the affected faculty member of the president's recommendation to the Board. The faculty member shall have the right to request the Board to review adverse findings and recommendations of the president. The request must be in writing and filed within fifteen (15) days after final notification by the president of the university at the office of the Regional University System of Oklahoma. If the affected faculty member does not timely request that the Board review the president's findings and recommendations, the president's determinations become final and binding.
- h) In the event the faculty member submits a timely request to the Board to review adverse findings and recommendations of the president, the faculty member must indicate whether he or she desires a hearing of all of the evidence of the case, otherwise the review will be a review of the record of the case. The Board has the discretion to determine whether the review will be a de novo hearing or a review of the record.
- i) Public statements and publicity about the case by the university will be avoided until the proceedings, including consideration by the Regents, have been concluded.

**3.4.7 Non-Tenured Faculty.** Non-tenured faculty shall be afforded the same rights of academic freedom as tenured faculty.

**Annual Evaluation.** Unless the faculty member will not be reappointed the performance of non-tenured faculty members shall be evaluated on or before March 1, each year, and the results of the evaluation shall be placed in the personnel file of the non-tenured faculty member. The non-tenured faculty member shall be given a copy of the evaluation.

**Non-Reappointment.** The Board delegates to the university president or his or her designee the authority to reappoint or not to reappoint non-tenured faculty members. A non-tenured faculty member whose appointment is not renewed will be given written notice from the university on or before March 1, prior to termination of the current appointment. Failure to reappoint may be without specific or stated cause.

### **3.4 DISCIPLINARY ACTION AND DISMISSAL.**

#### **3.4.7 Non-Tenured Faculty.** (Continued)

Termination for Cause or Suspension of Non-Tenured Faculty. The termination of employment for cause or suspension of a non-tenured faculty member within an existing contract period shall follow the same procedures and be limited to the same reasons as provided for tenured faculty members who are terminated for cause or suspended. A failure to re-appoint may be without specific or stated cause.

Termination for Program Discontinuance or Financial Retrenchment. Employment of a non-tenured faculty member may be discontinued within an existing contract period based on genuine financial retrenchment, bona fide discontinuance of a program or department, or lack of need of one's services. Non-tenured faculty members discontinued within an existing contract period based on genuine financial retrenchment, bona fide discontinuance of a program or department, or lack of need of one's services shall not have greater job protection than tenured faculty.

**3.5 SABBATICAL LEAVE.** The Board authorizes the university to grant sabbatical leave. If a university chooses to grant sabbatical leave, the following guidelines will prevail:

Purpose: The university may grant a sabbatical leave to faculty members to provide an opportunity for continued professional growth and new or renewed intellectual achievement through study, research, writing, and travel. The primary purpose of sabbaticals should be for post-doctoral study. A sabbatical may be used to engage in specialized scholarly activity or to provide a broad cultural experience. Such sabbaticals are intended to take place in off-campus settings. The university views a sabbatical as an investment with the expectation that the sabbatical will significantly enhance the faculty member's capacity to contribute to the objectives of the university. For this reason sabbatical leave applications are approved only when significant evidence indicates that the individual will achieve this purpose. Also, the approval of such sabbaticals shall be consistent with the appropriate budgetary and faculty arrangements so as not to disrupt the instructional program or other vital operations of the university.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-19
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### **3.5 SABBATICAL LEAVE.** (Continued)

Conditions of Award: A full sabbatical leave will be for one year at one-half salary. Persons who qualify for less than full sabbatical may be awarded a sabbatical on a proportional basis. Sabbatical leaves shall not be used as a means of augmenting personal income. The sabbatical program requires that persons on sabbatical devote full-time to the scholarly activity for which the sabbatical is granted and will receive no salary or stipend from sources other than the university, except that, with university approval, (1) persons on sabbatical at less than full salary may engage in other scholarly activity consistent with that for which the sabbatical is granted and receive salary, stipend, or honorarium from other sources in such amounts that total salary stipend, and honorarium do not exceed the annual income normally earned, and (2) persons on leave may receive grants from other sources for travel and research expenses incident to their scholarly activity.

Individuals receiving sabbatical leave shall enter into the following written agreement to return to the service of the university and remain for a number of months equal to four times the number of months of full-time equivalent salary (example: One half ( $\frac{1}{2}$ ) salary x ten (10) months = five (5) full-time months; the number of months to return to the university is five (5) full-time months x four (4) = twenty (20) months) or to repay the university the amount of salary received while on sabbatical leave, unless released from the obligation by the Board. If the individual leaves the university prior to the end of the required time, whether voluntary or involuntarily, the amount to be paid the university shall be proportionally reduced.

February 2009
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<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 3 ACADEMIC AFFAIRS</b>	<b>Page 3-20</b>
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### **3.5 SABBATICAL LEAVE.** (Continued)

#### **AGREEMENT**

1. I agree to report in writing to the Chief Academic Officer via my department chair or division chair within three months of returning to University service a report of the activities I undertook on my sabbatical and I understand that should I fail to do so any future leave application can be denied.
2. I agree to withdraw from all departmental, college, and University committees for the duration of my leave.
3. I agree to remain in the service of the University at not less than my present salary for a number of months equal to four times the number of months of full-time equivalent salary.
4. I further agree that, in the event I do not return to the University, I will repay the University salary and cost of benefits received from the University during the sabbatical leave, and that, if I do not repay such sums upon demand the University may bring all necessary legal actions to recover this money from me.
5. I have read the section of the Faculty Handbook regarding the official policy of sabbatical leave.
6. I have read and reviewed the rules and regulations of the Oklahoma Teachers Retirement System related to sabbatical leave.

NAME (Please type):

SIGNATURE: \_\_\_\_\_

<b>February 2009</b>
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<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 3 ACADEMIC AFFAIRS</b>	<b>Page 3-21</b>
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### **3.5 SABBATICAL LEAVE.** (Continued)

At the termination of the sabbatical, and not later than three months after returning to the campus, the individual shall submit a report of the activities undertaken to the chief academic officer through the department chair and division chair. The report will be used to evaluate future applications for sabbaticals of faculty members who have been granted one or more sabbaticals.

**Eligibility:** Faculty members are eligible for full sabbatical leaves when they have been full-time employees of the university for six academic years. In order to qualify for a prorated sabbatical, the individual must have been a full-time employee of the university for a minimum of two academic years. For the purpose of determining eligibility for a sabbatical leave, time spent on a sabbatical is considered as full-time employment; however, time spent on leave without pay is not considered full-time employment. A faculty member is eligible for a subsequent full sabbatical after six years following any sabbatical leave grant whether full or partial.

**Application:** A faculty member shall make formal application for a sabbatical leave which includes the reasons for requesting the sabbatical leave, the activities planned during the sabbatical, and a schedule of the use of time while on the sabbatical leave. The application should be submitted to the president of the university through the appropriate department chair, division chair or dean, and vice president. The department chair, division chair or dean, and vice president shall each include a recommendation regarding the sabbatical leave. The decision for recommendation of a sabbatical leave shall be based on the following criteria:

- a) evidence of the highest critical need in order to maintain academic effectiveness;
- b) total years of academic or professional service at the university;
- c) potential contribution to an academic or professional discipline;
- d) length of remaining service to the university;

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 3 ACADEMIC AFFAIRS	Page 3-22
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**3.5 SABBATICAL LEAVE.** (Continued)

- e) possession of a terminal degree in the teaching field assigned; or pursuing a terminal degree in a teaching field in which there is a shortage of qualified faculty.

**September 2006**

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 4 STUDENT AFFAIRS	Page 4-1
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## 4. STUDENT AFFAIRS

**SCOPE OF POLICIES.** The policies in this chapter relate directly to student affairs and its scope of practice. The general policies chapter contains additional policies which also apply to students as well as others.

**4.1 INSTITUTIONAL RESPONSIBILITY FOR STUDENT AFFAIRS.** Student Affairs provides education and services that enhance student growth and development and complement academics by providing opportunities for students to experience education and explore interests beyond the classroom. Student Affairs supports faculty in pursuit of the University's educational mission. Student Affairs also protects and promotes the safety and welfare of the academic community.

**4.1.1 Mission and Responsibility.** Student Affairs personnel are charged with the operation of key services to students and faculty in the university service areas including but not limited to recruitment and admissions, enrollment management and retention, educational record keeping, financial aid, residence life, campus safety and security, health and counseling, organizations, clubs and activities, international students, service learning/community engagement, Americans with Disabilities Act accommodations and compliance, career services, "TRIO" programs as provided by Title IV of the Higher Education Act of 1965, as amended, testing services, wellness centers and intramural athletics, student unions, new student orientation, parent programs, academic advising and student conduct.

**4.1.2 Membership.** Student Affairs staff is composed of two groups, professional and support staff. In most cases, these individuals have a direct functional relationship with students, either directly or in a supervisory role over student-focused services or indirectly through academic departments.

**4.1.3 Ethical Principles.** When professional Student Affairs personnel act in accordance with ethical principles, program quality and excellence are enhanced and ultimately students are better served. As services are provided in higher education, Student Affairs personnel are committed to upholding shared ethical principles for the benefit of students, the profession, and higher education as established by the Council for the Advancement of Standards (CAS) Statement of Shared Ethical Principles.



REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 4 STUDENT AFFAIRS	Page 4-2
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#### **4.1 INSTITUTIONAL RESPONSIBILITY FOR STUDENT AFFAIRS.** (Continued)

**4.1.4 Professional Development.** Student Affairs personnel have an obligation to continue professional growth and to contribute to the development of the field by enhancing knowledge and skills, sharing ideas and information, improving professional practices, conducting and reporting research, and participating in professional association activities. Student Affairs leaders promote and facilitate professional growth of staff by emphasizing ethical standards in professional preparation and development programs.

**4.2 MILITARY LEAVE.** Students who are members, either officers or enlisted, of the Reserve Components to include the Army and Air National Guard and the Army, Navy, Air Force, Marine Corps, the Coast Guard Reserves, or any other component of the Armed Forces of the United States, shall, when ordered by the proper authority to active or inactive duty or service, be entitled to a leave of absence for the period of such service without loss of enrollment status. During the first thirty (30) regularly scheduled academic days of such leave during the academic period, the student shall receive consideration for time absent.

If a student is called to active or inactive duty or service during a term in which the student has completed an amount of work sufficient to receive a grade, as determined by the university, the university may award a grade to the student and give the student academic credit for the full semester's work. If the student has not completed an amount of work sufficient to receive a grade, the university may adjust enrollment status in accordance with the policy of the Oklahoma State Regents for Higher Education.

#### **4.3 STUDENT NEWSPAPER POLICY.**

- a) The Regional University System of Oklahoma shall protect and respect the right of students to exercise their freedom of expression under the First Amendment to the Constitution of the United States. Therefore, university-sponsored student newspapers should include forums for student expression and should publish news of interest and importance to the campus and community of each university.
- b) Student writers should determine the content of official student newspapers. Therefore, editorial authority for the student newspapers and a process of review of challenges to editorial decisions shall be defined by the policy of each university. Each university shall define the eligibility, methods of selection as well as dismissal, duties, responsibilities and authority of all persons who exercise editorial authority. The standards for advertising shall also be defined by university policy.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 4 STUDENT AFFAIRS	Page 4-3
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### **4.3 STUDENT NEWSPAPER POLICY.** (Continued)

- c) Student newspapers shall not include any material that is legally libelous, obscene or that will cause a material and substantial disruption of university activities.
- d) Each student newspaper shall display in a prominent position on its editorial page a disclaimer statement that the opinions and comments therein do not necessarily reflect the policies or beliefs of the Regional University System of Oklahoma and that the student newspaper is not an official medium or expression of the Board or the regional universities.
- e) This policy does not apply to official Board or university publications or other mediums of expression.

### **4.4 STUDENT DISCIPLINARY REGULATIONS.**

**4.4.1 Scope of University Authority.** The presidents of the universities have the responsibility and authority to promulgate rules governing student conduct and rules insuring the order and safety of the campus. Universities may add additional student regulations not included below. Students must comply with all the rules and regulations of the institution.

**4.4.2 Authority of Presidents.** The Presidents are authorized to delegate to the SSAO, or their designee, the authority to investigate potential violations of university regulations or law and to determine and administer appropriate penalties using a preponderance of the evidence standard.

**4.4.3 Students' Obligations and Regulations.** Each student assumes an obligation to obey all rules and regulations made by the university, to preserve faithfully all property provided by the State for his or her education, and to discharge duties as a student with diligence, fidelity, and honor. The term "student" includes all persons enrolled at the university, both full-time and part-time, pursuing undergraduate,

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 4 STUDENT AFFAIRS	Page 4-4
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#### **4.4 STUDENT DISCIPLINARY REGULATIONS.** (Continued)

##### **4.4.3 Students' Obligations and Regulations.** (Continued)

graduate, or professional studies. Persons who are not officially enrolled for a particular term but who have a relationship with the university are considered "students." This definition includes but is not limited to incoming freshmen, transfer students, anyone participating in university sponsored programs and activities for students, and persons who enroll for courses from time to time, and participants in third party programs. Failure to observe the following regulations will subject the student to disciplinary action:

Students are expected to abide by the following obligations and regulations. Additional RUSO policies governing student regulations may be found in other chapters of the RUSO Policy Manual. All students are expected to comply with all local, state and federal laws and regulations.

- a) **Acts of Dishonesty.** No student shall commit acts of dishonesty, including but not limited to the following:
  - 1) Cheating, plagiarism, or other forms of academic dishonesty.
  - 2) Furnishing false information to any university official, faculty member, or office.
  - 3) Forgery, alteration or misuse of any university document, record, or instrument of identification.
  - 4) Falsifying or participating in the falsification of any university record.
  - 5) Assuming the identity of another.
  - 6) Any other act of dishonesty which adversely affects the university or the pursuit of its objectives.
  
- b) **Alcohol.** The use, possession, manufacturing, distribution, and/or being under the influence of alcoholic beverages and/or low point beer, as defined by Oklahoma law, on the campus or at any on-campus activity sponsored by or for a student organization or any other university sponsored activity for students is not permitted. Campus includes but is not limited to university housing including sorority and fraternity housing. Each university is authorized to develop and implement a policy regulating consumption of alcohol at officially sponsored off-campus activities.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	<b>CHAPTER 4 STUDENT AFFAIRS</b>	Page 4-5
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#### **4.4 STUDENT DISCIPLINARY REGULATIONS.** (Continued)

##### **4.4.3 Students' Obligations and Regulations.** (Continued)

- c) **Change of Contact Information.** Students are responsible for keeping their contact information current with the university. Failure to do so may result in disciplinary action.
- d) **Technology Theft and/or Abuse.** Technology theft or other abuse of computer resources and facilities, including but not limited to the following is not permitted:
  - 1) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
  - 2) Attempts to circumvent established security procedures or to obtain access privileges to which the user is not entitled.
  - 3) Unauthorized transfer of a file.
  - 4) Use of another's identification and password.
  - 5) Use of computing facilities to interfere with the work of another student, faculty member, or university official.
  - 6) Use of computing facilities to send obscene or abusive messages.
  - 7) Use of computing facilities to willfully publish, distribute or exhibit any obscene expression.
  - 8) Use of computing facilities to interfere with normal operation of the university computing system.
  - 9) Use of computing facilities and resources in violation of copyright laws.
- e) **Controlled Substances.** The use, possession, manufacturing, distribution and/or being under the influence of controlled dangerous substances or controlled substances as defined by Oklahoma law, except as expressly permitted by law and/or University policy is not permitted. The inappropriate use, misuse, or abuse of prescription or over-the-counter medications is also not permitted.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 4 STUDENT AFFAIRS	Page 4-6
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#### **4.4 STUDENT DISCIPLINARY REGULATIONS.** (Continued)

##### **4.4.3 Students' Obligations and Regulations.** (Continued)

- f) **Disturbing the Peace and Destruction of Property.** No student or group of students shall disturb the peace, injure any person, (including hazing), damage or remove university property, or disrupt the functions of the university including its teaching, research, administration, or disciplinary proceedings, public-service functions or other authorized university activity, or interfere with its faculty or staff in the performance of their duties. No student shall encourage or in any way participate in the formation or prolonging of such a gathering.
- g) **Failure to Comply.** Failure to comply with the directive of a university official or law enforcement officer acting in the performance of his or her duties or failure to identify oneself to these persons when requested to do so may result in disciplinary action.
- h) **Off Campus.** Students may also be subject to university disciplinary action for actions committed off university property.
- i) **Payment of Accounts.** Students shall make satisfactory arrangements for the settling of university accounts promptly. Failure on the part of a student to make satisfactory arrangements for the settlement of a university account by the due date will result in a late payment penalty. Continued failure to settle the account will result in either suspension or the placing of a "hold" on the student's records. A student may neither re-enroll, receive a diploma, nor obtain a transcript until the student has (1) cleared the account, and (2) paid the assessed service charge to cover the administrative expense involved in placing the "hold" on the record.
- j) **Personal Behavior.** Each student shall maintain the highest standards of integrity, honesty, and morality and shall obey the university rules and regulations.
- k) **Weapons.** The possession or firing of firearms, fireworks, explosives or weapons or imitations of weapons including but not limited to bows, knives, or guns by students is prohibited on campus, in any student residence, sorority, fraternity, approved private housing or university operated facility, except as they are used in officially approved university programs.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 4 STUDENT AFFAIRS	Page 4-7
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#### **4.4 STUDENT DISCIPLINARY REGULATIONS.** (Continued)

##### **4.4.4 Charges and Student Conduct Conferences.**

- a) Any member of the University community may submit a report of a potential Student Conduct Code violation.
- b) A submitted report will be reviewed to determine merit, need for further investigation, appropriate referral if necessary and/or dismissal.
- c) All charges shall be presented to the Accused Student in written form. A time shall be set for a Student Conduct Conference.
- d) Student Conduct Conferences shall be conducted by a Student Conduct Administrator(s).
- e) If an Accused Student, with notice, does not appear before a Student Conduct Administrator(s), the information shall be presented and considered even if the Accused Student is not present.
- f) The Student Conduct Administrator(s) will advise the Accused Student verbally and in writing of the conference outcome. A person, who is identified as a victim of violence, as defined by FERPA, may be notified of the Student Conduct Conference outcome.

**4.4.5 Sanctions.** The conduct officer may authorize the following sanctions for violation of university regulations and may include one or a combination of the following:

- a) Warning.
- b) The imposing of specified restrictions, including but not limited to: letter of apology, presentation of a workshop, preparation of a research paper or project, social probation, community service, assessment or evaluation, counseling, restitution for damages, punitive fines, eviction from university housing, loss of privileges (i.e., visiting privileges in housing or denial of access to computer services), or any combination of the above, and any other appropriate penalty.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 4 STUDENT AFFAIRS	Page 4-8
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#### **4.4 STUDENT DISCIPLINARY REGULATIONS.** (Continued)

- c) Conduct probation. A student may be placed on conduct probation. A second violation means that disciplinary action will be based on both charges. The record of conduct probation is kept in the student's personnel folder and the disciplinary hold on his or her record is removed at the discretion of the conduct officer.
- d) Suspension. A student may be suspended from the university for reasons of conduct for a definite period of time not less than the remainder of the current semester in which he or she is enrolled. The student who has been suspended may apply for readmission at the close of the period for which he or she was suspended. A suspension hold will be placed on the transcript during the period of suspension.
- e) Expulsion. When a student is expelled, a record of this action will be made a part of the student's permanent record in the Office of the Registrar. A student who is expelled will not be allowed to re-enter the university.
- f) Degree revocation or rescission of credit.

April 2015
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<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 4 STUDENT AFFAIRS</b>	<b>Page 4-9</b>
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#### **4.4 STUDENT DISCIPLINARY REGULATIONS.** (Continued)

##### **4.4.5 Temporary Suspension.**

- a) The conduct officer may impose a university or university housing temporary suspension prior to the student conduct conference.
- b) Temporary suspension may be imposed only:
  - 1) To ensure the safety and well-being of members of the university community or preservation of university property;
  - 2) To ensure the student's own physical or emotional safety and well-being; and/or
  - 3) If the student poses an ongoing threat of disruption of, or interference with, the normal operations of the university.
- c) During the temporary suspension, a student may be denied access to university housing and/or to the campus (including classes) and/or all other university activities or privileges for which the student might otherwise be eligible, as the conduct officer may determine to be appropriate.
- d) The temporary suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a student conduct conference, if required.
- e) The student shall be notified in writing of this action and the reasons for the temporary suspension. The notice shall include the time, date, and place of a subsequent show cause meeting at which the student may show cause why his or her continued presence on the campus or in university housing does not constitute a threat.

**4.4.6 Appeals Process.** The decision of the conduct officer shall be final and not appealable except in cases of suspension, expulsion or degree revocation which may be appealed to a committee on student conduct.



REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 4 STUDENT AFFAIRS	Page 4-10
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#### **4.4 STUDENT DISCIPLINARY REGULATIONS.** (Continued)

**4.4.6.1 Composition and Quorum of the Committee.** A committee will be created to consider the appeal of cases resulting in suspension, expulsion, degree revocation or rescission of credit of students. The committee shall be appointed by the president of the university who shall have the authority to determine the composition of the committee. The committee may include (1) faculty members whose primary duties are not concerned with the administration of student conduct; (2) students, and (3) administrative employees whose primary duties are not concerned with the administration of student conduct.

**Faculty Members.** In those universities where Faculty Senates are organized, the president will receive nominations for committee memberships from the Faculty Senate, provided that Faculty Senate nominations must be submitted within thirty (30) university business days from time of notification that a vacancy(s) exists. Provided further, that if nominations are not made within thirty (30) days, the president will fill the vacancy(s) from the faculty.

**Student Members.** The student members of the committee shall be nominated by the Student Senate or similar student governing body, provided that said nominations must be submitted within (30) university business days from the time of notification that a vacancy exists. Provided further, that if nominations are not made within the allotted time the president will fill the vacancy from the student body. A student instituting an appeal to the committee shall have the right to exclude the student members of the committee upon proper request. Student members will not serve on the appeal committee for cases involving Title IX violation(s).

**Administrative Staff Members.** In those universities where administrative staff councils are organized, the president will receive nominations for committee memberships from the administrative staff council, provided that nominations must be submitted within thirty (30) university business days from time of notification that a vacancy exists. Provided further, that if nominations are not made within thirty (30) days, the president will fill the vacancy from the administrative staff. At those universities at which there is no administrative staff council, the senior student affairs officer may appoint qualified administrative staff members.

**Quorum.** A quorum of the committee shall consist of a majority of the currently appointed members of the committee.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 4 STUDENT AFFAIRS	Page 4-11
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#### **4.4 STUDENT DISCIPLINARY REGULATIONS.** (Continued)

**4.4.6.2. Initiation of the Appeal.** To initiate an appeal, a student must make the request. The request and reason for appeal shall be submitted in writing, by hard copy, signed, and dated, to the conduct officer within twenty-four (24) hours (not including state holidays or weekends) after the disciplinary decision is rendered.

**4.4.6.3 Effect of an Appeal.** If the student appeals a decision of suspension, expulsion, degree revocation, or rescission of credit, the decision will not become effective until after a hearing before the committee unless a temporary suspension remains in place in accordance with the policies herein.

**4.4.7. Explanation of Rights.** Prior to the commencement of any disciplinary action provided for herein, the conduct officer shall explain to the accused student the student's rights under the terms and conditions of these rules and regulations.

#### **4.4.8. Hearing Before Committee.**

- a) The conduct officer will notify the accused student in writing of the date, time, and place of the hearing, the reason for the hearing, and the procedures and possible outcomes.
- b) All hearings are closed and information presented in them and all supporting documents are confidential.
- c) During the hearing, the accused student may be accompanied by an advisor of the student's choice so long as the availability of the advisor does not hamper the timeliness of the hearing. The student may choose to have an attorney serve as advisor; however, the advisor does not represent the student in a student conduct hearing and the student will be expected to speak for him or herself at all times.
- d) During the hearing, the student has the opportunity to offer information on his or her own behalf and to review all information, statements, or evidence presented.
- e) The chair of the committee will decide any questions or objections to hearing procedures that are raised during the hearing.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 4 STUDENT AFFAIRS	Page 4-12
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#### **4.4 STUDENT DISCIPLINARY REGULATIONS.** (Continued)

##### **4.4.8. Hearing Before Committee.** (Continued)

- f) Members of the committee may ask questions of any person present during the hearing and the chair will invite questions and comments from the accused student if present. Since decisions are based only on the preponderance of evidence introduced at the hearing, the chair may reconvene the hearing if the committee decides that essential information has not been presented. The hearing shall be reconvened at the earliest practical time that the necessary information will be available.
- g) After the chair has determined that all necessary information has been presented and questions answered, the committee will go into closed session and all other persons will be excused. The committee will determine whether or not it believes the accused student is responsible for a violation of the regulations and, if so, whether the penalties determined by the conduct officer are reasonable. The committee hearing will result in one of two outcomes:
  - 1) that the conduct officer's determination is affirmed; or
  - 2) that the conduct officer's determination is modified or reversed.
- h) The committee's decision shall be final unless within three (3) days following the entry thereof, the student lodges a written appeal with the president of the university. Appeals with the president shall relate to procedural matters only.

**4.5 ATHLETICS.** Athletic activities of each university will be governed by Rules and Regulations of the appropriately affiliated associations, National Collegiate Athletics Association (NCAA), National Association of Intercollegiate Athletics (NAIA), and by the respective athletic conference policies and procedures.

The Rules, Regulations, Policies and Procedures are addendums of the Board Policy and Procedure Manual. The Presidents, Commissioner, and all other personnel concerned shall be held responsible for all reasonable efforts to see that the above are faithfully executed.

The Presidents are authorized to direct, manage, and administer the respective athletic conferences through the established organizational structures contained in Policy and Procedures Manuals.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-1
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## 5. GENERAL POLICIES

**5.1 EQUAL OPPORTUNITY.** RUSO, in accordance with Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Vietnam Era Veterans Readjustment Assistance Act of 1974, the Americans With Disabilities Act and to the extent required by these and other federal laws and regulations, does not discriminate on the basis of race, color, ethnicity, national origin, sex, age, religion, disability, political affiliation 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 educational services.

**5.2 AFFIRMATIVE ACTION.** The Affirmative Action Plan at each university serves to supplement the Regents' policy on equal opportunity as it pertains to employment, and is an integral part of the employment policies of the Board. The principal objectives are:

- a) to assure all persons equal opportunity for employment and advancement in employment regardless of race, religion, disability, color, ethnicity, national origin, sex, age, political affiliation, or status as a veteran;
- b) to meet institutional responsibilities under the Civil Rights Act of 1964; commitments as a federal contractor under Executive Order 11246 and Executive Order 11375; and Oklahoma State Regents for Higher Education policies.
- c) to reach out to all persons, including women and racial minority members, in the recruitment, placement, development and advancement of university personnel.

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

**5.3 REGENTS' INSURANCE PROGRAM.** RUSO provides the following types of insurance to eligible employees. Coverage requirements and limitations are delineated in the contracts between the Board or the regional universities and the insurer.

**5.3.1 Group Health Insurance Program.** Pursuant to 70 O.S. § 3510(k), RUSO provides continuous group health insurance coverage for all full-time employees

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-2
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### **5.3 REGENTS' INSURANCE PROGRAM.** (Continued)

#### **5.3.1 Group Health Insurance Program.**

and, at the employee's option, eligible dependents. Employee and dependent coverage is provided as authorized by the university president in accordance with university policy.

The regional universities shall extend the option of continuing group health coverage to employees and/or dependents at their own cost for a specified period of time after their date of termination in accordance with Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA).

**5.3.2 Group Life Insurance Program.** Pursuant to 70 O.S. § 3510(k) RUSO provides group life insurance coverage for all full-time employees at the employer's expense.

**5.3.3 Directors and Officers Liability Insurance.** Pursuant to 74 O.S. §85.58A (l) all employees acting within the course and scope of their employment are covered at state expense under the comprehensive professional risk management program administered by the Department of Central Services, subject to the limitations of that program.

**5.3.4 Group Long-Term Disability Insurance Program.** Pursuant to 70 O.S. § 3510(k), RUSO provides group long-term disability insurance coverage on all full-time employees after six full months of continuous full-time employment, at the employer's expense.

**5.3.5 Unemployment Compensation.** All full-time employees are covered by unemployment compensation insurance at the employer's expense.

**5.3.6 Workers' Compensation.** Pursuant to 85 O.S. § 2b, Workers' Compensation Insurance is provided to all employees at the employer's expense.

**5.3.7 Governmental Tort Claims Act.** Pursuant to 51 O.S. § 151 et seq., all employees acting within the course and scope of their employment are covered at state expense under the Governmental Tort Claims Act, effective October 1, 1985, subject to the limitations of that Act.

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 5 GENERAL POLICIES</b>	<b>Page 5-3</b>
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## **5.4 RETIREMENT.**

**5.4.1 Employer to Pay Elective Member O.T.R.S. Contributions.** All Oklahoma Teachers' Retirement System (OTRS) contributions provided by statute for eligible employees on salaries and compensation amounts that exceed twenty-five thousand dollars (\$25,000) annually will be paid by the employer as authorized by state law. The employer may elect to pay additional OTRS contributions.

**5.4.1.A The RUSO Alternate Retirement Plan.** Effective July 1, 2013, member universities may adopt subject to board approval an Alternate Retirement Plan for eligible employees who desire to participate in a retirement plan other than the Oklahoma Teacher Retirement System Plan (OTRS).

**5.4.2 Retirement Annuity.** Employing entities of the Regional University System of Oklahoma may participate in deferred compensation plans as defined by Internal Revenue Code Section 403(b). Effective January 1, 2008, none of the employing entities shall require employees to participate in such deferred compensation plans.

**5.4.3 Retiree Insurance Benefit.** An eligible retiring employee under this policy is a retiring employee who has been employed full-time in the Regional University System of Oklahoma and a member of OTRS for not less than ten (10) years immediately preceding the date of retirement, and has elected to receive a vested benefit under the provisions permitted by the OTRS laws. The employing university will contribute to benefits for eligible retiring employees as follows:

1. For eligible retiring employees who retire on or before September 23, 2016, the employing university shall continue to offer such retiring employee a group health benefit and a group life insurance benefit for which the employing university shall pay 100% of the premiums for the retiring employee through the month in which they become Medicare eligible or age 65, whichever comes last.
2. For eligible retiring employees who retire after September 23, 2016, the employing university will pay the same value towards the premium for employees retiring after September 23, 2016 as it pays for its then active employees and it may elect to pay additional benefits.

Regardless of the retirement date, the eligible retiring employee shall have the option of continuing at his or her own cost group health insurance and life insurance for his or her dependents.

This policy does not apply to any employee hired on or after July 1, 2009.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-4
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#### **5.4 RETIREMENT.** (Continued)

**5.4.4 Active Employees With a Date of Employment Prior to July 1, 1987 and a Date of Retirement Before July 1, 1995.** (See Annex D)

**5.4.5 Active Employees With a Date of Employment Prior to July 1, 1995 (401)(a).** (See Annex E)

#### **5.4.6 Retired Personnel – Emeritus Status Authorized.**

The Board of Regents of RUSO at its discretion may honor recommendations of presidents to grant retired faculty members emeritus status and title after retirement. When members of the faculty of one of the universities under the jurisdiction of this Board retire under honorable conditions, they may be entitled to emeritus status and to the use of their last title “emeritus” (e.g., “President Emeritus,” “Professor of History Emeritus,” etc.)

Retired faculty members’ emeritus status and title shall be wholly honorary and does not entitle them to compensation of any kind. Emeritus status shall apply only in cases where the faculty member has been in the service of the universities under the jurisdiction of this Board for at least ten years.

Other university positions may be considered for emeritus status upon recommendation by the president.

#### **5.5 LEAVE POLICIES.**

**5.5.1 Presidential Authorization.** The Board authorizes the university president to develop and implement policies governing employees’ leave.

**5.5.2 Paid Holidays Regents’ Administrative Office.** Pursuant to 25 O.S. § 82.1, holidays listed and proclaimed by the Governor are observed by the State and the Administrative Office will be closed.

University holidays are declared by the university president.



REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-5
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**5.5.3 Military Leave.** Pursuant to 72 O.S. § 48, all employees who are members, either officers or enlisted, of the Reserve Components to include the Army and Air National Guard and the Army, Navy, Air Force, Marine Corps, the Coast Guard Reserves, or any other component of the Armed Forces of the United States, shall, when ordered by the proper authority to active or inactive duty or service, be entitled to a leave of absence for the period of such service without loss of status or seniority. During the first thirty (30) regularly scheduled work days of such leave during the federal fiscal year, the employee shall receive his full regular pay. During the remainder of such leave in any federal fiscal year, the president may elect to pay the employee an amount equal to the difference between his full regular pay and his military pay.

Eligible employees may be entitled to certain benefits under the federal Uniformed Service Employment and Reemployment Rights Act of 1994 (USERRA), 38 U.S.C. §4301 et seq. and the applicable regulations thereto.

February 2009
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REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-6
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## **5.6 SEXUAL HARASSMENT POLICY.**

### **5.6.1 SEXUAL HARASSMENT POLICY.**

**Statement of Policy.** RUSO affirms its commitment to an environment for all employees and students which is safe, fair, humane, and respectful and which supports and rewards employee and student performance on the basis of relevant considerations such as ability and effort. Behaviors which inappropriately assert sexuality as relevant to employee or student performance are damaging to this environment. Sexual harassment by any member of the university community is a violation of both law and Board policy and will not be tolerated. Employees must refrain from any harassment or discriminatory treatment of students and other employees. Sexual harassment will be dealt with promptly and confidentially by the university administration.

**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:

- a) When submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing;
- b) 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
- c) 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, whether in person, in writing, by telephone, through social media, by electronic means, or otherwise, prohibited by this policy includes, but is not limited to:

- a) Unwelcome sexual flirtation, advances or propositions for sexual activity;
- b) Continued or repeated verbal abuse of a sexual nature, such as suggestive comments and sexually explicit jokes;
- c) Sexually degrading language to describe an individual;

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-7
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- d) Remarks of a sexual nature to describe a person's body or clothing;
- e) Display of sexually demeaning objects and pictures;
- f) Offensive physical contact, such as unwelcome touching, pinching, brushing the body;
- g) Coerced sexual intercourse;
- h) Sexual assault; or
- i) Actions indicating that benefits will be gained or lost based on response to sexual advances.

**Sexual Violence Prohibited.** Sexual violence is a particularly pernicious form of sexual harassment. Sexual violence on campus, at university-related events, and against students or employees constitutes an emergency that will be reported to proper law enforcement authorities. The University may immediately suspend any employee or student reasonably believed to have committed sexual violence against a person in violation of this policy, with notice and hearing to follow promptly. Each university shall establish procedures for timely reporting, investigation, and resolution of sexual violence incidents.

**Definition of Sexual Violence.** *Sexual violence* includes, but is not limited to, rape as defined by 21 Okla. Stat. § 1111; rape by instrumentation as defined by 21 Okla. Stat. § 1111.1; forcible sodomy as defined by 21 Okla. Stat. § 888, assault as defined by 21 Okla. Stat. § 641 when committed in a sexual context, in furtherance of sexual demands, or because of a person's sex or sexual orientation; battery as defined by 21 Okla. Stat. § 642 when committed in a sexual context, in furtherance of sexual demands, or because of a person's sex or sexual orientation; aggravated assault and battery as defined by 21 Okla. Stat. § 646 when committed in a sexual context, in furtherance of sexual demands, or because of a person's sex or sexual orientation; stalking as described by 21 Okla. Stat. § 1173 when committed in a sexual context, in furtherance of sexual demands, or because of a person's sex or sexual orientation; sexual battery as defined by 21 Okla. Stat. § 1123(B); any sexual act involving a child as described in 21 Okla. Stat. 1123(A); maliciously intimidating or harassing or attempting to maliciously intimidate or harass another person because of that person's sex or sexual orientation; or inciting others, or attempting to incite others to maliciously intimidate or harass another person because of that person's sex or sexual orientation.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-8
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**Retaliation.** Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of prohibited sexual conduct with a student or employee, sexual violence, or other sexual harassment will be treated as a separate and distinct violation of the Board policy.

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

**Complaint Process.** This policy is in addition to the current Board and university policies concerning discrimination and applies to all students, faculty, staff, guests, and visitors. Complaints alleging prohibited sexual conduct with a student or employee, sexual violence, or other violation of the sexual 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:

- a) Complaints against students or student organizations shall be filed with the designated official for review and investigation. The designated official may assist in the informal resolution of the complaint or in processing a complaint through the applicable campus procedures;
- b) Complaints against faculty or staff shall be filed with the designated official. The designated official may assist in the informal resolution of the complaint or in processing a formal complaint through the applicable campus procedures for faculty and staff;
- c) Complaints against visitors, guests, vendors, contractors, or any other person should be directed to the university human relations department; or
- d) Any other appropriate process as established by university policy.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-9
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## 5.6.2 SEXUAL RELATIONSHIP POLICY.

**Statement of Policy.** RUSO affirms its commitment to the fair exercise of academic and employment power and adequate protection of individuals with limited power. University employees, including administrators; faculty; coaches; extracurricular, extramural and intramural activities supervisors; graduate assistants; and staff should demonstrate respect for students as individuals and adhere to their proper roles as academic guides, counselors, and facilitators. Employees must refrain from any exploitation of students and other employees. Such use of power to create sexual relationships will be dealt with promptly and confidentially by the university administration.

**Sexual Conduct with Students Prohibited.** No employee shall engage knowingly or attempt knowingly to engage in consensual or nonconsensual sexual conduct with any student whom the employee supervises, acts as academic advisor for, or over whom the employee has any power to determine the student's grade; honors; discipline; research opportunity; scholarship opportunity; acceptance in a graduate or other program of study; participation in arts, athletic, academic, or extracurricular competition; work-study assignment; or similar education-related matter. University employees' sexual liaisons with students in such situations exploit position, abuse power, and fundamentally harm the academic relationship. Voluntary intoxication with drugs, alcohol, or other substances shall not negate knowledge.

**Sexual Conduct with Supervisee Prohibited.** Supervisors' sexual liaisons with their supervisees may exploit position, abuse power, and fundamentally harm the working environment. No supervisor may engage knowingly or attempt knowingly to engage in consensual or nonconsensual sexual conduct with any employee, not his or her spouse, whom he or she supervises, directly or indirectly. Voluntary intoxication with drugs, alcohol, or other substances shall not negate knowledge.

**Definition of Sexual Conduct.** *Sexual conduct* includes, but is not limited to, any sex act, erotic touching, romantic flirtation, conversation of a carnal nature, advance or proposition for sensual activity, erotically explicit joke, remark of a carnal nature describing a person's body or clothing, display of an erotic object or picture, and physical contact reasonably believed to be of a sensual or flirtatious manner.

*Sexual conduct* does not include reasonable use or delivery of bona fide lecture and/or instructional acts, statements, or materials.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-10
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**Sanctions.** Sexual conduct with students or employees in violation of this policy will not be tolerated. Appropriate disciplinary action may include a range of actions up to and including dismissal and/or expulsion.

**Exceptions.** Exceptions to sexual conduct prohibitions consistent with state and federal law may be granted in appropriate circumstances by the university president. The Board shall be notified of any such exceptions in a written, confidential personnel record at least one week prior to the next Board meeting. Exceptions involving presidents may be granted by the Board only.

January 2013
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REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-11
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### **5.7 RACIAL AND ETHNIC POLICY.**

**Introduction.** The Board is committed to a multicultural, multiethnic and multiracial environment at each of the six regional universities. Diversity is one of the hallmarks of a great university. Promoting dignity and respect among all members of the university community is a responsibility each of us must share. Acts of racial and ethnic harassment are repugnant to the Board's commitments and will not be tolerated. While the Board embraces the principles of free speech guaranteed by the First Amendment to the United States Constitution, it abhors the abuse of this freedom by those who would provoke hatred and violence based on race and ethnicity. 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 and is most often directed toward persons whose race or ethnicity is readily identifiable. While principles of academic freedom and freedom of speech require tolerance of ideas and opinions, racial and ethnic harassment cannot and will not be permitted at the regional universities. The Board reserves the right to deal administratively with racial and ethnic harassment issues whenever it deems it appropriate to do so.

### **Statement of Policy.**

It is the policy of the Board that racial and ethnic harassment is prohibited and is subject to disciplinary action as set forth in this policy. Racial and ethnic harassment is defined as:

Behavior or conduct addressed directly to individual(s) related to the victim's race, religion, ethnicity, or national origin that threatens violence, or property damage, or that incites or is likely to incite imminent lawless action.

September 2006
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### **5.7 RACIAL AND ETHNIC POLICY**

**Sanctions.** Violations of this policy may result in disciplinary action taken by the appropriate authority. Sanctions may range from reprimands to suspension, expulsion or termination. Sanctions 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 complaint procedures.

**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.

**Complaint Process.** This policy is in addition to current Board and university policies concerning discrimination, and applies 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:

- a) Complaints against students or student organizations shall be filed with the Senior Student Affairs Officer (SSAO) for review and investigation. The SSAO, or its designee, may assist in the informal resolution of the complaint or in processing a complaint through the applicable campus procedures.
- b) Complaints against faculty or staff shall be filed with the Affirmative Action Office. The AAO or its designee may assist in the informal resolution of the complaint or in processing a formal complaint through the applicable campus procedures for faculty and staff.
- c) Complaints against visitors or guests should be directed to the university police office on the campus where the incident occurred.



## **5.8 DRUG FREE SCHOOL AND WORKPLACE.**

### **5.8.1 Drug Free Workplace.**

**Purpose.** The federal Drug-Free Workplace Act enacted into law in 1988 requires that any entity seeking to be considered to receive a grant from any federal agency, and any entity seeking to be awarded a contract for the procurement of any property or services of a value of \$100,000 or more from any federal agency, certify to the Federal granting or contracting agency that it will provide a drug-free workplace. The Board, support of this anti-drug abuse legislation, and recognizing that drug abuse in the workplace is a concern regardless of any connection with federal funds, hereby establishes the following Drug-Free Workplace Policy and requires each university under its governance to effectuate this policy immediately as to all university employees.

**Establishment of Program.** Each university under the governance of the Board shall establish a drug-free awareness program to inform employees about:

- a) the dangers of drug abuse in the workplace;
- b) the university's policy of maintaining a drug-free workplace;
- c) any available drug counseling, rehabilitation and employee assistance programs that are available either through the university or through any third-party assistance programs in the area; and
- d) the penalties that may be imposed upon employees for drug abuse violations.

**Minimum Implementation Measures.** At a minimum, each university under the governance of the Board shall:

- a) Publish and post in each department of the university a written statement containing the following information:
  - 1) a notification that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in all university areas;
  - 2) a description of the actions that will be taken against employees for violations of such prohibitions; and

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 5 GENERAL POLICIES</b>	<b>Page 5-14</b>
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## **5.8 DRUG FREE SCHOOL AND WORKPLACE.** (Continued)

### **5.8.1 Drug Free Workplace.**

- 3) a notification that as a condition of employment employees will abide by the terms of the statement and notify the university in writing of any state or federal drug statute conviction for a violation occurring in any university area no later than five (5) days after such conviction;
- b) Require that each university employee be personally given a copy of the statement required in paragraph as of this section. Each such employee shall be required to acknowledge receipt of such statement by signing and returning a copy of same to the university;
- c) Designate appropriate supervisory and administrative personnel who will be responsible for identifying all university employees engaged in the performance of federal grants and contracts, for obtaining signed statements from all university employees, and for submitting those statements to the university official(s) in charge of maintaining personnel records for appropriate retention. Such supervisory and administrative personnel shall be responsible for obtaining and submitting their own statements to such record keeping official(s);
- d) Designate appropriate supervisory and administrative personnel to have the responsibility to personally meet with and explain the university's drug-free workplace policy to all university employees;
- e) Designate appropriate supervisory and administrative personnel to be responsible for and who shall provide timely notification (within ten days of knowledge) to appropriate federal granting or contracting agencies when a university employee engaged in the performance of federal grants and contracts is convicted under any state or federal criminal drug statute for misconduct in the workplace;
- f) Impose an appropriate administrative sanction (up to and including dismissal) on any employee so convicted, within thirty (30) days of knowledge of such conviction, or require the satisfactory participation in a drug abuse assistance or rehabilitation program approved for such purposes by the university;

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-15
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## **5.8 DRUG FREE SCHOOL AND WORKPLACE.** (Continued)

### **5.8.1 Drug Free Workplace.**

- g) Make a good faith and continuous effort to maintain a drug-free workplace by taking the steps enumerated for federal compliance certification of a university drug-free workplace.

**Employee Responsibility.** All university employees shall sign and return to the university the statement referred to in this policy and, if convicted under state or federal criminal drug statutes for misconduct in the workplace, as a condition of continued employment shall notify his/her immediate supervisor in writing and, if applicable, federal grant or contract supervisor, of such conviction within five (5) days of the conviction.

### **Sanctions.**

- a) Refusal, failure or neglect by any university employee to sign and return the written statement referred to in this policy shall be deemed an act of insubordination and will subject the employee to appropriate disciplinary action.
- b) The administrative sanction for failure to timely report a workplace related state or federal criminal drug statute conviction by such an employee, or for a workplace related criminal drug statute conviction by an employee which has been timely reported to the university may include any sanction up to and including dismissal from employment.
- c) In all instances where a university employee is not dismissed from employment, and as a condition to continued employment, has been required to satisfactorily participate in a drug abuse assistance or rehabilitation program, such program must be approved by the university. Any such employee must provide to the university a signed statement attesting as to the employee's successful participation in the university-approved drug abuse assistance or rehabilitation program.

February 2009
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REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-16
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## **5.8 DRUG FREE SCHOOL AND WORKPLACE.** (Continued)

### **5.8.1 Drug Free Workplace.**

- d) With or without the existence of a workplace related state or federal criminal drug statute conviction, if an employee is found at any time to have violated the university drug-free workplace policy, he/she may be disciplined and/or referred for counseling and treatment as set forth in general university disciplinary policies.
- e) Administrative sanctions as set forth in this policy shall be imposed by the university within thirty (30) days of notification or awareness of the employee's workplace related criminal drug statute conviction.

### **Definitions.**

- a) "Controlled Substance" means any controlled substance set forth in Schedules I through IV of Section 202 of the federal Controlled Substances Act (21 U.S.C. Sec. 812, as amended). Such controlled substances include, but are not limited to cocaine, marijuana, opiates, amphetamines and barbiturates.
- b) "Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes.
- c) "Criminal Drug Statute" means any criminal drug statute involving manufacture, distribution, dispensation, use or possession of any controlled substance.
- d) "Employee" means any person receiving pay through the university payroll system.

<b>February 2009</b>
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REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-17
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## **5.8 DRUG FREE SCHOOL AND WORKPLACE.** (Continued)

### **5.8.2 Drug Free Schools.**

**Purpose.** The Drug-Free Schools and Communities Act Amendments of 1989 requires that as a condition of receiving funds or any other form of financial assistance under any federal program that the university certify that it has adopted and implemented a drug prevention program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by all students and employees on school premises or as part of any of its activities.

**Establishment of Program.** Each university under the governance of the Board shall establish a drug prevention program to include the following:

- a) standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on university property or as part of any university activity;
- b) a description of the applicable legal sanctions under local, State, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- c) a description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- d) a description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
- e) a clear statement that the university will impose disciplinary sanctions on students and employees (consistent with local, State, and federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution. For the purposes of this policy, a disciplinary sanction may include the completion of an appropriate rehabilitation program.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-18
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## **5.8 DRUG FREE SCHOOL AND WORKPLACE.** (Continued)

### **5.8.2 Drug Free Schools.**

**Minimum Implementation Measures.** At a minimum, each university shall:

- a) develop a sound method for distributing annual notification information about the drug prevention program to each employee and to each student who is taking one or more classes for any type of academic credit, except for continuing education credit, regardless of the length of the student's program of study;
- b) conduct a biennial review at the end of each even-numbered calendar year of the drug prevention program to:
  - 1) determine its effectiveness and implement changes as needed; and
  - 2) ensure that the disciplinary sanctions are consistently enforced; and
- c) maintain the biennial review for submission to the U.S. Department of Education if requested.

### **Sanctions.**

- a) In all instances where a student is not expelled or where a university employee is not dismissed from employment, and as a condition to continued attendance or employment, has been required to satisfactorily participate in a drug or alcohol assistance or rehabilitation program, such program must be approved by the university. Any such student or employee must provide to the university a signed statement attesting as to the successful participation in the program.
- b) With or without the existence of a local, State, or federal criminal drug or alcohol statute conviction, if a student or an employee is found at any time to have violated the university drug prevention program, he/she may be disciplined and/or referred for counseling and treatment as set forth in general university disciplinary policies.

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 5 GENERAL POLICIES</b>	<b>Page 5-19</b>
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**DRUG-FREE SCHOOL AND WORKPLACE POLICY STATEMENT  
\_\_\_\_\_ UNIVERSITY  
NOTICE TO ALL UNIVERSITY EMPLOYEES**

\_\_\_\_\_ University, in compliance with the Drug-Free Workplace Act of 1988, hereby gives notice to all University employees that it is the formal policy of the Regional University System of Oklahoma and \_\_\_\_\_ University that it is in the best interest of both the University and its employees to provide education, awareness and assistance where appropriate relative to the dangers inherent in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the workplace. The special consequences of drug-abuse in the workplace include the threatened safety to co-workers by those who are impaired by drugs, the increased danger of defective or substandard services being provided to the public and diminished productivity.

In order to combat this problem area, the University will provide all employees ongoing materials and information concerning these dangers and available avenues of assistance. The University further gives notice:

- 1) The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in any University work area is prohibited.
- 2) As a condition of employment, employees must abide by the terms of this policy.
- 3) Any University employee who is convicted of any state or federal criminal drug statute for drug-related misconduct in the workplace must report in writing the conviction within five (5) days thereafter to (appropriate University office).
- 4) Violations of this prohibition will result in administrative sanctions, ranging in severity from formal counseling to termination from employment, immediately or within 30 days, whether or not the violation results in conviction under state or federal criminal drug statutes for misconduct in the workplace. Satisfactory participation in a university-approved drug abuse assistance or rehabilitation program may be required as a condition of continued employment by the University of all employees who violate this prohibition and are not terminated from employment.

<b>February 2009</b>
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<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 5 GENERAL POLICIES</b>	<b>Page 5-20</b>
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- 5) Information about the dangers of drug abuse in the workplace and the availability of drug abuse assistance and rehabilitation programs may be obtained from (appropriate University office).
- 6) Where necessary because of conviction and incarceration, decisions relative to suspension or termination or the granting of leave for treatment will be determined individually.
- 7) All University employees are required to acknowledge by written signature that they have been made aware of this policy, understand same, will abide by the policy, and to return a signed copy of this policy to (appropriate University office).

#### **ACKNOWLEDGMENT OF UNDERSTANDING AND COMPLIANCE**

As an employee of the University, I understand and will abide by the policy statement above, and I agree that I will notify in writing my immediate supervisor and federal grant or contract supervisor, if applicable, within five (5) days if I am convicted under any statutes for misconduct in the University workplace.

NAME (printed) \_\_\_\_\_

DATE \_\_\_\_\_

SIGNATURE \_\_\_\_\_

\_\_\_\_\_ University



**5.9 POLITICAL ACTIVITIES OF EMPLOYEES.** An employee of RUSO who participates in political activities must do so in a manner that:

- a) does not imply, directly or indirectly, that this Board or any of its universities endorse such activities;
- b) in no way interferes with the rights and privileges of other employees of this Board or university;
- c) in no way interferes with the rights and privileges of students attending any university;
- d) in no way interrupts the normal routine operation of any university;
- e) in no way interferes with the assigned duties of the employee.
- f) does not utilize university equipment, supplies, paid staff time, or their university resources to influence elections. (See Ethics Rule 257:10-1-3)

Violation of these principles may be considered cause for dismissal.

### **5.10 BUILDINGS.**

#### **5.10.1 Policies On Naming Buildings.**

Buildings on campuses of Oklahoma universities may be named for persons who have been deceased for a period of not less than twenty (20) years, provided the qualifications mentioned in paragraphs 2 and 3 of this subsection have been met. Exceptions may be made if the person whose name is to be honored is alive or has been deceased for less than twenty (20) years provided: (1) that person or his estate has contributed to the university at least one-third (1/3) of the cost of the building to be so named; or (2) is a retired employee of the university.

Dormitories may be named for persons or for things generally recognized to be peculiar to Oklahoma's contribution to our national heritage and distinctive of the tradition or character of the State of Oklahoma subject to the limitations and exceptions mentioned in paragraph 1 of this subsection.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-22
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## **5.10 BUILDINGS.** (Continued)

### **5.10.1 Policies On Naming Buildings.**

Buildings used for classroom, library or administrative purposes may be named for persons who have made a significant and nationally recognized contribution to a field or profession relating to the purpose for which the building is to be used subject to the limitations and exceptions named in paragraph 1 of this subsection.

**5.10.2 Plaques On Buildings.** The plaque of each new building will be inscribed to include the members of the Board as organized at the time of awarding the contract for the building.

**5.11 DISPLAYING MATERIALS.** Display of signs and posters on campus will be regulated and supervised by the presidents or their designees who will be responsible for promulgating and enforcing appropriate and reasonable regulations to control display of materials. Displaying political campaign material (local, state, federal, tribal) and solicitation of commercial business, must be limited to display in student union buildings or student housing complexes.

**5.12 NEPOTISM.** Except as prohibited by the laws of the State of Oklahoma, relationship by consanguinity or by affinity shall not, in itself, be a bar to appointment, employment or advancement in universities governed by the Board nor (in the case of faculty members) to eligibility for tenure of persons so related.

But, no two persons who are related by affinity or consanguinity within the third degree shall be given positions in which either one is responsible for making recommendations regarding appointment, employment, promotion, salary or tenure for the other; nor shall either of two persons so related who hold positions in the same internal budgetary unit be appointed to an executive or administrative position for said internal unit.

Waivers may be granted by the university president, but performance evaluations and recommendations for compensation, promotion and tenure will be made by one not related to the individual being evaluated. The Board shall be notified of any such waivers at its next meeting.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-23
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### **5.12 NEPOTISM.** (Continued)

Relatives that are within the third degree of relationship to an employee by blood or marriage are as follows: spouse; parent or parent's spouse; grandparent or grandparent's spouse; great-grandparent or great-grandparent's spouse; uncle or uncle's spouse; aunt or aunt's spouse; uncle or aunt of spouse; brother or sister; son or daughter; son-in-law or daughter-in-law; grandson or granddaughter or their spouse; and great-grandson or great-granddaughter or their spouse.

### **5.13 PATENTS/COPYRIGHTS.**

**5.13.1 Patent Policy – General Statement.** It is in the best interests of the Board and the State of Oklahoma to encourage faculty and staff members of the Universities to undertake creative endeavors and to receive recognition therefore.

The individual or individuals who make the discoveries or inventions which become the property of the University under this Policy will share in income derived by the university from the marketing of such inventions and patent rights based thereon according to such terms as the president of the university shall direct. As provided for below, discoveries or inventions made or created by employees, faculty, students, and staff of the university will become the property of the university. Any and all benefits accruing to the university and derived from such discoveries or inventions will be used to further the research enterprise of the university. The university through its president, or an officer of the university designated by the president, may recognize the contract with patent service organizations, such, for example, as University Patents, Inc., or Research Corporation, in regard to obtaining, maintaining and marketing of patent rights (domestic and foreign) based on discoveries or inventions which are or shall become the property of the university pursuant to this Policy. It is not contemplated that this Patent Policy shall extend to and include questions of copyright ownership.

**Inventions and Patents.** All discoveries or inventions, whether patentable or unpatentable, and including any and all patents (domestic and foreign) based thereon and applications for such patents, which are made or conceived by any member of the faculty, staff, or student body of the university, either in the course of employment by the university or substantially through the use of facilities or funds provided by or through the university shall be the property of the university; and all rights therein shall be assigned, licensed, or otherwise commercially exploited as directed by a duly authorized officer of the university, who shall be designated by the president of the university.

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-24
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### **5.13 PATENTS/COPYRIGHTS.** (Continued)

#### **5.13.2 Copyright Policy.**

**Policy.** RUSO recognizes and encourages faculty, staff, and students to participate in creative and scholarly activities as an inherent part of the educational process. It is the broad policy of RUSO to promote creativity and scholarly activities and to expand the frontiers of human attainment in those areas to which the pursuits of the senior regional universities are dedicated.

**Basic Objectives.** Copyrights are created by the Constitution and the laws of the United States to promote the progress of science and the useful arts by securing for limited times to authors the exclusive rights to their works and writings. The basic objectives of the Board policy concerning copyright include the following:

- a) to maintain the broad academic policy of encouraging research and scholarship as such without regard to potential gain from royalties or other income;
- b) to make copyrightable materials created pursuant to university objectives available in the public interest under conditions that will promote their effective utilization;
- c) to provide adequate incentive and recognition to faculty and staff through proceeds derived from their works.

#### **Copyright Ownership and Royalty Distribution.**

- a) Under the Copyright Revision Act of 1976, 17 U.S.C. § 101 et seq. (1976), works of original authorship are protected by copyright from the time they are fixed in a tangible medium of expression, now known, or later developed.
- b) All RUSO personnel, in accordance with the Board policy and basic objective of promoting creative and scholarly activities, are free to develop, create, and publish copyrightable works.

<b>REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA</b>	<b>CHAPTER 5 GENERAL POLICIES</b>	<b>Page 5-25</b>
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### **5.13 PATENTS/COPYRIGHTS.** (Continued)

- c) Copyrighted works produced by the RUSO faculty and staff are the property of the creator of that work. All rights afforded copyright owners under § 106 of the Act reside with the creator unless he/she has assigned or licenses any of the enumerated rights. Decisions relative to registering of these works with the Copyright Office are left to the individual creator.
- d) Copyright in works specifically commissioned by the university under § 201 (b) of the Act shall belong to the university. As copyright owner, the university shall make decisions relative to registering commissioned works. Royalties for university-commissioned copyrighted works may be shared by the university and the creator(s) of the work. The terms of any grant or contract relative to royalties shall take precedence over this policy should there be a conflict between them. Disputes arising over royalty sharing for university-commissioned works shall be referred to the general counsel for the Board.
- e) Works produced under a specific contract or grant agreement between the university and a governmental or other agency or organization are subject to the terms of the grant or contract for purposes of copyright. If copyright ownership is not specified, such rights shall reside in the creator.
- f) Where university service units (such as a media production department) are involved with the production of a substantially completed copyrightable product, royalties shall be distributed between the copyright owner, i.e., faculty or staff creator, and the university as provided for in a written agreement concluded prior to work being done.

However, in those instances in which a written agreement has not been finalized prior to the completion of the copyrightable product, the standard distribution of royalties will be provided to creator with 50 percent of the net income when mass production and distribution are accomplished by the university; 50 percent of the gross income when mass production and distribution are accomplished by an outside entity. If this standard is unacceptable to either party, the matter shall be referred to the university president.

**5.14 PRIVATELY OWNED BUSINESS POLICY.** No university employee shall either encourage or discourage private citizens intending to invest in university-oriented, privately owned business enterprises.

**5.15 EMPLOYMENT OF CAMPUS POLICE OFFICERS.** Each of the senior regional universities may employ campus police officers as provided by the Oklahoma Campus Security Act, 74 O.S. § 360.15 et seq.

The president of each university shall provide each campus police officer a commission card evidencing the officer's appointment. The front side and reverse side of the commission card shall read substantially as follows:

Front Side of Commission Card:

**CAMPUS POLICE COMMISSION**

\_\_\_\_\_  
UNIVERSITY, \_\_\_\_\_,  
COUNTY

**STATE OF OKLAHOMA**

RUSO has appointed \_\_\_\_\_ and he/she is hereby commissioned a Campus Police Officer for \_\_\_\_\_ University, \_\_\_\_\_, Oklahoma, and he/she shall have all powers and duties prescribed by the Oklahoma Campus Security Act, 74 O.S. § 360.15 et seq. and as may be prescribed by the Board. Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by authority of the Board.

(UNIVERSITY SEAL) \_\_\_\_\_  
President

\_\_\_\_\_  
University

Reverse Side of Commission:

DESCRIPTION OF	
HEIGHT: _____	WEIGHT: _____
COMPLEXION: _____	EYES: _____
OTHER: _____	

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-27
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**5.16 ALCOHOLIC BEVERAGES.** Each university is authorized to develop and implement a policy regulating consumption of alcohol at officially sponsored non-student activities and events for both on and off campus venues, which is not in conflict with Policy 4.4.3(b).

**5.17 COMPUTER USE.** Each university is directed to develop and implement a policy for appropriate use by students, faculty and staff of university computer facilities and services at their respective university. The policy should include, but is not limited to, the following provisions:

- a) A statement that users of university computer facilities, services and information technologies may not violate local, State or federal laws or Board or University policy;
- b) A statement that users may not use university computer facilities, services and information technologies for personal enterprises or business, (See 74 O.S. §585);
- c) A statement that users do not have an expectation of privacy when using university computer facilities, services and information technologies;
- d) A statement that the university cooperates fully with all duly constituted law enforcement agencies in cases of violation of applicable law;
- e) A statement that use of university computer facilities, services and information technologies does not alter basic codes of behavior of academic life; and
- f) A statement that users may not endanger the integrity of the university computer facilities, services and information technologies.

**5.18 PRIOR POLICIES.** Upon official adoption of this Policies and Procedures document, the policies contained herein supersede all previously adopted policies and all previous manuals produced or promulgated by this board or any of the institutions governed.

April 2015
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REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA	CHAPTER 5 GENERAL POLICIES	Page 5-28
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### **5.18 PRIOR POLICIES.** (Continued)

**5.18.1 Institutional Prerogatives.** The Board has properly left to institutional administration broad responsibilities for internal development of policies and procedures for the conduct of affairs not specifically addressed by board policy. Institutions are encouraged and expected to go beyond the policies and procedures contained herein in the development of an articulated and comprehensive policy structure governing the conduct of university affairs.

**5.18.2 Provisions for Amendment.** The provisions of this Regents' Policy Manual may be waived, amended or repealed at a regular or special 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 to the Policy and Procedure Committee for review. The Board shall comply with any legislative mandates that so apply.