

**MINUTES OF A REGULAR MEETING  
THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS  
JUNE 22-23, 2004**

| <b>MINUTES</b>   | <u>Page</u> |
|--|-------------|
| Regular meeting held May 6-7, 2004 .....   | 29147       |
| <br><b><u>ROGERS STATE UNIVERSITY</u></b>  |             |
| REPORT OF THE PRESIDENT OF THE UNIVERSITY .....  | 29133       |
| Fiscal Year 2005 Budget.....   | 29133       |
| Tuition Increase .....   | 29134       |
| Fee Request for 2004-2005 .....  | 29134       |
| Substantive Program Changes .....  | 29135       |
| Center for Economic and Community Development.....   | 29136       |
| Awarding of Contract for Preparatory Hall and Bushyhead Fieldhouse<br>Exterior Renovations ..... | 29137       |
| Vending Services .....   | 29138       |
| Law Enforcement Services Agreement .....   | 29139       |
| Greek Organization Colonization .....  | 29139       |
| CU/RSU Board Policy Manual Revisions .....   | 29140       |
| Personnel Policies and Procedures Manual .....   | 29143       |
| Restatement of Flexible Benefit Plan .....   | 29143       |
| Restatement of Retirement Plan.....  | 29144       |
| Annual Audit Plan for 2004-2005.....   | 29144       |
| Acceptance of Donated Land.....  | 29145       |
| Academic Personnel Actions .....   | 29146       |
| Litigation.....  | 29147       |
| <br><b><u>THE UNIVERSITY OF OKLAHOMA</u></b>   |             |
| REPORT OF THE PRESIDENT OF THE UNIVERSITY .....  | 29148       |
| Fiscal Year 2005 Budget.....   | 29148       |
| Tuition and Mandatory Fee Rates for Fiscal Year 2005.....  | 29149       |
| Policy Manual Revisions .....  | 29151       |
| <br><b>HEALTH SCIENCES CENTER ITEMS</b>  |             |
| Appointment of College of Medicine Admissions Board.....   | 29151       |

|   |       |
|---|-------|
| Professional Liability Insurance – HSC & Tulsa.....                         | 2915  |
| Primary Rate Interface Voice Trunk Lines.....                               | 29156 |
| Ultrasound Equipment .....  | 29156 |
| Acquisition Contract in Connection with Approved Affiliation Agreement..... | 29157 |
| Atomic Force Microscope.....  | 29157 |

## **NORMAN CAMPUS ITEMS**

|   |       |
|---|-------|
| Course Changes .....  | 29158 |
| Nonsubstantive Program Changes .....  | 29159 |
| Change the Name of the School of Chemical Engineering and Materials<br>Science to the School of Chemical, Biological, and Materials Engineering ....                              | 29160 |
| Proposals, Contracts and Grants .....   | 29161 |
| Board of Regents’ Resolution Concerning Management of the<br>University’s Book Approval Classified Defense Information Program .....  | 29161 |
| Book Acquisition Program for University Libraries .....   | 29162 |
| Library Acquisition of Rare and Diverse Foreign Publications.....   | 29163 |
| Research Facility Revenue Bonds .....   | 29164 |
| Easements for City of Norman .....  | 92166 |
| Holmberg Hall Renovation and Addition for the Donald W. Reynolds<br>Performing Arts Center, Stage Lift.....   | 29167 |
| Furniture for Nielsen Hall Addition and Renovation, Phase II .....  | 29168 |
| Oracle Database Maintenance.....  | 29169 |
| Hardware for Enterprise Financial System .....  | 29169 |
| Continuation of Grant Subcontract .....   | 29170 |
| Adoption of The University of Oklahoma Optional Retirement Plan,<br>Amendment and Restatement of the Defined Contribution Plan, and<br>Establishment of Contingency Reserve ..... | 29170 |
| Appointment of Trustee for Lew Wentz Foundation.....  | 29173 |
| Instructional/Training Aircraft.....  | 29173 |
| Airport Control Tower Equipment.....  | 29175 |
| Travel Agency Services .....  | 29179 |
| Intercollegiate Athletic Sports Insurance Policy.....   | 29181 |
| Lloyd Noble Center Parking Lot RV Connections .....   | 29182 |

|   |                |
|---|----------------|
| Athletic Ticket Scanning Software .....   | 29184          |
| Student Code Revision.....  | 29186          |
| Correction to March 2004 Agenda Item Regarding Student Vaccinations .....                   | 29188          |
| Amendment to The University of Oklahoma 457(b) Eligible Deferred<br>Compensation Plan ..... | 29188          |
| Designation of Gift to Regents' Fund as a Quasi Endowment .....                             | 29193          |
| Annual Audit Plan for 2004-2005.....  | 29193          |
| Regents' Fund Quarterly Financial Report .....  | 29194          |
| Quarterly Financial Analysis .....  | 29194          |
| Quarterly Report of Purchases .....   | 29195          |
| On-Call Architects and Engineers Quarterly Report .....                                     | 29200          |
| On-Call Construction-Related Services Quarterly Report.....                                 | 29201          |
| Lease of Real Property .....  | 29203          |
| Acquisition and Sale of Properties.....   | 29203          |
| Academic Personnel Actions .....  | 29204          |
| Administrative and Professional Personnel Actions.....                                      | 29204<br>29216 |
| Litigation.....   | 29227          |
| Desktop Computers for Gaylord Hall .....  | 29227          |
| Maintenance for Campus Enterprise Applications .....  | 29227          |

**CAMERON UNIVERSITY**

|   |       |
|---|-------|
| REPORT OF THE PRESIDENT OF THE UNIVERSITY .....   | 29179 |
| Fiscal Year 2005 Budget.....  | 29229 |
| Tuition Rates for Fiscal Year 2005 .....  | 29232 |
| Fees Request for Fiscal Year 2004-2005 .....  | 29234 |
| Rates for Housing and Food Services for Fiscal Year 2004-2005.....  | 29235 |
| Nonsubstantive Program Change.....  | 29236 |
| Establishment of the Bancfirst Endowed Lectureship in Finance and<br>The Bancfirst Endowed Lectureship in Investment..... | 29177 |
| Establishment of the Herb and Dorothy Pittman Carter Endowed<br>Lectureship in Education .....                            | 29178 |

|   |       |
|---|-------|
| Establishment of the Buck and Irene Clements Endowed Lectureship<br>In Child Development.....   | 29178 |
| Establishment of the Jimmie and Virgie Stanton Endowed<br>Lectureship in Physical Sciences .....                                      | 29178 |
| Establishment of the Marguirete Wete Wilkinson<br>Endowed Lectureship in Music .....  | 29179 |
| CU/RSU Board Policy Manual Revisions .....  | 29236 |
| Sick Leave Policy .....   | 29240 |
| Shepler Mezzanine Expansion and Renovation.....   | 29240 |
| Selection of Architectural and Engineering Services for Redesign and<br>Resurface of the Music Building and Theater Parking Lots..... | 29241 |
| Annual Audit Plan for 2004-2005.....  | 29242 |
| Quarterly Financial Analysis .....  | 29243 |
| Academic and Administrative Personnel Actions .....   | 29244 |
| Litigation.....   | 29247 |
| Cameron Village Construction Project-Guaranteed Maximum Price .....   | 29247 |

**MINUTES OF A REGULAR MEETING  
THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS  
June 22-23, 2004**

A regular meeting of the Board of Regents governing The University of Oklahoma, Cameron University, and Rogers State University was called to order in the Mezzanine of the Shepler Center on the Cameron University campus, on Tuesday, June 22, 2004 at 9:45 a.m.

The following Regents were present: Regent Stephen F. Bentley, Chairman of the Board, presiding; Regents Christy Everest, Tom Clark, Jon R. Stuart, A. Max Weitzenhoffer and Larry R. Wade.

Others attending all or a part of the meeting included Mr. David L. Boren, President of The University of Oklahoma; Provosts Nancy L. Mergler and Joseph J. Ferretti; Vice Presidents Dennis Aebersold, Dewayne Andrews, Catherine Bishop, Nicholas Hathaway, Kenneth Rowe, and T. H. Lee Williams; Brad Avery, Director of Internal Auditing; Joseph Harroz, Jr., General Counsel, Joe Castiglione, Director of Athletics, and Dr. Chris A. Purcell, Executive Secretary of the Board of Regents.

Those attending the meeting from Cameron University were Dr. Cindy Ross, President of the University, Vice Presidents Gary Buckley, Glen Pinkston, Samantha Wartley Thomas, and David Wolf and Dr. Don Sullivan, Special Assistant to the President.

Attending the meeting from Rogers State University were Dr. Joe A. Wiley, President of the University, Vice Presidents Richard Boyd, Ray Brown and Tom Volturo, and Dr. Michael Turner, Dean of Students.

Notice of the time, date and place of this meeting were submitted to the Secretary of State, and the agenda was posted in the Office of the Board of Regents on or before 9:30 a.m. on June 21, both as required by 25 O.S. 1981, Section 301-314.

## **ROGERS STATE UNIVERSITY**

### **REPORT OF THE PRESIDENT OF THE UNIVERSITY**

President Wiley thanked President Ross and her staff for their hospitality and stated that he appreciated time with the Board to discuss the goals and objectives for the future of RSU. Since he had that time earlier in the morning, he would forego any other comments.

### **FISCAL YEAR 2005 BUDGET**

An Executive Summary and Budget Document were presented at the meeting.

President Wiley recommended the Board of Regents approve the Operating Budget for Fiscal Year 2005 as presented.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## TUITION INCREASE

According to current statutes and current methodology for establishing rates for tuition and fees, the University started the process of communication with student government organizations, other student groups and the students at large concerning the possibility of approximately a \$5.00 to \$10.00 per-credit-hour increase in resident and non-resident tuition effective fall 2004.

Students have been briefed that the additional funds will be used for new degree programs, additional fulltime doctorally qualified faculty, improved and enhanced technology. Student services will be increased in the areas of providing a health clinic, improved facilities and scholarships.

President Wiley requests the Board of Regents approve an increase in resident and non-resident tuition per-credit-hour by an approximate amount of 7.7 percent of the current academic year rates for resident tuition and 7.7 percent of the current academic year rates for nonresident tuition beginning the fall semester 2004. A fulltime resident student (30 credit hours/year) will pay approximately \$150.00 in additional tuition next year. If approved, these new rates will be submitted to the Oklahoma State Regents for Higher Education for final approval at their June 30, 2004 scheduled board meeting.

President Wiley recommended the Board of Regents approve the proposed resident and non-resident tuition rates, effective Fall 2004 semester.

|          | Lower Division<br>Resident | Upper Division<br>Resident | Lower Division<br>Non-Resident | Upper Division<br>Non-Resident |
|----------|----------------------------|----------------------------|--------------------------------|--------------------------------|
| Current  | \$65.00                    | \$65.00                    | \$130.00                       | \$130.00                       |
| Proposed | \$70.00                    | \$70.00                    | \$140.00                       | \$140.00                       |

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## FEE REQUEST FOR 2004-2005

In accordance with policy established by the Oklahoma State Regents for Higher Education, request for changes in fees will be considered by the State Regents one time each year, and requests must be received in their office by November 1 preceding the beginning of the fiscal year, July 1, in which the change is to be effective. The State Regents will consider the proposed fees at their June 30, 2004 board meeting:

- A. Rogers State University requests a change in the Library Automation and Materials Fee. The institution is currently charging \$2.25 per semester credit hour. This fee was last adjusted in the Fall semester of 2003. Rogers State University is requesting changing the fee from \$2.25 per semester credit hour to \$5.50 per semester credit hour. It is anticipated the additional revenue per year will be approximately \$253,000. Additional revenue will be used to purchase books and materials for the Library and to enhance automation of Library resources.

- B. Rogers State University requests a change in the Student Assessment Fee. The institution is currently charging \$1.00 per semester credit hour. This fee was last adjusted in the Fall semester of 1991. Rogers State University is requesting changing the fee from \$1.00 per semester credit hour to \$2.75 per semester credit hour. It is anticipated the additional revenue per year will be approximately \$134,000. The additional revenue will be used for the University's Student Assessment Program.
- C. Rogers State University requests a change in the Student Activity Fee. The institution is currently charging \$5.15 per semester credit hour. This fee was last adjusted in the Fall of 1995. Rogers State University is requesting changing the fee from \$5.15 per semester credit hour to \$5.45 per semester credit hour. It is anticipated the additional revenue per year will be approximately \$18,000. The additional revenue will provide extracurricular, educational, cultural and recreational opportunities.
- D. Rogers State University requests a change in the Student Parking Fee. The institution is currently charging \$1.50 per semester credit hour to a maximum of \$20.00 per semester. This fee was last adjusted in the Fall semester of 2000. Rogers State University is requesting changing the fee from \$1.50 per semester credit hour to \$2.00 per semester credit hour and removing the cap of \$20.00 per semester. It is anticipated the additional revenue per year will be approximately \$29,000. The additional revenues will be used to provide enforcement of traffic and parking, new parking lots, and maintenance of existing lots.

In accordance with policy established by the Oklahoma State Regents for Higher Education, requests for new or changes in academic service fees will be considered by the State Regents one time each year, and requests must be received in their office by November 1 preceding the beginning of the fiscal year, July 1 in which the change is to be effective. This year an exception to the policy was made, and institutions would submit academic service fees after November 1. The State Regents will act on the proposed academic service fees at their scheduled meeting to be held on June 30, 2004.

Rogers State University requests the following course fees as listed:

| <u>Course</u>                      | <u>Course Number</u> | <u>Proposed Fee</u> |
|------------------------------------|----------------------|---------------------|
| Computer Programming Materials Fee | CS2223               | \$20.00             |
| Computer Programming Materials Fee | CS2323               | \$ 5.00             |
| Computer Programming Materials Fee | CS2153               | \$ 5.00             |

The academic service fees are direct costs associated with a course to cover the costs of materials.

President Wiley recommended the Board of Regents approve the change in fees to be effective for Fall 2004.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **SUBSTANTIVE PROGRAM CHANGES**

The Oklahoma State Regents for Higher Education require that all substantive changes in degree programs be presented to the institution's governing board for approval before being forwarded to the State Regents for consideration. The change in the academic program

presented below has been approved by the appropriate faculty, academic unit and dean, the Curriculum Committee, the Academic Council, and the Vice President for Academic Affairs. The changes are being submitted to the Board of Regents for approval prior to submission to the State Regents.

1. PROGRAM: AAS in Business Office Administration/Computer Applications (039)

PROPOSED CHANGE: Program deletion.

COMMENTS: Program deletion based on 2001-2002 Technical-Occupational Degree Program Evaluation, an internal review in 2003-2004, inability in meeting minimum graduation productivity requirements, and application of academic planning and resource allocation (APRA) principles. Currently enrolled students are being advised in completing their remaining graduation requirements and also into the AAS in Applied Technology degree program.

President Wiley recommended the Board of Regents approve the proposed changes in the Rogers State University academic programs.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **CENTER FOR ECONOMIC AND COMMUNITY DEVELOPMENT**

At the March 2004 meeting, the Board of Regents authorized the President to execute a consultant agreement with the highest-ranked architectural firm for the design and construction of the Center for Economic and Community Development. The University successfully negotiated an agreement with LWPB Architects & Planners located in Oklahoma City. At this time the University plans to proceed with the design and bidding phases of the project.

Rogers State University initiated the Center in July 2002 to support the University's mission relating to economic development. The goals include establishing a one-stop shop, creating a small business development center, constructing and operating a technology incubator, and developing a regional research center to conduct economic, demographic and social research related to economic development. Construction of a new facility will advance the University's ability to support economic development efforts.

This project will construct approximately 7,200 gross square feet of space to be located on the Claremore campus north of Baird Hall and west of the Pershing Rifle Range. The single-story facility will have offices for economic development staff from the University, the Claremore Industrial and Economic Development Authority, the Oklahoma Alliance for Manufacturing Excellence, and possibly others. The facility will also include flexible office and laboratory spaces for technology incubator clients, a classroom, two small conference rooms, and a small library. Also included in the project is parking for approximately 40 cars, exterior lighting and landscaping. The building's exterior is designed to complement and blend with the existing Campus aesthetics while accommodating the needs of economic developers and incubator clients.



The design development phase plans have been completed for the project. It is proposed the Board of Regents approve the project design and authorize the preparation of construction documents by the architect and advertising for receipt of bids. It is anticipated that a recommendation concerning the award of a contract for construction will be presented to the Board at the September 2004 meeting, with substantial completion expected in August 2005.

Funding for this project will be provided from a combination of appropriated funds, federal funds and private gifts.

President Wiley recommended the Board of Regents:

- I. Approve the design development phase plans for the Center for Economic and Community Development;
- II. Authorize the preparation of construction documents for the project; and
- III. Authorize the University administration to advertise and to receive bids for construction of the project.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

#### **AWARDING OF CONTRACT FOR PREPARATORY HALL AND BUSHYHEAD FIELDHOUSE EXTERIOR RENOVATIONS**

Preparatory Hall was constructed in 1909, and is listed on the National Registry of Historical Buildings. The building contains faculty offices, classrooms, offices for federally funded programs, and the institution's computer and technology center. Bushyhead Fieldhouse was constructed in 1929. The facility provides space for student activities and includes the gym, locker rooms, and the Wellness Center physical fitness equipment and weight equipment. In recent years, the University has been remodeling and upgrading the facilities. This project will address painting the exterior of both buildings, painting windows on Preparatory Hall, exterior repairs and renovations. The President believes it is important to continue efforts to improve and enhance the appearance of the Campus facilities and to address deferred maintenance issues.

The President authorized Graber & Imel, the architects, to proceed with developing the bid specifications. The project has been advertised, and a pre-bid conference was held on Thursday, May 13, 2004. Sealed bids were opened on Tuesday, May 25, 2004. This project has been identified and approved in the University's Campus Master Plan.

Bid A and associated alternates are for Preparatory Hall. Bid B and associated alternates are for Bushyhead Fieldhouse.

The President recommends Mid-Continental Restoration Company, Inc. as the successful bidder. He recommends accepting the base bid A, B, alternates 2A, 5A, 2B, and associated unit Prices 1, 2 and 3 for a total of \$271,681. State Statutes allow change orders to be issued for up to 15 percent cumulative increase in original amount of the project costing \$1,000,000 or less. Board approval of this project will authorize the President or his designee to sign contract, and will allow issuance of change orders of up to 15 percent of the contract amount and within budget limitations. The contract amount and authorized maximum change orders total \$312,433. (See attached bid tabulations).

Funding for this project will consist of Education and General Fund monies, Section 13 Offset monies, and Facility Fee monies.

President Wiley recommended the Board of Regents:

- I. Award a contract in the amount of \$271,681 to Mid-Continental Restoration Company, Inc., Ft. Scott, Kansas.
- II. Authorize the President or his designee to sign the contract and any necessary change orders during the project within statutory and budget limitations.

Regent Weitzenhoffer moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **VENDING SERVICES**

Currently the University's beverage contract is with the Pepsi Bottling Group, Tulsa, and the snack-vending contract is with Imperial Coffee Company, Tulsa. The current agreement was for a five-year period, expiring June 30, 2004.

The University solicited proposals for beverage and snack vending services for Rogers State University Claremore, Bartlesville and Pryor. Sealed proposals were opened on May 28, 2004.

Pepsi Bottling Group, Tulsa, Great Plains Coca Cola Bottling Co., Tulsa, Love Bottling Company, Muskogee, Service Vending Company, Tulsa, and Imperial Coffee Service, Inc., Tulsa submitted proposals. The proposals varied from a guarantee annual amount, straight commissions, or a combination of guarantee plus commission.

The University desired a comprehensive line of beverage and snack products at competitive prices and the best overall value to the University. The contract period will begin concurrently with the institution's fiscal year on July 1, 2004 and continue to June 30, 2005 with options to renew for one-year periods for four years for a total contract period of five years ending June 30, 2009.

After evaluating the proposals, it was determined Pepsi Bottling Group's five-year bid, with a total estimated minimum value of \$203,750, including other non-cash compensation, is the best value for the University's beverage vending service. It was determined Imperial Coffee Service's five-year bid with a total estimated minimum value of \$25,500 is the best value for the University's snack service.

The exact terms of the contracts are being finalized and will be reviewed by Legal Counsel before executing the contracts.

President Wiley recommended the Board of Regents authorize the President to accept a proposal from Pepsi Bottling Group, Tulsa, for beverage and Imperial Coffee Company, Tulsa, for snack vending services, and to authorize the President to negotiate the final terms of the contract.

Regent Wade moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **LAW ENFORCEMENT SERVICES AGREEMENT**

The Law Enforcement Services Agreement is required by State statutes to be approved by the Board of Regents in order to execute an agreement between the Commissioner of Public Safety and Rogers State University. The agreement will authorize the University to employ off-duty highway patrol troopers as part-time employees of the University's Campus Police Department. President Wiley recommends approval of the agreement to comply with State statutes and to continue the protection and safety of students, faculty, staff, visitors and property of the Campus.

Legal Counsel has reviewed and approved the agreement, presented at the meeting and attached hereto as Exhibit A.

President Wiley recommended the Board of Regents approve the Law Enforcement Services Agreement between the Commissioner of Public Safety and the Board of Regents on behalf of Rogers State University.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **GREEK ORGANIZATION COLONIZATION**

In the Fall of 2003, a student-led campus organization, the Greek Expansion Committee, formed and began the process of exploring the feasibility of establishing fraternities and sororities on the Rogers State University campus. This committee coordinated efforts with the RSU Student Government Association and the Office of Student Affairs.

In the spring of 2004, the Greek Expansion Committee invited various fraternities and sororities to visit the RSU campus and conduct presentations to the student body. The invited organizations were officially recognized fraternities and sororities by the National Panhellenic Conference and National Interfraternity Council. Upon the conclusion of the presentations, the Greek Expansion Committee met and recommended their top choices for the groups to invite for fall 2004 establishment.

The desire of the Greek Expansion Committee is for the further development and enhancement of student life and student organizations on Campus. The students acknowledge the significant contributions that an established Greek community can bring to Rogers State University.

President Wiley recommended the Board of Regents approve Rogers State University expansion for Greek organizations beginning in Fall 2004.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## CU/RSU BOARD POLICY MANUAL REVISIONS

The Board of Regents originally approved the CU/RSU Board Policy Manual at the January 27, 2004 meeting. Since then, OU Legal Counsel has reviewed the manual and recommended a number of revisions. Staffs at Rogers State University and Cameron University worked with legal counsel and agreed on the revisions that would be made. Additionally, the manual's "look" was improved by developing a consistent numbering scheme and style. A Table of Contents was also added.

Given the number of changes, both substantive and non-substantive, it was felt that the Regents should approve the entire manual.

One revision suggested by legal counsel was not agreed to by Presidents Wiley and Ross. Currently, the Board Manual for OU requires that Regents approval must be obtained prior to adding an outside person to an administrative search committee, such as a Provost search committee. Presidents Wiley and Ross believe for institutions of their size and scope, this requirement would not serve the search process effectively. Therefore, they are recommending that requirement not be included in the revised CU/RSU Board Policy Manual.

Substantive revisions are:

### 1.2.6—Powers and Duties

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

- b) .... Any of such personnel having custody of public funds or other public property may be required to furnish corporate surety bonds in such amounts as may be deemed necessary by the Board of Regents, payable to the Board of Regents and conditioned upon a faithful accounting of all such funds and property.

### 2.1.2.3—Academic Responsibility - replaced entire section with updated AAUP 1987 Statement on Professional Ethics

### 2.3.3—Post-Tenure Review

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

### 2.3.4.1—Grounds for Abrogation of Tenure, Dismissal, and Other Severe Sanctions

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

### 3.1.1—Personnel Actions

- Appointments, salaries, and other changes for members of the faculty who are non-tenure track, not tenured, or not eligible for tenure, whether part-time or full-time, unless full-time equivalent salary for the academic year will be \$60,000 or more.

### 3.1.6.1—Administrative

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

### 3.1.12—Prevention of Alcohol Abuse and Drug Use on Campus and in the Workplace

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

### 3.1.13—Firearms Policy

B) Firearms are permitted on campus only under the following circumstances:

- 1) In the possession or control of sworn law enforcement officers or properly licensed armed security guards employed by the University who are performing their assigned duties. The Director of Campus Police must approve in advance the use or employment of armed private security providers.
- 6) For use as a teaching aid, subject to the following conditions:
  - a) Permission for such use must be granted by the academic dean and prior written notice of the presence of the firearm on campus must be given to the Director of Campus Police.
  - b) Such firearms must be approved and secured by means acceptable to the Director of Campus Police.
  - c) Except for recognized University shooting ranges and while under authorized supervision, munitions shall not be present with firearms when used in class.
- 10) The Rogers State University President has the authority to make exceptions to the above provisions when appropriate to further the University's mission.

### 4.4.6—Legal Action to Collect Accounts

The University Collection Division, under the authority of the Office of Legal Counsel, is responsible for recovery of delinquent student accounts receivable and student loans that require litigation.

### 4.10.4—Purchases That Do Not Require Formal Competition or Bids

- Purchases up to \$50,000 of legal, medical, accounting, consulting, architectural, engineering, interior design, appraisal, landscape design, real estate agency, or similar professional services, only when such services are ordered by the President or his or her designee pursuant to University-wide matters of importance, and only when such services represent discrete short-term engagements with specific terminal objectives. Purchases of legal services shall be coordinated through the Office of Legal Counsel.

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

- Such other purchases as may be identified by the chief fiscal officer and approved by the President

#### 4.10.8—Submitting Purchases to the Board of Regents for Approval and Reporting Other Purchases

- Purchases over \$125,000 must be submitted to the Board of Regents for prior approval; sole source purchases in this category must be identified as such; changes that would increase the financial obligation of the University by more than 15% must be submitted to the Board for prior approval.
- Purchases above \$50,000 but not exceeding \$125,000 must be reported to the Board of Regents at least quarterly; sole source purchases in this category must be reported separately and identified as such.

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

- 3) Funds may be considered for transfer to the departing faculty member's new institution only when it was the specific intent of the donor or granting agency that the funds were/are for the purpose of supporting the activity of the departing faculty member (rather than a program of the University).

#### 4.14.1—Selection Process

- 8) Normally, the President or his or her designee will negotiate a contract with the first choice consultant. However, if the University cannot reach agreement with the first choice consultant, negotiations shall be terminated and the University shall negotiate in a similar pattern with the remaining consultants in descending rank order until an agreement is reached. The President or his or her authorized designee may execute the consultant contract.

#### 6.3.1—Purpose of Intercollegiate Athletics

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

#### 7.1.3—Donor Gift Credit

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

#### 7.4 — NAMES OF CAMPUS FACILITIES

The naming of major campus buildings or additions requires the approval of the Board of Regents. The Board of Regents also reserves the right to deny the naming of any campus facility, other than that which designates the type of work done therein, as a way to ensure that no name is given to a campus facility that does not reflect the ideals of the University, as well as the right to rename campus buildings or additions. No facility shall ordinarily be named after individuals who are members of the active faculty or staff of the University.

#### 7.7 — APPROVAL OF ALL FUNDRAISING ACTIVITY

Any fundraising activity, whether on behalf of students, faculty/staff, schools, or programs, must be approved by the Vice President for Development.

President Wiley recommended the Board of Regents approve the revised CU/RSU Board Policy Manual.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **PERSONNEL POLICIES & PROCEDURES MANUAL**

In Spring 2000, the Board of Regents approved the initial Manual. Since that time, any changes made have been non-substantive. With approval on December 3, 2003 of the Board of Regents' Policy Manual for Cameron University and Rogers State University, the University has revised the Manual and incorporated the necessary changes to reflect compliance with the Regents' Policy Manual for Cameron University and Rogers State University. It now is requested the Rogers State University Personnel Policies and Procedures Manual be accepted as the personnel policies and procedures compendium for use by Rogers State University. Legal Counsel has reviewed and approved the revised Manual.

The manual was included for review and approval, and is attached hereto as Exhibit B.

President Wiley recommended the Board of Regents approve the Rogers State University Personnel Policies and Procedures Manual.

Regent Weitzenhoffer moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **RESTATEMENT OF FLEXIBLE BENEFIT PLAN**

Rogers State maintains a flexible benefit plan for eligible employees of Rogers State. The Plan offers certain tax-qualified health benefits to eligible employees of the University. The Plan is intended to meet the requirements of Section 125 of the Internal Revenue Code. The Code requires that the Plan meet certain Code requirements. The Plan is being amended to comply with recent changes in the Code.

President Wiley recommended the Board of Regents approve the amendment and restatement of the Rogers State University Flexible Benefit Plan as detailed above.

Regent Wade moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **RESTATEMENT OF RETIREMENT PLAN**

Rogers State University maintains a defined contribution retirement plan for eligible employees of Rogers State University. The Plan is intended to meet the requirements of Section 403(b) of the Internal Revenue Code. Only full-time employees of Rogers State University are

eligible to participate in the Plan. Under the terms of the Plan, Rogers State University makes an employer contribution to participants' accounts on a monthly basis. Rogers State University forwards the Plan contributions to TIAA-CREF to be invested pursuant to the direction of the participants. The Plan is being amended to comply with recent changes in the Internal Revenue Code.

President Wiley recommended the Board of Regents approve the amendment and restatement of the Rogers State University Defined Contribution Retirement Plan as detailed above.

Regent Clark moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **ANNUAL AUDIT PLAN FOR 2004-2005, ROGERS STATE UNIVERSITY**

Following practices within the auditing industry and standards of the Institute of Internal Auditors, Internal Auditing has developed an audit plan using a risk-based audit approach. As part of the risk-based approach, risk factors have been discussed with University management, and internal and external data were compiled in a risk matrix to develop a risk-based audit plan. Based upon the analysis performed and the internal audit resources available, it is believed the current audit plan addresses the higher risk areas within the University.

The detailed Audit Plan for FY 2005 has been discussed with the Finance and Audit Committee and includes 7 audits out of a total Audit Universe of 32 audits. This provides audit coverage of 22% for fiscal year 2004-2005. Any proposed changes to the plan will be discussed with the Finance and Audit Committee.

Special projects and post-audit reviews will be performed when necessary. Internal audits may be performed on an unannounced basis.

President Wiley recommended the Board of Regents approve the annual audit plan for 2004-2005.

Regent Clark moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **ACCEPTANCE OF DONATED LAND**

The Board of Regents' policy requires the Board to approve accepting gifts of real estate away from the Campus when they are needed for University programs.

In the January 24, 2004 Board of Regents' meeting, President Wiley announced a capital campaign for Rogers State University's Equestrian Facility. In February 2004 Mrs. Wanda Sanders approached the University after learning about the capital campaign, with an offer to donate 17.5 acres of land south of Oologah to the University. After visiting with Mrs. Sanders and examining the site, it was determined the property would be feasible for the equestrian facility. The City of Claremore - Rogers County Metropolitan Area Planning Commission was contacted to determine if any zoning issues would restrict the University from using the land from its intended purpose. It was determined a variance from strictly agriculture use to a use of the property for agricultural and educational purposes would have to be requested



from the Rogers County Board of Adjustment. On April 20, 2004 the Rogers County Board of Adjustment approved the University's request to allow the institution to build an equestrian center, classrooms, and indoor arena on the property with the address of 16544 South Highway 169, Oologah, Oklahoma, 74053. In addition, the Department of Transportation approved the driveway and access permit on April 20, 2004. Subsequent to April 20, 2004, Mrs. Sanders offered to donate an additional five acres. The total donation of land is approximately 23 acres in Rogers County.

The University has performed its due diligence, and has determined the land would meet its needs. The terrain is well suited for the Rogers State University Equestrian Center. Legal Counsel has reviewed the general warranty deed.

Section 4.13 of the Board of Regents' Policy Manual for Rogers State University states the Board of Regents must approve all land acquisitions.

President Wiley recommended the Board of Regents ratify Chairman Bentley's emergency approval, granted April 21, 2004, of the acceptance of real estate donated to the University with the legal description as follows:

A tract of land encompassing 20.5 acres, more or less, and consisting of two adjoining tracts described as follows:

LESS AND EXCEPT: A tract of land situated in the SW/4 of the NE/4 Section 11, Township 22 Range 14 East of the I.B.& M., Rogers County, Oklahoma, more particularly described as follows, to wit: Commencing at the intersection of the Present North right of way of State Highway 169 and the West line of the NW/4 of the SE/4; thence N 00°13'34" W along said West line 877.70 feet to the Southwest corner of said SW/4 of the NE/4; thence N 00°13'34" W along said West line a distance of 968.98 feet; thence N 89°28'21" E a distance of 313.90 feet to the POINT OF BEGINNING; thence continuing on a bearing of N 89°28'21" E a distance of 230.0 feet; thence S 00°06'45" W a distance of 946.95 feet, thence S 89°28'21" W, a distance of 230.0 feet; then N 00°06'45" E a distance of 946.95 feet to the POINT OF BEGINNING.

and also:

A tract of land in the East Half of the Northeast Quarter of the Southwest Quarter of Section 11, Township 22 North, Range 14 East of the I.B.&M., Rogers County, Oklahoma, more particularly described as: Beginning at the Northeast Corner of the E/2 of the NE/4 of the SW/4; thence South 0 degrees 13'34" East for a distance of 967.84 feet to a point on the North Right of Way line of U.S. Highway 169 Which is the POINT OF BEGINNING; thence South 69 degrees 29'56" West along said Highway ROW a distance of 302.06 feet; thence North 9 degrees 06'07" East a distance of 800 feet; thence due East to the point intersecting above referenced line from the Northeast Corner of the E/2 of the NE/4 of the SW/4 traveling to the North Right of Way line of U.S. Highway 169; thence South 0 degrees 13'34" East to the POINT OF BEGINNING;

LESS AND EXCEPT: Grantor expressly reserves a non-exclusive easement for ingress and egress over the easternmost 30 feet of the property, said easement coinciding with the access road along the eastern boundary of the property and running generally north and south, from the North Right of Way line of U.S. Highway 169 to the northern boundary of the tract herein described.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **ACADEMIC PERSONNEL ACTIONS**

### **APPOINTMENTS:**

Carment, Thomas, Assistant Professor of Business, annual rate of \$63,000 for 10 months, tenure-track position effective August 16, 2004.

Ph.D., Oklahoma State University  
M.B.A., Oklahoma State University  
B.S., Northeastern State University  
B.A., Oklahoma State University  
Last Position: Professor, Northeastern State University  
Teaching Experience: 23 years

Fernlund, Sharon Corn, Assistant Professor of Social & Behavioral Sciences, annual rate of \$44,500 for 10 months, tenure track position effective August 9, 2004.

Ph.D., Oklahoma State University  
M.S., Oklahoma State University  
B.A., Phillips University  
Last Position: Part-time Faculty, St. Louis Community College  
Teaching Experience: 12 years

Hardy, Nat, Assistant Professor of Communications & Fine Arts, annual rate of \$42,000 for 10 months, tenure track position effective August 9, 2004.

Ph.D, University of Alberta  
M.F.A., Louisiana State University  
M.A., McMaster University  
B.A., University of Alberta  
Last Position: Visiting Assistant Professor, Oklahoma State University  
Teaching Experience: 10 years

Lynch, Carla, Instructor of Health Sciences, annual rate of \$36,500 for ten months, non-tenure track position effective August 9, 2004.

B.S.N., University of Oklahoma  
Last Position: Regional Hospital Supervisor  
Teaching Experience: Adjunct Faculty, Rogers State University

Sawyer, John Edward, Assistant Professor of Mathematics and Science, annual rate of \$40,000 for 10 months, tenure track position effective August 9, 2004.

Ph.D., University of Tulsa  
M.ChE., University of Tulsa  
M.B.A, University of Tulsa  
B.ChE., Georgia Institute of Technology  
Last Position: General Manager, Toxco  
Teaching Experience: Adjunct Faculty, University of Tulsa and Rogers State University

### **PROMOTION:**

## SCHOOL OF LIBERAL ARTS

Department of Communications and Fine Arts  
Dr. David Nelson to Assistant Professor

President Wiley recommended the Board of Regents approve the faculty personnel actions listed above.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## LITIGATION

This item was included in the agenda for the purpose of meeting with General Counsel in executive session for a report on pending and possible litigation. No executive session was held, and there was no report.

The meeting adjourned for the day at 10:25 a.m.

The meeting reconvened at 9:15 a.m. on June 23, 2004 in the same location.

## MINUTES

Regent Everest moved approval of the minutes of the regular meeting held on May 6-7, 2004 as printed and distributed prior to the meeting. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## THE UNIVERSITY OF OKLAHOMA

### REPORT OF THE PRESIDENT OF THE UNIVERSITY

President Boren began his report by talking of the commitment the Regents made almost ten years ago to increase spending on the University Libraries. This commitment was kept in spite of lean budget years and sometimes with additional help from The University of Oklahoma Foundation. The library collections have now passed the 4.5 million mark in terms of volumes, which makes us by far the largest library in the state—almost twice as large as any other educational institution and larger than any community library system in the state. OU is now in the top two in the big 12 in terms of ranking for number of volumes held and in the top 15 universities in the nation for increased library spending over the last seven years. Private gifts to the

libraries have included a ten-year matching grant program from the Kerr Foundation endowment, a million dollar anonymous donation, a \$1.25 million endowment from Michael F. Price, the Peggy Helmerich Library Enrichment Fund given by Mr. & Mrs. Walter Helmerich of Tulsa, a gift of 2,000 rare and historic Bibles dating back to 1492 from Bob Burke, a new collection of rare books including an original copy of *A Christmas Carol* was started this year by John and Mary Nichols of Oklahoma City, and the libraries have a rare partnership with the athletic department in a million dollar endowment. The President then thanked President Ross and Cameron for their hospitality and Chairman Bentley for hosting us in his home community.

## **FISCAL YEAR 2005 BUDGET**

The FY2005 operating budget for The University of Oklahoma of \$1.066 billion is presented for consideration and approval by the Board of Regents. The budget is comprised of \$571 million for the Norman campus and \$495 million for the Health Sciences Center.

### **Norman Campus**

The new budget, if adopted by the Board, sets priorities which reflect those recommended by the Budget Council of the University. Faculty promotions are funded. The University has continued to modestly increase funding for academic areas and projects.

The budget for next year will provide funds for a 5% compensation increase for faculty and staff, with a minimum of \$1,000 for lower-paid University employees, on the Norman campus beginning October 1. It is recommended that the increase be implemented with 2.5% provided across the board and 2.5% provided based on merit. Graduate assistants will also receive the raises.

The College of Law is also recommending to the Board of Regents a 5% compensation increase for faculty and staff beginning October 1.

### **Health Sciences Center**

The Health Sciences Center received a modest increase in state appropriations that resulted in \$1.1 million in new funding. This \$1.1 million combined with \$2.5 million in tuition and fee increases will allow the Health Sciences Center to cover the increased cost of utilities and fringe benefits, as well as fund faculty promotions, and the George Lynn Cross and David Ross Boyd distinguished professorships. In addition, the budget for next year will provide funds for a 3% average, merit-based compensation increase for most employees on July 1.

President Boren recommended approval of the operating budget for fiscal year 2005 as presented, including approval of academic promotions.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **TUITION AND MANDATORY FEE RATES FOR FY 2005**

House Bill No. 1748 amended 70 O.S. 2001, Section 3218.8, authorizes the Oklahoma State Regents for Higher Education to establish resident tuition rates, nonresident

tuition rates and mandatory fees (fees for items not covered by tuition and which all, or substantially all, students must pay as a condition of enrollment at the institution). At the comprehensive universities the combined average of the resident tuition and mandatory fees, as determined by the State Regents, shall remain less than the combined average of the resident tuition and fees at state-supported institutions of higher education that are members of the Big Twelve Conference. The rates are to remain less than the combined average of tuition and fees for like-type graduate and professional courses and programs of comparable quality and standing at state-supported institutions of higher education as determined by the State Regents.

In its deliberation on the establishment of resident tuition rates for undergraduate and graduate education, the State Regents shall balance the affordability of public higher education with the provision of available, diverse and high-quality opportunities giving consideration to the level of state appropriations, the state economy, the per capita income and cost of living, the college-going and college-retention rates, and the availability of financial aid in Oklahoma. For any increase in the tuition rates, the State Regents shall demonstrate a reasonable effort to effect a proportionate increase in the availability of need-based student financial aid.

The University of Oklahoma is requesting the Tuition and Mandatory Fees Rates listed above, which reflect bringing lower division rates up to upper division rates, then a 6% increase for resident tuition and 9% increase for nonresident tuition. The increase in average annual resident tuition and mandatory fees for current resident undergraduates is \$399.00.

This recommendation comes after consultation with students. During the Spring semester, President Boren notified the student body about the need for tuition and fee increases, through a full-page Open Letter published in the *Oklahoma Daily*. President Boren followed the printed notice with an Open Meeting in which all students were invited. He and other Campus administrators continued consultation with key student leaders after the end of the Spring semester.

Even with these recommended increases, The University of Oklahoma expects to remain near the bottom of the BIG 12 in total direct costs for undergraduate attendance. The University has increased need-based tuition waivers by the same percentage increase as the tuition increase.

Additionally, the Sooner Heritage Scholarship Program will continue into its second year. This program, partially funded by private gifts from OU alumni, targets students from families with \$30,000-\$75,000 in annual income. President Boren has publicized this opportunity in the Open Letter, the Open Meeting and press releases. Financial Aid Services developed a simple online application process, and helped publicize the availability of this scholarship opportunity through flyers and web links. The deadline was June 1, and more than 1,500 applications were received.

Once approved by the Board of Regents, the tuition requests will be forwarded to the Oklahoma State Regents for Higher Education for approval, and will be effective Fall 2004.

President Boren recommended the Board of Regents approve the proposed tuition, mandatory fees, and prospective student fee rates for FY 2005.

#### UNDERGRADUATE TUITION RATES

*(Nonresident students pay both resident and nonresident tuition)*

|                  |                              |
|------------------|------------------------------|
| Proposed FY05    | Average Annual Undergraduate |
| Resident Tuition | Tuition and Mandatory Fees   |
| Per Credit Hour  | 30 credit hours/2 semesters  |

\$ 92.60 \$4,140.00

Proposed FY05  
 Additional Undergraduate  
 Nonresident Tuition  
 Per Credit Hour

Average Annual Resident & Nonresident  
 Tuition and Mandatory Fees  
 30 credit hours/2 semesters

\$ 250.60 \$11,658.00

**GRADUATE AND PROFESSIONAL PROGRAMS TUITION RATES**

*(Nonresident students pay both resident and nonresident tuition)*

|                | Resident Tuition<br>Per Credit Hour | Additional<br>Nonresident Tuition<br>Per Credit Hour |
|----------------|-------------------------------------|--|
| Graduate       | \$ 122.50                           | \$ 308.70  |
| College of Law | \$ 261.60                           | \$ 330.95 (no change)                                |

|   | Resident Tuition<br>Per Semester | Additional<br>Nonresident Tuition<br>Per Semester |
|---|----------------------------------|---|
| College of Medicine                                       | \$ 7,279.00                      | \$ 10,619.00                                      |
| College of Dentistry                                      | \$ 5,916.00                      | \$ 9,349.00                                       |
| Physician's Associate                                     | \$ 3,297.00                      | \$ 4,499.00                                       |
| Doctor of Pharmacy  | \$ 4,201.00                      | \$ 5,859.00                                       |
| Occupational Therapy                                      | \$ 2,449.00                      | \$ 3,595.00                                       |
| Physical Therapy  | \$ 2,449.00                      | \$ 3,595.00                                       |
| Audiology AuD   | \$ 2,416.00                      | \$ 4,327.00                                       |
| Public Health<br>Professional Programs<br>Per Credit Hour | \$ 205.00                        | \$ 349.50   |

**MANDATORY FEES - NORMAN CAMPUS AND LAW:**

|  | FY 2004 Rate | FY2005 Rate         |
|--|--------------|---------------------|
| <b>Charged by Credit Hour</b>          |              |                     |
| Student Facility Fee                   | \$ 7.30      | \$ 7.70             |
| Student Activity Fee                   | \$ 5.15      | \$ 5.15 (no change) |
| Student Assessment Fee                 | \$ 1.00      | \$ 1.00 (no change) |
| Library Excellence Fee                 | \$ 5.25      | \$ 6.95             |
| Transit Fee                            | \$ 1.50      | \$ 1.50 (no change) |
| Security Services Fee                  | \$ 2.70      | \$ 3.00             |
| Academic Excellence Fee                | 0            | \$ 2.00             |
| <b>Charged by the Semester</b>         |              |                     |
| Student Health Care Fee                | \$54.00      | \$54.00 (no change) |
| Cultural & Recreational<br>Service Fee | \$12.50      | \$12.50 (no change) |
| Academic Records Service Fee           | \$15.00      | \$15.00 (no change) |
| Academic Advising Fee                  | \$25.00      | \$25.00 (no change) |

**PROSPECTIVE STUDENT FEES**

*(Prospective fees are charged to students who entered OU in Fall 2003 or thereafter.)*

|                                   | FY 2004 Rate | FY2005 Rate |
|-----------------------------------|--------------|-------------|
| <b>Charged by the Credit Hour</b> |              |             |
| Special Event Fee                 | \$ 1.75      | \$ 2.00     |

Academic Facility & Life Safety    \$ 9.00            \$10.50

**MANDATORY FEES - HEALTH SCIENCES CENTER:**

|                                      | FY 2004 Rate | FY2005 Rate                               |
|--------------------------------------|--------------|---|
| Charged by Credit Hour               |              |   |
| Library Automation and Materials Fee | \$ 2.25      | \$ 5.25                                   |
| Charged by the Semester              |              |   |
| Counseling Services Fee              |              | \$17.00 Fall and Spring<br>\$ 8.50 Summer |

**MANDATORY FEES - NORMAN CAMPUS, LAW, AND HEALTH SCIENCES CENTER:**

|                          | FY 2004 Rate | FY2005 Rate |
|--------------------------|--------------|-------------|
| Charged by Credit Hour   |              |             |
| Student Connectivity Fee | \$10.00      | \$11.00     |

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

**POLICY MANUAL REVISIONS**

The Board of Regents approved revisions to the Policy Manual at the December 2003 and January 2004 meetings. Since then, Legal Counsel has reviewed the Manual and recommended a number of additional revisions. The revisions were provided at the meeting, and are attached in strikethrough and underline format as Exhibit C.

President Boren recommended the Board of Regents approve the revised Board Policy Manual.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

**APPOINTMENT OF COLLEGE OF MEDICINE ADMISSIONS BOARD - (HSC)**

Regents' policy provides that the Admissions Board of the College of Medicine is composed of:

- 10 members of the full-time faculty
- 10 members of the volunteer faculty
- 10 members of the student body of the College of Medicine
- 20 members selected from throughout the State to include four physicians from each of the five Congressional Districts

The slate of nominees for 2004-2005 is attached. The community physician nominees for the five congressional districts were solicited from the Oklahoma State Medical Association. All nominees have agreed to serve and are willing to participate in an orientation meeting. There is an alternate list to accommodate any attrition or interview needs during the year. The nominations have been approved by the Executive Dean of the College of Medicine and the Senior Vice President and Provost.

ADMISSIONS BOARD  
2004-2005

FULL-TIME FACULTY

Cavanaugh, Lamont, M.D. - Assistant Professor of Family Medicine, Tulsa  
Cobb, Stephen, M.D. - Assistant Professor of Family Medicine  
Cuccio, Anne, M.D. - Clinical Assistant Professor of Psychiatry  
Donovan, G. Kevin, M.D. - Professor of Pediatrics, Tulsa  
Hall, Nancy, Ph.D. - Professor of Pathology  
Holliman, John, M.D. Professor of Pathology  
Kline, Kristine, M.D. - Assistant Professor of Family Medicine, Tulsa  
Lampley, Vicki, M.D. - Assistant Professor of Geriatrics  
Shropshire, Deborah, M.D. - Clinical Assistant Professor of Pediatrics  
Squires, Ron, M.D. - Associate Professor of Surgery

VOLUNTEER FACULTY

Bondurant, William, M.D. - Family Medicine  
Carpenter, JoAnn, M.D.- Family Medicine, Ada  
Coniglione, Tom, M.D. - Medicine  
McLeod, Wallace, M.D. - Family Medicine  
Nawar, Ola, M.D. - Psychiatry  
Ramgopal, Vadakepat, M.D. - Medicine  
Rhinehart, Don, M.D. - Neurosurgery  
Sawyer, Olaseinde, M.D. - Surgery  
Winzenread, Michael, M.D. - Family Medicine  
Zanovick, Terry, M.D. - Obstetrics and Gynecology, Tulsa

STUDENTS

Oklahoma City Campus:

Augelli, Diane  
Bhakta, Vishal  
Clowers, Brian  
Coates, Jenelle  
Elfrink, Stacie  
Foshee, Jeri Beth  
Hill, Jesse  
McGhee, Julie

Tulsa Campus:

D'Souza, Sharlene  
Fischer, Ian

CONGRESSIONAL DISTRICT REPRESENTATION

DISTRICT I

Calvert, Jon, M.D., Tulsa  
Calvert, Lynnette, M.D., Tulsa  
Maxwell, Robert, M.D., Tulsa  
Sideman, Matthew, M.D., Tulsa



## DISTRICT II

Jesudass, Richard, M.D., Muskogee  
Malati, Hani, M.D., Okmulgee  
Minor, Danny, M.D., Tahlequah  
Potts, David, M.D., Okmulgee

## DISTRICT III

Anthony, Bobby, M.D., Stillwater  
Blankenship, Jerry, M.D., Enid  
Walton, Greg, M.D., Enid  
Willis, Renee, M.D., Stillwater

## DISTRICT IV

Belknap, Hal, M.D., Norman  
Bellino, Rosemary, M.D., Lawton  
Garrett, Donald, M.D., Lawton  
Mackie, Laura, M.D., Moore

## DISTRICT V

Magrini-Greyson, Marlene, M.D., Oklahoma City  
Selmon, Angela, M.D., Shawnee  
Srouji, Nabil, M.D., Oklahoma City  
Wilson, Frank, M.D., Oklahoma City

ALTERNATE ADMISSIONS BOARD  
2004-2005

FULL TIME FACULTY, PART TIME FACULTY, AND VOLUNTEER FACULTY

Barrett, James, M.D. - Associate Professor of Family Medicine  
Cannon, Jay, M.D. - Clinical Professor of Surgery  
Carlile, Paul, M.D. - Professor of Medicine  
Dimick, Susan, M.D. - Clinical Associate Professor of Medicine  
Flournoy, Dayl, Ph.D. - Professor of Pathology  
Gold, Karen, M.D. - Clinical Assistant Professor of Obstetrics and Gynecology  
Hampton, James, M.D. - Clinical Professor of Medicine  
Haywood, B.J., M.D. - Instructor of Anesthesiology  
Howard, C. Anthony, M.D. - Associate Professor of Surgery, Tulsa  
Jackson, Rhett, M.D. - Assistant Professor of Medicine  
Kem, David, M.D. - Professor of Medicine  
Koduri, Madhusudan, M.D. - Clinical Assistant Professor of Psychiatry  
Mehta, Kautilya, M.D. - Clinical Assistant of Surgery  
Morgan, Carolyn, Ph.D. - Associate Professor of Sociology, Norman  
Muse, D. Gene, M.D. - Clinical Instructor of Orthopedic Surgery and Rehabilitation  
O'Donohue, Dan, Ph.D., Associate Professor of Family Medicine  
Price, William, M.D. - Assistant Professor of Family Medicine, Enid  
Puffinbarger, Bill, M.D. - Assistant Professor of Orthopedic Surgery  
Selby, George, M.D. - Professor of Medicine  
Sigler, Scott, M.D. - Associate Professor of Ophthalmology  
Strebel, Gary, M.D. - Clinical Assistant Professor of Obstetrics and Gynecology

Woods, W. Michael, M.D. - Associate Professor of Family Medicine

## STUDENTS

### Oklahoma City Campus:

Baylor, Dustin  
Borrson, Beverly  
Centola, Navara  
Chaturvedi, Vivek  
Clark, Thomas  
Dobrowolska, Ilona  
Estell, Laura  
Hibbard, Andrea  
Mehta, Amit  
Palmer, Blake  
Weedn, Ashley

### Tulsa Campus:

Gilley, Laura  
Leemhuis, Stephanie  
White, Julia

## CONGRESSIONAL DISTRICT REPRESENTATION

Anderson, Gaynell, M.D., Shawnee  
Baldwin, Donald, M.D., Lawton  
Brown, Philip, M.D., Bethany  
Caldwell, Conrad, M.D., Edmond  
Frantz, Rob, M.D., Norman,  
Hokett, Jaime, M.D., Oklahoma City  
Koons, Kelli, M.D., Oklahoma City  
McAlister, Deborah, M.D., Oklahoma City  
Miller, Che, M.D., Oklahoma City  
Mitchell, Lynn, M.D., M.P.H., Oklahoma City  
Parekh, Mukesh, M.D., Oklahoma City  
Sparks, David, M.D., Oklahoma City  
Stewart, Scott, M.D., Shawnee  
Swafford, Thomas, M.D., Stillwater  
Williams, Noel, M.D., Oklahoma City

President Boren recommended the Board of Regents approve the individuals named above be appointed to the College of Medicine Admissions Board for 2004-2005. He also recommended approval of the alternates proposed.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **PROFESSIONAL LIABILITY INSURANCE - HSC AND TULSA**

At the May 2004 meeting, the Board authorized the President or his designee to negotiate and award a contract in an amount not to exceed \$12,000,000 for professional liability

insurance coverage for the College of Medicine’s M.D.s, D.O.s, residents, P.A.s, R.N.s, L.P.N.s, medical students, and midwives, for the period July 1, 2004, through June 30, 2005.

In response to a competitive solicitation, the following firms responded:

|                       |                |
|-----------------------|----------------|
| Company               | Location       |
| GE Medical Protective | Fort Wayne, IN |
| Pro Assurance         | Birmingham, AL |

Although solicited, no bid was received from PLICO, owned and operated by the Oklahoma State Medical Association.

The evaluation committee comprised the following individuals:

- Dewayne Andrews, M.D., Executive Dean, College of Medicine
- David Parke, M.D., Professor and Chair, Ophthalmology
- Dwight Reynolds, M.D., Professor, Chief of Cardiology
- Roger Sheldon, M.D., Professor, Pediatrics
- Robert Mannel, M.D., Professor and Chair, Obstetrics and Gynecology
- Jane Fitch, M.D., Professor and Chair, Anesthesiology
- Douglas Folger, M.D., Medical Director, Associate Dean of Clinical Affairs
- Brian Maddy, Chief Executive Officer, OU Physicians
- Leeland Alexander, Associate Senior Dean, College of Medicine, Tulsa
- James Crutcher, M.D., Professor, Clinical Affairs, College of Medicine, Tulsa
- Michael Ferguson, Director of Finance, OU Physicians
- Jonathan Joiner, Director of Finance, College of Medicine, Tulsa
- Harrold McDermott, Business Administrator, Pediatrics
- Pam Birdwell, Director of Quality and Risk Management, OU Physicians
- Kathy Walker, Director of Administrative Support Services, Administrative Affairs
- Steven M. Smith, Assistant Director of Purchasing

Evaluation was assisted by Gallagher of Tulsa, OK, which was authorized to provide professional services to the University in connection with the entire medical professional liability program. Evaluation criteria were strength of company, overall pricing, underwriting policies, coverage and service.

| Decision Criteria        | Values | Firm:<br>Medical Protective<br>Option: Claims Made |              | Firm:<br>Pro Assurance<br>Option: Claims Made<br>and Deductible |              |
|--------------------------|--------|--|--------------|---|--------------|
|                          |        | Score  | Wt Score     | Score   | Wt Score     |
| 1. Strength of Company   | 20%    | 4.5  | 0.900        | 3.875   | 0.775        |
| 2. Overall Pricing       | 20%    | 4.375  | 0.875        | 2.875   | 0.575        |
| 3. Underwriting Policies | 20%    | 3.75   | 0.750        | 3.25  | 0.650        |
| 4. Coverage              | 20%    | 3.375  | 0.675        | 3.625   | 0.725        |
| 5. Service               | 20%    | 2.625  | 0.525        | 2.625   | 0.525        |
|                          | 100%   | <b>Total Score</b>                                 | <b>3.725</b> | <b>Total Score</b>  | <b>3.250</b> |

The evaluation team selected GE Medical Protective to provide professional liability insurance coverage for the College of Medicine. The selected coverage is a claims-made policy with an approximate annual cost of \$9.1M-\$9.5M, subject to finalization of coverage for all physicians.

This was reported for information only. No action was required.

### **PRIMARY RATE INTERFACE VOICE TRUNK LINES - HSC**

This item was pulled from consideration.

### **ULTRASOUND EQUIPMENT - HSC**

The equipment is used for diagnostic ultrasound of the breast and provides definitive study and correlation of mammography findings regarding the subject patient to aid the radiologist in determining appropriate diagnosis and treatment. This equipment provides advanced technology imaging resulting in increased image detail and efficiency via improved anatomical documentation and measurement of breast abnormalities. This advanced technology provides state-of-the-art sonography imagery and furthers the College of Medicine Breast Institute educational missions as well as the most current student and resident training.

Funding is identified, set aside, and is available in the Clinical Operations operating budget.

President Boren recommended the Board of Regents authorize the President or his designee to solicit bids, negotiate, and award a contract in an amount not to exceed \$400,000, for ultrasound equipment, and to report the results of the purchase at the September 14-15, 2004 Board of Regents' meeting.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **ACQUISITION CONTRACT IN CONNECTION WITH APPROVED AFFILIATION AGREEMENT - HSC**

In previous meetings, the Board has authorized the Health Sciences Center to enter into affiliation agreements with agencies and organizations located nearby to enable and facilitate the teaching, research and public service missions in the health sciences.

Also for the same purposes, the Health Sciences Center has purchased from an affiliated entity the following services:

| Seller Entity                        | Begin Date | End Date | Description  | Amount   |
|--------------------------------------|------------|----------|--|----------|
| Oklahoma Medical Research Foundation | 09-01-03   | 06-30-04 | Subcontract for services of Dr. Michael Centola for support of the research project entitled 'Oklahoma | \$58,810 |

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  | Biomedical Research<br>Infrastructure Network' |  |
|--|--|--|--|--|

This item was for information only. No action was required.

### **ATOMIC FORCE MICROSCOPE - HSC**

The department of Restorative Dentistry, in support of a National Institute of Health grant, is conducting a research project with an overall goal to determine the utility of selected topographical and physical properties as predictors of periodontal disease. The specific aims of the investigation are to characterize selected topographical and physical properties of tooth and restorative biomaterial surfaces, to measure biofilm accumulations on those surfaces and to quantify the effect of laser, chemical and mechanical treatments of tooth and restorative biomaterial surfaces.

The knowledge gained from this project will be useful in the modification of the topography of existing dental restorative materials and periodontal treatments, or in the formulation of guidelines for new restorative materials and treatments. In the long term, this knowledge could help to reduce the incidence of diseases connected with biofilm formation and improve oral care for dental patients.

Funding is identified, set aside, and is available through a National Institute of Health Grant.

President Boren recommended the Board of Regents authorize the President or his designee to solicit bids, negotiate, and award a contract in an amount not-to-exceed \$200,000, for an Atomic Force Microscope, and report the results of the purchase at the September 14-15, 2004 Board of Regents' meeting.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **COURSE CHANGES - NORMAN CAMPUS**

The Oklahoma State Regents for Higher Education confer upon each institution the authority to delete, modify and add courses. The course deletions, modifications and additions itemized in the below list have been approved by the appropriate faculty, academic units and deans, the Academic Programs Council, and the Senior Vice President and Provost. They were forwarded to the Board of Regents for information only.

#### **COURSE CHANGES:**

Approved by Academic Programs Council - April 19, 2004

|      |      |  |
|------|------|--|
| ARCH | 2233 | Architectural Structures I. Change prerequisite. |
| ARCH | 3433 | Environmental Controls I. Change prerequisite.   |

|      |      |  |
|------|------|--|
| ARCH | 3633 | Architectural Structures II. Change prerequisite.              |
| ARCH | 4733 | Architectural Structures III. Change prerequisite.             |
| ARCH | 4833 | Environmental Controls II. Change prerequisite.                |
| CNS  | 4613 | Soils and Foundations. Change prerequisite.                    |
| I D  | 2544 | Architectural Design/Human Factors. Delete crosslist.          |
| I D  | 2763 | Computer Applications in Interior Design. Change prerequisite. |

College of Arts & Sciences

|      |      |  |
|------|------|--|
| COMM | 2713 | Communication in Society – Core I. Change prerequisite.    |
| COMM | 3003 | Political Campaign Processes. Change prerequisite.         |
| COMM | 3113 | Communication Research Procedures. Change prerequisite.    |
| COMM | 3243 | Communication and Social Change. Change prerequisite.      |
| COMM | 3253 | Persuasion Principles. Change prerequisite.                |
| COMM | 3263 | Organizational Communication. Change prerequisite.         |
| COMM | 3483 | Communication and Argumentation. Change prerequisite.      |
| COMM | 3513 | Intercultural Communication. Change prerequisite.          |
| COMM | 3523 | Advanced Interpersonal Communication. Change prerequisite. |
| COMM | 3633 | Health Communication. Change prerequisite.                 |
| COMM | 4323 | Political Communication. Change prerequisite.              |
| P SC | 4323 | Political Communication. Change prerequisite.              |

College of Business

|     |      |   |
|-----|------|---|
| MGT | 4363 | Organizational Behavior. Change course number to 3363.  |
| MIS | 3033 | Non-Procedural Programming Languages. Change prerequisite.  |
| MIS | 4213 | Prototyping and Rapid Application Development. Change course title to Introduction to Data Warehousing. |

ACCT, B AD, B C, EMGT, ENT, FIN, L S, MGT, MIS, MKT, and SCM  
4000-level courses change prerequisite to FIN 3303, L S 3323, MGT 3013 and MKT 3013.

*NEW COURSES*

## College of Arts &amp; Sciences

|      |      |   |
|------|------|---|
| ANTH | 4143 | Economy and Culture: Production, Exchange, Consumption. |
|------|------|---|

This was reported for information only. No action was required.

**NONSUBSTANTIVE PROGRAM CHANGES - NORMAN CAMPUS**

The Oklahoma State Regents for Higher Education confer upon each institution the authority to approve modifications that are nonsubstantive but require the changes to be communicated to them for information only. The program modifications itemized in the attached list have been approved by the appropriate faculty, academic units and deans, the Academic Programs Council, and the Senior Vice President and Provost. They are being forwarded to the Board of Regents for information only.

## NON-SUBSTANTIVE PROGRAM CHANGES

Approved by Academic Programs Council, April 22, 2004

Changes in Program Requirements:

## College of Arts and Sciences

Geography, B.A. (RPC 328, MC 2206B): Require the following sequence of courses for all majors: Geog 1113 or GEOG 2503, GEOG 3001, GEOG 3023, GEOG 3213, GEOG 3243, GEOG 3924, GEOG 3930, GEOG 3933 or GEOG 4233 or GEOG 4453, GEOG 4953, and two adviser-approved GEOG electives. The total number of credit hours is not changed.

Reason for request: These changes will streamline coursework required for majors for two reasons: (1) the majority of geography majors declare a major in geography in their junior years; and (2) requiring mostly intermediate- and advanced-level coursework increases the coherence and rigor of the program.

Geography, B.S. (RPC 289, MC 2206C): Require the following sequence of courses for all majors: Geog 1113 or GEOG 2503, GEOG 3001, GEOG 3023, GEOG 3213, GEOG 3243, GEOG 3924, GEOG 3930, GEOG 3933 or GEOG 4233 or GEOG 4453, GEOG 4953, and two adviser-approved GEOG electives. The total number of credit hours is not changed.

Reason for request: These changes will streamline coursework required for majors for two reasons: (1) the majority of geography majors declare a major in geography in their junior years; and (2) requiring mostly intermediate- and advanced-level coursework increases the coherence and rigor of the program.

Approved by Academic Programs Council, May 7, 2004

Changes in Program Requirements:

## College of Arts and Sciences

African and African-American Studies, B.A. (RPC 322, MC 2211A): Add new core requirements of AFAM 2113 and 3513, which will increase core credit hours from 9 hours to 15 hours; change Category B to consist of nine hours, one course from each of the three groups of Humanities, Social Sciences and Arts/Aesthetics; change Category C to consist of 12 hours of Major Electives, and add the statement that if HIST 2033 or HIST 2043 is used to satisfy a core requirement it may not also be used as a major elective; revise the statement concerning AFAM 4990 to say that a maximum of six hours of AFAM 4990 will apply toward the degree program; remove the statement that programs of study must be approved by the Program Director and advisory committee; and increase the upper-division credit hours within the major from 15 hours to 18 hours. There is no change in total number of credit hours.

Reason for request: These changes will add structure and increase the academic rigor of the degree program and will bring upper-division major hours into compliance with State Regents' policy.

This was reported for information only. No action was required.

**CHANGE THE NAME OF THE SCHOOL OF CHEMICAL ENGINEERING AND MATERIALS SCIENCE TO THE SCHOOL OF CHEMICAL, BIOLOGICAL, AND MATERIALS ENGINEERING - NORMAN CAMPUS**

In recent decades, biology has moved progressively from being a descriptive to a quantitative science, and the importance of biology as a foundation science for chemical

engineering has grown. During the last decade, biological engineering (biochemical engineering, biomedical engineering, biotechnology) has grown in importance in both the undergraduate and graduate programs of the School of Chemical Engineering and Materials Science. Our recent undergraduate curriculum revisions have resulted in a Biotechnology Option and a Pre-Medical/Biomedical Engineering Option, and our graduate research programs include drug delivery, bone and cardiovascular tissue engineering, bioseparations, genetic engineering, and other fundamental “bio-related” engineering research. Changing the name of the school to the “School of Chemical, Biological, and Materials Engineering” is important to reflect the change in emphasis of the undergraduate and graduate programs, and is also important in representing to interested parties (potential undergraduates and graduates, and industry) the nature of the chemical engineering discipline today.

Changing the name to the School of Chemical, Biological, and Materials Engineering better represents the academic focus of the unit and of the discipline, will reflect the unit’s curricular and research emphasis, and will assist the department in its efforts to recruit quality students and faculty to the program.

The external Board of Visitors (primarily alumni of the program) has unanimously supported the name change. Internally, the faculty of the school, the Dean of Engineering, and the Senior Vice President and Provost have approved this change. Once approved by The University of Oklahoma Board of Regents, the name change will be forwarded to the Oklahoma State Regents for Higher Education for information.

President Boren recommended the Board of Regents approve changing the name of the School of Chemical Engineering and Materials Science to the School of Chemical, Biological, and Materials Engineering.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **PROPOSALS, CONTRACTS AND GRANTS**

In accord with Regents' policy, a list of awards and/or modifications in excess of \$100,000 or that establish or make policy for the University, or that otherwise involve a substantial or significant service to be performed by the University are shown on the following pages. Comparative data for fiscal years 1999 through 2004, and current month and year-to-date, are shown on the graphs and tables attached hereto as Exhibit D.

The Provisions of Goods and Services policy provides that new contracts and grants in excess of \$100,000 must be referred to the Board of Regents for ratification. In addition, in the event a contract, grant, document or arrangement involved would establish or make policy for the University, or would otherwise involve a substantial or significant service to be performed by the University, that contract, document or arrangement shall be referred to the Board of Regents for approval.

|               |                    |  |                      |                      |
|---------------|--------------------|--|----------------------|----------------------|
| FY03<br>Total | FY04<br>Projection |  | FY03<br>Year-to-Date | FY04<br>Year-to-Date |
|---------------|--------------------|--|----------------------|----------------------|



|                        | Expenditures  |               |  | Expenditures  | Expenditures  |
|------------------------|---------------|---------------|--|---------------|---------------|
| UNIVERSITY OF OKLAHOMA | \$192,886,704 | \$197,642,857 |  | \$154,277,437 | \$171,143,702 |
| NORMAN CAMPUS          | \$116,378,991 | \$115,014,557 |  | \$92,663,434  | \$98,529,855  |
| HEALTH SCIENCES CENTER | \$76,507,713  | \$82,628,300  |  | \$61,614,003  | \$72,613,847  |

President Boren recommended the Board of Regents ratify the awards and/or modifications for March and April 2004 submitted with this Agenda Item.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

#### **BOARD OF REGENTS' RESOLUTION CONCERNING MANAGEMENT OF THE UNIVERSITY'S CLASSIFIED DEFENSE INFORMATION PROGRAM**

The University of Oklahoma is seeking reinstatement of a "Secret" Facility Clearance to allow University personnel to work with governmental agencies on national security-sensitive projects. Since several researchers routinely work on classified contracts, it is important that the University reinstates and maintains its facility clearance. In connection with the facility security clearance process, certain individuals who exercise control over the management of the facility must be processed for a personal security clearance. The governing federal regulations are outlined in the National Industrial Security Program Operation Manual (NISPOM). The regulation allows universities to determine which management officials must be processed for personal clearances.

Each member of the Board of Regents in a position to require access to classified information may be processed for a personal security clearance.

The Board of Regents may designate a Managerial Group that is entrusted with the responsibility to adhere to the federal regulations governing access to classified information. In this case, while each member of the Managerial Group must possess a personal security clearance, the members of the Board of Regents may be excluded from the process for a security clearance, and by appointing a Managerial Group, members of the Board of Regents also agree that they

- do not require, shall not have and can be effectively excluded from access to all classified information disclosed to The University of Oklahoma; and
- will not implement policies that would cause the Managerial Group to violate federal regulations, policies and/or practices dictated by the NISPOM.

A copy of the resolution is attached hereto as Exhibit E.

President Boren recommended adoption of a new Resolution to Exclude Key Management Personnel and Directors.

Regent Wade moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **BOOK ACQUISITION PROGRAM FOR UNIVERSITY LIBRARIES - NC**

In May 2002 the Board of Regents approved this book acquisition program. This represents the third of five annual renewal opportunities. Book approval programs identify, using a specified profile, new publications that meet the curriculum needs of academic programs. Newly published materials are automatically sent that fit the carefully crafted profile, saving the costs of ordering with individual publishers. Further, approval vendors pass on a portion of the savings they are given by publishers for bulk orders, providing additional savings for individual libraries. Firm book orders are purchases of specifically selected materials and are in addition to the approval program. Yankee Book Peddler provides the University with an 18% discount rate for the approval program and a 16% discount rate on firm book orders.

Publications purchased through Yankee Book Peddler cover all subject areas and are available to faculty and students from all campuses. Yankee provides over 20,000 books to University Libraries annually.

Due to the inflation rate in book publication, the increasingly unfavorable currency exchange rate with foreign markets and the growing demand for the resources, projected expenditures are increasing. Therefore this renewal opportunity is being presented to the Board for approval. It is anticipated that, for the same reasons, the next two renewal opportunities will be brought to the Board.

| Yankee Book Peddler | Actual<br><u>2002/2003</u> | Projected<br><u>2003/2004</u> | Projected<br><u>2004/2005</u> | Projected<br><u>2005/2006</u> | Projected<br><u>2006/2007</u> |
|---------------------|----------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|
| Expenditures        |                            |                               |                               |                               |                               |
| Approval Plan       | \$693,877                  | \$906,783                     | \$961,189                     | \$1,168,000                   | \$1,419,000                   |
| Firm Orders         | <u>309,154</u>             | <u>335,385</u>                | <u>355,509</u>                | <u>432,000</u>                | <u>525,000</u>                |
| Total               | \$1,003,031                | \$1,242,168                   | \$1,316,698                   | \$1,600,000                   | \$1,944,000                   |

For the original order placement in 2002, Yankee Book Peddler was selected as the low bidder through the University's competitive process. Only two companies responded to that solicitation. Yankee Book Peddler was rated the higher of the two in every category and offered the better discount. Accordingly, a new competitive process was not deemed necessary for this current renewal opportunity.

Funding has been identified, set aside and is available within University Libraries accounts.

President Boren recommended the Board of Regents authorize the President or his designee to award purchase orders in an overall amount of \$1,316,698 to Yankee Book Peddler Library Services of Contoocook, New Hampshire, the low bidder, for a book approval program and for firm book orders for University Libraries, for the one-year period beginning July 1, 2004.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **LIBRARY ACQUISITION OF RARE AND DIVERSE FOREIGN PUBLICATIONS – NC**

In June 2003 the Board of Regents approved this program in the amount of \$180,000. Rare and diverse foreign publications are particularly difficult to obtain. The Otto Harrassowitz Publishing Company has proven to be the only provider capable of acquiring these types of publications. Otto Harrassowitz Publishing Company also has proven over the years to be consistent and accurate in providing the complex customer support needed for the claiming and invoicing of these foreign publications.

Publications purchased through Harrassowitz cover all subject areas, and are used by faculty and students from all campuses.

Due to the inflation rate in book publication, the increasingly unfavorable currency exchange rate with foreign markets and the growing demand for the resources, projected expenditures are increasing. Therefore this renewal opportunity is being presented to the Board for approval. It is anticipated that, for the same reasons, the next three renewal opportunities will be brought to the Board.

| Harrassowitz | <u>Projected</u><br><u>2003/2004</u> | <u>Projected</u><br><u>2004/2005</u> | <u>Projected</u><br><u>2005/2006</u> | <u>Projected</u><br><u>2006/2007</u> | <u>Projected</u><br><u>2007/2008</u> |
|--------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
| Expenditures | \$178,164                            | \$206,000                            | \$238,000                            | \$275,000                            | \$317,000                            |

Funding has been identified, set aside and is available within University Libraries accounts.

President Boren recommended the Board of Regents authorize the President or his designee to award a purchase order in the amount of \$206,000 to Otto Harrassowitz Publishing Company of Wiesbaden, Germany, on a sole source basis, for the acquisition of resources from non-English publishers, for a one-year period beginning July 1, 2004.

Regent Wade moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **RESEARCH FACILITY REVENUE BONDS - NC**

At the February 2001 meeting, the Board of Regents authorized the University administration to propose a concurrent resolution to the Oklahoma Legislature allowing for the issuance of revenue bonds for the construction, renovation, remodeling, and expansion of research and technology facilities. The result was Concurrent Resolution No. 33, adopted by the State Senate on May 14, 2001 and the House of Representatives on May 22, 2001.

At the January 2004 meeting, the Board authorized the University administration to propose a concurrent resolution to the Oklahoma Legislature allowing for the issuance of revenue bonds for the construction, renovation, remodeling, and expansion of research, technology and housing facilities. The result was Concurrent Resolution No. 54, adopted by the State Senate on April 1, 2004 and the House of Representatives on April 20, 2004.

The Legislative Authority granted under Concurrent Resolution No. 33 encompasses the development of the Multi-Tenant Office Facility project at the University Research Campus (URC). At the September 2003 meeting, the Board approved the project to design and build the facility at URC, for primary occupancy by Weathernews Americas Inc. A lease has been negotiated with Weathernews, providing for a net lease for thirty-years. The initial commitment is for the lease of approximately 25,000 square feet (approximately fifty percent of the facility) with Weathernews retaining options to increase its square footage over time in specified incremental units.

The Legislative Authority granted under Concurrent Resolution No. 54 encompasses funding the balance of the Federal contribution to the National Weather Center project, which is being constructed at the URC pursuant to the Board's approval. A lease has been negotiated with the U.S. National Oceanic and Atmospheric Administration (NOAA), providing for a net lease for twenty-years. NOAA will occupy 123,758 square feet or approximately fifty-one percent of the facility.

The University's administration is now preparing for the issuance of revenue bonds in the next two to three months in support of these research projects. Said bonds will be secured by the revenues of the Real Estate System, and the proceeds will be used to fund the construction of University-owned research facilities.

In cooperation with the State Bond Adviser, the University's administration has solicited and secured Bond Counsel (Floyd Law Firm) and Financial Advisor (Capital West Securities) services in support of the issuance of the debt anticipated by the above actions.

Preparation of the disclosure statement (often referred to as the Preliminary Official Statement or POS) will be coordinated by the Financial Advisor with direction and input from the University's administration, Bond Counsel, and The State Bond Adviser (i.e. the financing team). The POS will be submitted to the appropriate oversight organizations for review, approval, and rating, and will be used by the financing team to determine an appropriate plan of financing the project. Due to the complexity of issuing debt, it is likely the plan of financing will recommend that an underwriter be selected to ensure a favorably negotiated, as opposed to competitive, marketing and sales effort.

The project is expected to generate sufficient long-term cash flows from space rental to fund required debt service and maintain prudent debt service coverage. In conjunction with the appointment of a Bond Counsel and Financial Advisor, the University's administration will

develop an appropriate plan of financing the project and prepare and distribute the documents necessary to disclose material information on the purpose of the debt and how it will be repaid. The resulting plan of financing will be reported back to the Board at the earliest possible meeting.

In relation to the plan of financing, the final Bond Resolution will include a covenant for the Board of Regents to fix, establish, maintain and collect such rentals, fees and charges for the use and services of the facility as, in the judgment of the Board, will provide revenues sufficient to:

- (1) Pay the reasonable cost of operating and maintaining the facility;
- (2) Pay principal of and interest on the Bonds;

- (3) Enable the facility's Net Revenues each year to equal at least 125% of the required debt service on any outstanding bonds payable from the Net Revenues of the facility; and,
- (4) Maintain any reserve requirements for the Reserve Account securing any bonds payable from the Net Revenues of the facility.

President Boren recommended the Board of Regents:

- I. Authorize and approve the issuance and sale of its University of Oklahoma Revenue Bonds or other evidences of indebtedness (the "Bonds") in a principal amount (not to exceed \$25,000,000) sufficient to fund the construction of the Multi-Tenant Office Facility and a portion of the National Weather Center at the University Research Campus (the project), capitalized interest, required reserves, and normal costs of issuance and municipal bond insurance, and ratify all action taken in regard to the competitive or negotiated sale of the Bonds;
- II. Authorize and adopt the Resolution authorizing the sale and issuance of the Bonds, and authorize the form of the financing documents related thereto, including, but not limited to, a Trust Agreement, Preliminary Official Statement, Notice of Sale and Official Statement and Bond Purchase Agreement;
- III. Approve and authorize the award of the sale of the Bonds at competitive or negotiated sale based upon final determination of the financing team and as determined to be in the best financial interest of The University of Oklahoma, and authorizing the Vice President for Administrative and Executive Affairs and the Associate Vice President for Administrative Affairs and Chief Financial Officer of The University of Oklahoma-Norman Campus to do all things necessary to consummate the transaction contemplated herein;
- IV. Authorize the Chairman, Vice-Chairman and Executive Secretary of the Board of Regents of The University of Oklahoma to execute and deliver all necessary financing documents and related closing documents required by Bond Counsel;
- V. Authorize the officers of The University of Oklahoma to execute any closing documents required by Bond Counsel and to take any further action required to consummate the transaction contemplated herein; and,
- VI. Recognize and acknowledge that the University may fund certain costs of the above project prior to receipt of Bond proceeds from its other operating funds and, to the extent the University utilizes its other operating funds for said purposes, it is intended that proceeds of the Bonds will be utilized to reimburse the University.

Regent Weitzenhoffer moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

#### **EASEMENTS FOR CITY OF NORMAN - NC**

In order to increase sanitary sewer capacity and improve services to the University and other nearby properties, the City of Norman is planning to install a new gravity sewer

interceptor pipeline parallel to the existing Bishop Creek Interceptor. The initial phase of construction of the pipeline will generally extend eastward from the City's wastewater treatment plant on South Jenkins Avenue to the west side of Bishop Creek, then northeasterly crossing Highway 9 onto the University Research Campus, then north along Dewey Avenue to Constitution Street.

The sketch attached hereto as Exhibit F indicates the location of the utility easements.

## I. APPROVE EASEMENTS

The Board is requested to approve the above-mentioned permanent utility easements as well as temporary construction easements described as follows:

### Permanent Utility Easement

The North 30 feet of Block 10 of the Former Naval Air Technical Training Center Addition to the City of Norman, Cleveland County, Oklahoma.

### Permanent Utility Easement

The South Half of Section Eight (8) of Township Eight (8) North, Range Three (3) West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

Commencing at the Northwest corner of the Southwest quarter of said Section I; Thence along the West line of said Southwest quarter South  $00^{\circ}22'37''$  East, a distance of 534.47 feet; Thence North  $89^{\circ}37'23''$  East, a distance of 2674.16 feet to the Point of Beginning; Thence South  $00^{\circ}05'29''$  East, a distance of 254.13 feet; Thence South  $51^{\circ}17'24''$  West, a distance of 227.87 feet to a point on a curve; Thence along a curve to the right having a radius of 5191.50 feet, through a central angle of  $04^{\circ}39'07''$ , an arc distance of 421.52 feet, and a chord bearing South  $89^{\circ}35'41''$  West, a distance of 421.40 feet; Thence South  $05^{\circ}11'47''$  West, a distance of 30.05 feet to a point on the Northerly right of way of State Highway No. 9, said point also being a point on a curve; Thence along said Northerly right of way, along a curve to the left having a radius of 5521.50 feet, through a central angle of  $04^{\circ}46'41''$  and arc length of 435.42 feet, and a chord bearing North  $89^{\circ}33'03''$  East, a distance of 435.30 feet; Thence North  $51^{\circ}17'24''$  East, a distance of 240.21 feet; Thence North  $00^{\circ}13'01''$  West, a distance of 276.04 feet to a point on the South right of way line of Merrimac Avenue; Thence South  $89^{\circ}47'46''$  West, along said South right of way, a distance of 20.16 feet to the Point of Beginning.

## II. AUTHORIZE THE PRESIDENT OR HIS DESIGNEE TO EXECUTE THE EASEMENT DOCUMENTS

President Boren recommended the Board of Regents:

- I. Approve the granting of utility easements to the City of Norman for installation of a new gravity sanitary sewer interceptor pipeline parallel to the existing section of the Bishop Creek Interceptor that crosses University property at the University Research Campus; and
- II. Authorize the President or his designee to execute the easement documents.

Regent Weitzenhoffer moved approval of the recommendation. Regent Everest was out of the room at the time of the vote. The following voted yes on the motion: Regents Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **HOLMBERG HALL RENOVATION AND ADDITION FOR THE DONALD W. REYNOLDS PERFORMING ARTS CENTER, STAGE LIFT - NC**

The requested stage lift will be used to safely and efficiently transport pianos and other large items to and from the stage performance level. When raised, the stage lift will also provide an additional staging area for opera and dance performances, extending the performance stage by 415 square feet. This added space and functionality will provide a safe and workable environment for students, faculty and staff.

In response to a competitive solicitation, the following firms responded:

|                                   |                            |
|-----------------------------------|----------------------------|
| Serapid USA, Inc.                 | Sterling Heights, Michigan |
| Gala Systems, Inc.                | Escondido, California      |
| Protech Theatrical Services, Inc. | North Las Vegas, Nevada    |

The following individuals comprised the evaluation committee:

Bill Forester, Construction Administrator, Architectural & Engineering Services  
 Pat Corley, Facilities Team Manager, Purchasing  
 Stefan Ice, Assistant to the Director, School of Music  
 Kirk Mammen, Construction Manager, Flintco  
 Frank Reid, Physical Plant

The evaluation criteria were meeting specifications and price.

The results of the evaluation were as follows:

| <u>Supplier</u>                     | <u>Meets Specs</u> | <u>Price</u> |
|-------------------------------------|--------------------|--------------|
| Serapid, Sterling Heights, Michigan | Yes                | \$177,000    |
| Gala, Escondido, California         | Yes                | \$179,800    |
| Protech, North Las Vegas, Nevada    | Yes                | \$185,600    |

The evaluation team determined that award to Serapid USA, Inc. of Sterling Heights, Michigan, the low bidder, represents best value to the University.

Funding is identified, set aside and available within the Holmberg Hall Renovation and Addition project budget.

President Boren recommended the Board of Regents authorize the President or his designee to award a contract in the amount of \$177,000 to Serapid USA, Inc. of Sterling Heights, Michigan, the low bidder, for purchase and installation of a stage lift at the Donald W. Reynolds Performing Arts Center.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **FURNITURE FOR NIELSEN HALL ADDITION AND RENOVATION, PHASE II - NC**

Several types of furniture are needed in connection with Phase II of the Nielsen Hall Addition and Renovation project. Accordingly, a competitive solicitation was developed, which required bids on brand name or "equal" basis. Awards were determined by low bids for furniture meeting specifications. Six companies responded to the University's competitive solicitation. Two of the six received awards (see the attached for specifics related to the solicitation).

Whereas the furniture acquisition for the Stephenson Research and Technology Center, approved by the Board of Regents at the December 2003 meeting, dealt with items closely related to the high-tech functionality of activity that would ensue within that building, the furniture acquisition for this project deals with items that are more conventional. Therefore, the specifications for these items were more easily described in generic terms. This manner of specification, along with the more conventional nature of the furniture, resulted in responses being received from six vendors. Only two of the vendors were able to provide offerings that met specifications for the type of furniture needed and/or the low bid. The companies receiving awards are listed below.

|                         |               |               |
|-------------------------|---------------|---------------|
| Core Office Furniture   | Oklahoma City | \$ 205,235    |
| Copelin's Office Center | Norman        | <u>12,956</u> |
| Total                   |               | \$ 218,190    |

The evaluation committee comprised the following individuals:

Rick Skaggs, Interior Designer, Architectural & Engineering Services  
 Mark Keesee, Senior Buyer, Purchasing Department  
 Ryan Doezema, Academic Chair, Physics and Astronomy  
 Tanya Guthrie, Manager of Administration and Operations, Sarkeys Energy Center  
 Karen Leighly, Assistant Professor, Physics and Astronomy  
 Stu Ryan, Professor, Physics and Astronomy  
 David Walker, Project Manager, Architectural & Engineering Services

The committee rated these awards as meeting the desired specifications at the lowest price, thus providing best value to the University.

Funding for the furniture is identified, set aside and is available in the Nielsen Hall construction project budget.

President Boren recommended the Board of Regents authorize the President or his designee to award contracts not to exceed \$218,190 to the companies listed above, the low bidders, to provide furniture for the Nielsen Hall Addition and Renovation, Phase II project on the Norman Campus.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **ORACLE DATABASE MAINTENANCE - NC**

At the December 2000 meeting, the Board of Regents approved the University's initial purchase of the Oracle higher education software license and maintenance agreement. Approval for ongoing maintenance is requested annually.

Oracle is the foundation of the University's computing software infrastructure, is in use at both the Norman and HSC campuses, and is the database platform for multiple critical



systems including University Payroll and Human Resources applications. The software provides a modern software platform that enables migration of old legacy systems, thereby providing students, faculty and staff better access to information.

Inasmuch as this software is integral and essential to the operation of the University, competition with respect to other brands of software is not applicable. Pricing, however, has been found to be fair. According to Gartner, Inc., a research and advisory firm in the technology field, industry standards for software maintenance and support costs range from 15 to 22 percent of the license fee. The University's percentage falls at the low end of this range.

Funding has been identified, is available and set-aside within the Information Technology operating account.

President Boren recommended the Board of Regents authorize the President or his designee to award a sole source contract in the amount of \$518,279 to Oracle Corporation of Irving, Texas, to provide maintenance for Oracle software, for a one-year period beginning July 1, 2004.

Regent Wade moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

#### **HARDWARE FOR ENTERPRISE FINANCIAL SYSTEM - NC**

In May 2004, the Board of Regents authorized award of contracts to PeopleSoft USA, Inc. of Atlanta, Georgia and Cedar Enterprise Solutions of Arlington, Texas for purchase and implementation of an Enterprise Financial System for the Norman Campus with a price not to exceed \$3,800,000. It was indicated at that time that hardware for the system (expected to cost approximately \$700,000 and not included in the \$3.8 million) would be procured through normal University purchasing processes/existing contracts and brought back to the Board at the June 2004 meeting for approval.

The hardware currently supporting the University's financial system is provided by Sun Microsystems Inc., headquartered in Santa Clara, California. To functionally interface with this hardware and to remain compatible with the existing infrastructure, it is necessary to utilize Sun Microsystems for the requested purchase. The purchase will be ordered through an existing Oklahoma State Regents for Higher Education contract with Perfect Order of Bixby, Oklahoma, the authorized reseller of Sun Microsystems products.

As approved by the Board at the May 2004 meeting, funding for the hardware is identified, available and set-aside within Section 13 and New College Funds and discretionary reserves.

President Boren recommended the Board of Regents authorize the President or his designee to award a purchase order in the amount of \$323,805 to Perfect Order of Bixby, Oklahoma (the authorized reseller of Sun Microsystems, Inc. products), through a contract established by the Oklahoma State Regents for Higher Education, for hardware and associated maintenance to be used in support of the University's Enterprise Financial System.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

**CONTINUATION OF GRANT SUBCONTRACT - NC**

In July 2000, the Board of Regents approved the above grant which supports the HIV/AIDS Evaluation and Technical Assistance Center administered through the University. The program addresses HIV/AIDS and healthcare for US/Mexico border populations. The Measurement Group will provide for the University general consultation, qualitative data analysis, a medical outcomes spreadsheet and a retrospective study. The grant is active through June 30, 2005.

Funding for the subcontract is identified, available and set-aside within the grant account.

President Boren recommended the Board of Regents authorize the President or his designee to award a purchase order in the amount of \$276,717 to The Measurement Group of Culver City, California, for continuance of a subcontract issued by the University's HIV/AIDS Evaluation and Technical Assistance Center in support of an existing Department of Health and Human Services/Health Resources and Services Administration grant.

Regent Weitzenhoffer moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

**ADOPTION OF THE UNIVERSITY OF OKLAHOMA OPTIONAL RETIREMENT PLAN, AMENDMENT AND RESTATEMENT OF THE DEFINED CONTRIBUTION PLAN, AND ESTABLISHMENT OF CONTINGENCY RESERVE****ADOPTION OF THE OPTIONAL RETIREMENT PLAN**

The 2004 Legislature passed the Alternate Retirement Plan for Comprehensive Universities Act (House Bill 2226) (the "Act") which allows current members of the Oklahoma Teachers' Retirement System ("OTRS") employed by the University and OSU on June 30, 2004, and new hires after June 30, 2004 to elect to participate in an "alternate retirement plan" in lieu of participation in OTRS as provided in the Act. The "alternate retirement plan" will be officially called the "University of Oklahoma Optional Retirement Plan." Board approval is requested to establish the University of Oklahoma Optional Retirement Plan (the "Optional Retirement Plan") for eligible continuous regular employees who are hired after June 30, 2004 and who elect within 90 days of the employee's date of hire to participate in the Optional Retirement Plan in lieu of OTRS. This Board action meets the requirements of the Act and establishes this option effective July 1, 2004. The University will contribute 9% of an eligible employee's base pay to an account for each eligible employee in the Optional Retirement Plan effective with the first day of the month following the date the University receives the election from the employee to participate in the Optional Retirement Plan, and not to participate in OTRS. The Optional Retirement Plan will have a three-year vesting provision. The Optional Retirement Plan will not have an age or service requirement for employees participating in that Plan.

The Optional Retirement Plan provides that all employees will be eligible if they are at least .5 FTE, which is the same eligibility requirement as in The University of Oklahoma Defined Contribution Retirement Plan (the "DCP"). In addition, employees who have previously opted out of OTRS because they were over age 55 or 45 after July 1, 2003 at the time of their date of hire, and certain physician employees of OUHSC who perform services for affiliated organizations, will automatically be covered by either the Optional Retirement Plan or the DCP,

whichever provides such individual the highest contribution rate based on the terms of the applicable plan.

The Act also provides that an employee who is otherwise mandated into OTRS as of June 30, 2004 may elect to cease participation in OTRS and become a participant in the Optional Retirement Plan. Further, such employee may transfer all of his employee contributions (plus earnings) in OTRS to the Optional Retirement Plan. The ability for current employees participating in OTRS to elect out of OTRS and become a participant in the Optional Retirement Plan is contingent upon approval by the Internal Revenue Service. Employees will have one year after such approval has been received to make their election to withdraw from OTRS.

Board of Regents' approval is also requested to select the current investment providers in the DCP to provide administrative services for the Optional Retirement Plan and to provide investment options for the funding of benefits under the Optional Retirement Plan. The Act provides that the Board has the authority to select companies to administer the Optional Retirement Plan and to delegate certain responsibilities for administering the Optional Retirement Plan.

#### ESTABLISHMENT OF CONTINGENCY RESERVE

Currently, OTRS is significantly under-funded. The Act provides that the University and OSU will make contributions to OTRS that will fund the benefits of participants of OTRS who elect to withdraw from OTRS and participate in the Optional Retirement Plan. The University and OSU will contribute 2.5% of total annual compensation to OTRS as an initial funding surcharge (the "Initial Funding Surcharge") for each employee who does not participate in OTRS but would have been mandated to participate in OTRS in accordance with the rules of OTRS existing on June 30, 2004. The University and OSU will pay the Initial Funding Surcharge until the earlier of the date that the liability of the University and OSU in OTRS is reduced to zero or 2034. Depending on annual actuarial valuations, the University and OSU may also be required to pay an additional funding surcharge (the "Additional Funding Surcharge") if it is determined that the 2.5% contribution to OTRS will not adequately fund the liability of the University and OSU in OTRS. The University will establish a contingency reserve (the "Contingency Reserve") which shall equal 1.65% of total annual compensation of all participants in the Optional Retirement Plan. The Contingency Reserve shall be funded on a regular and recurring basis which shall be no less than annually and shall be held as a segregated and separate account within the accounts of the University. The Contingency Reserve will be invested and reinvested as determined by the University and shall be expended solely for the benefit of the employees of the University. Any expenditures of the Contingency Reserve shall require the approval of the Board of Regents of the University.

The actuary for the University has advised that the possibility of an Additional Funding Surcharge in excess of the Contingency Reserve during the next 30 years is remote. It is expected that the overall expense for the new retirement programs will be no greater than the University's projected contribution to OTRS if these changes were not made.

The Act contemplates that the University, OSU and OTRS will enter into an agreement of understanding which details the procedures to be applied to review the funded status of OTRS and the actuarial factors to be utilized in calculating the Additional Funding Surcharge, if any. Board approval is requested for the University to enter into the agreement of understanding with OSU and OTRS.

If an employee elects participation in OTRS, the employee will contribute 7.0% of total compensation to OTRS to cover the employee contribution, and the University will pay 7.05% of total annual compensation for the employer fee; and, the employee will continue to

participate in the DCP. The University will not be required to make the 2.5% Initial Funding Surcharge or the Additional Funding Surcharge for these employees in OTRS.

Contributions to the Optional Retirement Plan will be made on a regular basis during the fiscal year of the University. The Optional Retirement Plan may be amended or terminated in the same manner as the DCP may be modified by the Board of Regents. While it is not anticipated, in the event that an Additional Funding Surcharge is incurred that would exceed the Contingency Reserve, the University intends, and the Board of Regents has the power, to amend the Optional Retirement Plan and/or the DCP to reduce the rate of future contributions to the Optional Retirement Plan and/or the DCP.

#### CHANGES TO UNIVERSITY'S DEFINED CONTRIBUTION PLAN

Board approval is requested to authorize the amendment and restatement of the DCP to incorporate changes resulting from the Act and adoption of the Optional Retirement Plan and certain other changes described below. The Act provides for a one-time irrevocable election for members of OTRS as of June 30, 2004 to withdraw from OTRS and participate in the Optional Retirement Plan, and for employees hired after June 30, 2004 to elect to participate in the Optional Retirement Plan in lieu of OTRS. If an employee elects to participate in OTRS, he or she will participate in the DCP effective with the first day of the month following the date the University receives the election of the employee to participate in OTRS and not to participate in the Optional Retirement Plan. The employees who elect to participate in the Optional Retirement Plan will not be eligible to participate in the DCP. The DCP will be amended to reflect the exclusion of employees in the Optional Retirement Plan.

Effective July 1, 2004, the DCP will also be amended to eliminate the age 28 and three years of service requirement for eligibility to participate in the DCP for eligible salaried employees who are employed by the University at a .5 FTE or more position or are subsequently hired and meet such qualification. Such employee will be eligible to participate in the DCP as of the first day of the month following such date of hire or appointment and after such employee has completed the DCP enrollment process. After these amendments, the eligibility requirements for the DCP and the Optional Retirement Plan will be the same for eligible salaried employees.

The Board of Regents is also requested to authorize the President of the University or his designee to implement the adoption of the Optional Retirement Plan, the amendment and restatement of the DCP and establishment of the Contingency Reserve and do any and all other acts that may be required of the University to accomplish the foregoing actions or as required under the Act.

President Boren recommended the Board of Regents adopt The University of Oklahoma Optional Retirement Plan, amend and restate The University of Oklahoma Defined Contribution Retirement Plan, establish a Contingency Reserve for OTRS, and authorize the President or his designee to take all actions necessary to implement such recommendations for the reasons and within the parameters set forth above.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

President Boren, Joe Harroz and Dudley Hyde, consultant on this issue, engaged in extensive discussion with the Board regarding the risks and concerns and the planning undertaken to safeguard against future problems.

**APPOINTMENT OF TRUSTEE FOR LEW WENTZ FOUNDATION**

The Lew Wentz Foundation of The University of Oklahoma is a separate foundation set up in the 1920s from funds received from Lew Wentz of Ponca City. The purpose of the foundation is to provide low-interest loans to University of Oklahoma students. The original funds were increased as a result of a bequest in Mr. Wentz' will. The total assets of the Foundation at June 30, 2003 exceeded \$25,650,194.

The Trust Agreement of the Lew Wentz Foundation provides for a Regent Trustee. This individual must be a member of the Board of Regents and must be selected by the Regents. Due to a vacancy, it is necessary for a Regent to be appointed for a three-year term.

President Boren recommended the Board of Regents appoint Regent Jon R. Stuart as the Regent Trustee on the Lew Wentz Foundation for a three-year term effective June 24, 2004.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

**INSTRUCTIONAL/TRAINING AIRCRAFT - NC**

**I. AWARD OF CONTRACT**

The existing fleet of 13 instructional/training aircraft currently utilized by the University's Department of Aviation is in need of replacement. Though maintained and in compliance with Federal Aviation Administration standards, the fleet is aging and does not offer the full avionics that some students desire/need. Replacement of the entire fleet with new aircraft will provide students with an opportunity to train in planes representative of those they will most likely pilot upon completion of training.

Five firms responded to a competitive solicitation; however, only the following three qualified as acceptable bidders:

|                              |                     |
|------------------------------|---------------------|
| Cessna Aircraft Company      | Wichita, Kansas     |
| Christiansen Aviation, Inc.  | Tulsa               |
| The New Piper Aircraft, Inc. | Vero Beach, Florida |

The evaluation committee comprised the following individuals:

Glenn Schaumburg, Director, Department of Aviation  
 Walter Strong, Jr., Administrator, Max Westheimer Airport  
 David McClurkin, Chief Flight Instructor, CCE Aviation  
 Joseph Berardo, Manager, Administration and Operations, CCE  
 Steve Smith, Assistant Director, Purchasing  
 Sandy Totten, Senior Buyer, Purchasing

The evaluation criteria were anthropometric accommodation (cabin's ability to accept the size and weight of personnel using the plane--all three companies were acceptable), maintenance training costs, instructor training costs, and airplane cost.

The results of the evaluation are as follows:

| Company | Aircraft | Maint. Training | Instruct. Training | Standard Airplane | Avionics Airplane | Total* |
|---------|----------|-----------------|--------------------|-------------------|-------------------|--------|
|---------|----------|-----------------|--------------------|-------------------|-------------------|--------|

|              |                          |         |         |           |           |             |
|--------------|--------------------------|---------|---------|-----------|-----------|-------------|
| Cessna       | 2005, Cessna, 172R       | \$2,400 | \$7,980 | \$155,110 | \$200,605 | \$2,117,800 |
| Christiansen | 2005, Cessna, 172R       | \$2,400 | \$7,980 | \$155,596 | \$201,091 | \$2,124,118 |
| New Piper    | 2005, Piper, Warrior III | -0-     | -0-     | \$165,928 | \$207,788 | \$2,240,784 |

\* *Total = 11 standard airplanes + 2 avionics airplanes.*

Additionally, other non-price factors were included in the evaluation:

- A preference for New Piper's low-wing aircraft versus the high-wing aircraft provided by Cessna. Following graduation from flight school, students will most likely fly low-wing aircraft;
- A desire to provide students with the more advanced avionics available from New Piper;
- Expected higher resale value of the New Piper aircraft (when the planes are eventually removed from the fleet);
- Minimized disruption to students in the Aviation program as our existing fleet consists of Piper aircraft; and
- Minimal training required by flight instructors and maintenance personnel since they are already familiar with Piper aircraft.

The evaluation team determined that award to The New Piper Aircraft, Inc. company of Vero Beach, Florida, represents best value to the University.

## II. AND III. MASTER LEASE-PURCHASE PROGRAM

The Oklahoma State Regents for Higher Education (OSRHE) implemented the Master Lease-Purchase program to facilitate for Oklahoma colleges and universities acquisitions of long-lived assets using the lease-purchase method. OSRHE submits funding requirements periodically through the Oklahoma Executive and Legislative Bond Oversight Commissions and the Oklahoma Development Finance Authority, the conduit financing agency, and assists in developing and executing an appropriate plan of financing. Institutions service the bond debt using current operating funds. Certain dollar limits and useful life requirements must be met for an acquisition to qualify for the program. This service provided by OSRHE greatly reduces the time and effort that would otherwise be required for an institution to finance the acquisition of a major asset. A Reimbursement Resolution by the Board is required in the event-because of timing-University funds must be used for the original acquisition, and reimbursement is needed from the lease proceeds. This Resolution constitutes a declaration of official intent as is required by the reimbursement regulations set forth in Regulation Section 1.150-2 of the Internal Revenue Code.

### FUNDING:

Funding has been identified, set aside and is available from a combination of 1) land sale proceeds (\$1.5 million), 2) proceeds from the sale of the University owned planes (estimated at \$280,000) and 3) Master Lease proceeds. The resulting Master Lease debt service will be funded by the Department of Aviation at an amount comparable to their current costs for leased aircraft.

President Boren recommended the Board of Regents:

- I. Authorize the President or his designee to award a contract in the amount of \$2,240,784 to The New Piper Aircraft, Inc. company of Vero Beach, Florida, for the purchase of 13 instructional/training aircraft for the University's Department of Aviation;
- II. Authorize the President or his designee to submit the above project for acquisition under the Oklahoma State Regents for Higher Education Master Lease-Purchase Program; and
- III. Recognize and acknowledge that the University may fund certain costs of the above project prior to delivery of purchase proceeds from its own funds and, to the extent the University utilizes its own funds for said purposes, it is intended that proceeds of the Master Lease-Purchase Program will be utilized to reimburse the University.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **AIRPORT CONTROL TOWER EQUIPMENT - NC**

The analog equipment in the control tower at Max Westheimer Airport is more than 20 years old, and is becoming increasingly maintenance-intensive. New digital equipment using touch screen controls will improve equipment reliability, efficiency and effectiveness- thus creating a safer environment for air traffic. The project involves replacing the existing voice switching communications system, installing new tower cab consoles, and replacing radio transmitters, receivers and antennas. Both the equipment and installation meet Federal Aviation Administration specifications.

In response to a competitive solicitation, the following firms responded:

| <u>Company</u>    | <u>Location</u>         |
|-------------------|-------------------------|
| AJT & Associates  | Cape Canaveral, Florida |
| PBS&J Associates  | Melbourne, Florida      |
| Robinson Aviation | Oklahoma City           |

The following individuals comprised the evaluation committee:

Walt Strong, Administrator, Max Westheimer Airport  
 Glenn Schaumburg, Director, Department of Aviation  
 Pat Corley, Facilities Team Manager, Purchasing

The evaluation criteria were price and responsiveness to specifications. All three respondents met the specifications.

The results of the evaluation are as follows:

| <u>Company</u>    | <u>Price</u> |
|-------------------|--------------|
| AJT & Associates  | \$132,203    |
| PBS&J Associates  | \$143,900    |
| Robinson Aviation | \$175,751    |

The evaluation team determined that AJT & Associates of Cape Canaveral, Florida, the low bidder, represents best value to the University.

Funds for the equipment have been identified, set aside and are available from the Oklahoma Aeronautics Commission.

President Boren recommended the Board of Regents authorize the President or his designee to award a contract in the amount of \$132,203 to AJT & Associates of Cape Canaveral, Florida, the low bidder, for replacement equipment in the control tower at Max Westheimer Airport.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **CAMERON UNIVERSITY**

### **REPORT OF THE PRESIDENT OF THE UNIVERSITY**

President Ross began her report by stating her pleasure at hosting the Regents on the Cameron campus. She then introduced Phil Brown, manager of the Goodyear-Lawton plant to recognize Goodyear Tire and Rubber Company and the Toyota Motor Company for a \$10,000 endowment to be used for student scholarships. The endowment was given through Toyota's Community Connections philanthropic program that aims to support non-profit entities in the cities where the automotive manufacturer and its suppliers do business. The gift was given during ceremonies recognizing Goodyear's 25<sup>th</sup> anniversary in Lawton. Dr. Ross then commended the School of Education for the teacher education program's top ranking in the state and a recent 100% pass rate for the 84 Cameron students to take the certification exam. Following this, the President presented three CU professors—Associate Communication Professor Dr. Matt Jenkins, Foreign Languages Professor Dr. George Stanley, and English Professor Mark Spencer. Dr. Jenkins produced an award-winning documentary, "Pray's Passion", which chronicles the story of Glenn Pray, president and owner of the Auburn-Cord Duesenberg Company in Broken Arrow. Dr. Jenkins received Cameron's most prestigious teaching award, the Harold and Elizabeth Hackler Award for Teaching Excellence, in 2001, and has also produced a documentary about the USS Nautilus, the first nuclear-powered submarine to cross the North Pole. That documentary premiered at the Greenwich International Film Festival. Dr. Stanley's latest work, a biography of President Harry Truman, is part of Simon and Schuster's "Childhood of Famous Americans" series that presents fictional but historically accurate biographies of celebrated Americans. Dr. Stanley has also written of Geronimo and Andrew Jackson for the series, and more than 80 volumes of children's books including some in the popular Nancy Drew and Hardy Boys series. His book on the life of children's television personality Fred Rogers is due later this year. Professor Spencer's novel *The Weary Motel* has been awarded a five-star review by national bookseller Amazon Books and won the Omaha Prize for the Novel, a national writer's competition. His short novel, *Only Missing*, won the Faulkner Award for Fiction in 1996, and he has won other awards and accolades for his works which include more than 25 articles, 50 short stories and books including his first novel, *Love and Reruns in Adams County*. Dr. Ross stated that she is



proud to serve with faculty members such as these who represent the excellence in the classroom and commitment to students of the CU faculty.

### **ESTABLISHMENT OF THE BANCFIRST ENDOWED LECTURESHIP IN FINANCE AND THE BANCFIRST ENDOWED LECTURESHIP IN INVESTMENT**

BancFirst of Lawton provides a line-of-credit at below market rates to fund Cameron University's annual investment portfolio class. Under the supervision of Dr. T. K. Bhattacharya, Professor of Business, the investment program provides Cameron students the opportunity to invest real dollars using proven theories and methods of finance and investment. Earnings from the investment program are held by the Cameron University Foundation, Inc.

In further support of the School of Business and students interested in the disciplines of business finance and investment, BancFirst made two donations of \$6,250 each to the Cameron University Foundation, Inc. A match of these funds has been made from 2003-2004 investment portfolio class earnings making each total contribution \$12,500. Further, each of the combined gifts has been matched by \$12,500 from the McCasland Foundation to create two endowment funds of \$25,000.

In recognition of the gifts, President Ross recommends the establishment of the BancFirst Endowed Lectureship in Finance and the BancFirst Endowed Lectureship in Investment, and requests approval to seek matching funds for each endowment from the Oklahoma State Regents for Higher Education.

President Ross recommended the Board of Regents approve the establishment of the following lectureships and the application for matching funds from the Oklahoma State Regents for Higher Education:

- I. BancFirst Endowed Lectureship in Finance.
- II. BancFirst Endowed Lectureship in Investment.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **ESTABLISHMENT OF THE HERB AND DOROTHY PITTMAN CARTER ENDOWED LECTURESHIP IN EDUCATION**

Herb and Dorothy Carter are long-time Cameron University supporters. Mr. and Mrs. Carter donated \$16,000 to establish an endowed lectureship that will promote and recognize outstanding faculty in the School of Education.

The McCasland Foundation contributed matching funds to create a total gift of \$28,500. In recognition of the gifts, President Ross recommends the establishment of the Herb and Dorothy Pittman Carter Endowed Lectureship in Education, and requests approval to seek matching funds from the Oklahoma State Regents for Higher Education.

President Ross recommended the Board of Regents approve the establishment of the Herb and Dorothy Pittman Carter Endowed Lectureship in Education and the application for matching funds from the Oklahoma State Regents for Higher Education.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **ESTABLISHMENT OF THE BUCK AND IRENE CLEMENTS ENDOWED LECTURESHIP IN CHILD DEVELOPMENT**

Mr. Buck Clements and Dr. Irene Clements are both alumni and long-time supporters of Cameron University. Strong advocates for teacher education and early childhood education, they intend for this endowed lectureship to promote excellence and research in early childhood development through the Cameron University School of Education.

To fund the lectureship, Buck and Irene Clements contributed \$12,500 to the Cameron University Foundation, Inc. The gift has been matched by the McCasland Foundation creating a total contribution of \$25,000. In recognition of the gifts, President Ross recommends the establishment of the Buck and Irene Clements Endowed Lectureship in Child Development, and requests approval to seek matching funds from the Oklahoma State Regents for Higher Education.

President Ross recommended the Board of Regents approve the establishment of the Buck and Irene Clements Endowed Lectureship in Child Development and the application for matching funds from the Oklahoma State Regents for Higher Education.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **ESTABLISHMENT OF THE JIMMIE AND VIRGIE STANTON ENDOWED LECTURESHIP IN PHYSICAL SCIENCES**

Dr. Jimmy Stanton, a recently retired faculty member, and his wife Virgie are long-time Cameron University supporters. Their commitment to the University and its students is well known throughout the Cameron community. Dr. and Mrs. Stanton have created an avenue to assist students well beyond the conclusion of full-time service by giving the Cameron University Foundation, Inc. \$12,500 to establish an endowed lectureship that will serve to promote student excellence in the Physical Sciences.

The McCasland Foundation matched the Stanton's gift of \$12,500 to create a total contribution of \$25,000. In recognition of the gifts, President Ross recommends the establishment of the Jimmy and Virgie Stanton Endowed Lectureship in Physical Sciences, and requests approval to seek matching funds from the Oklahoma State Regents for Higher Education.

President Ross recommended the Board of Regents approve the establishment of the Jimmie and Virgie Stanton Endowed Lectureship in Physical Sciences and the application for matching funds from the Oklahoma State Regents for Higher Education.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **ESTABLISHMENT OF THE MARGUIRETE WETE WILKINSON ENDOWED LECTURESHIP IN MUSIC**

Mr. Joel Wilkinson of Duncan, Oklahoma donated \$25,000 to the Cameron University Foundation, Inc. to create the Marguirete Wete Wilkinson Endowed Lectureship in Music as a memorial to his wife. Marguirete Wilkinson was a Duncan community leader and Cameron alumna. As a student at Cameron, Marguirete excelled at piano performance, and participated in such activities as the Cameron Swing Band. Today, Mr. Wilkinson is a community participant with the Cameron Jazz Ensemble and plays the trumpet. For their love of music and appreciation for the excellence of the Cameron University Department of Music, Mr. Joel Wilkinson has created an endowment providing funds to take Cameron's music programs to venues throughout Southwest Oklahoma.

In recognition of the gift, President Ross recommends the establishment of the Marguirete Wete Wilkinson Endowed Lectureship in Music, and requests approval to seek matching funds from the Oklahoma State Regents for Higher Education.

President Ross recommended the Board of Regents approve the establishment of the Marguirete Wete Wilkinson Endowed Lectureship in Music and the application for matching funds from the Oklahoma State Regents for Higher Education.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **THE UNIVERSITY OF OKLAHOMA**

### **TRAVEL AGENCY SERVICES**

Travel agency services are used to support University personnel who require airline tickets and ancillary services when planning travel for University purposes. Support is substantially related to air travel, and consists of providing information regarding flights and pricing. Fees are not to exceed \$20 per ticket for domestic travel or \$25 per ticket for foreign travel. Vendors may be added or removed at each anniversary date of this contract. The contract term is five years.

Twelve agencies responded to a competitive solicitation, with all but one agreeing to provide services according to the criteria set for in the RFP. The criteria consisted of 1) responsiveness to terms and conditions, and 2) agreement to adhere to the following guidelines:

- International ticket fees cannot exceed \$25 per ticket.
- Domestic ticket fees cannot exceed \$20 per ticket.
- Name changes for groups of 10 or more will be at NO CHARGE for one name change per ticket.
- Schedule changes will be at NO CHARGE for all airline initiated changes only.
- Voided refundable tickets will be at NO CHARGE.
- Refunded tickets will be at NO CHARGE as long as they are refundable tickets.
- Car and hotel reservations without airline tickets will be at NO CHARGE.
- All travel agencies must have ASCII file capability for credit card transfers.
- Group discounts offered by the airline must be passed on to the University.

Companies receiving award include:

University American Travel, Norman

Journey House Travel, Oklahoma City  
Above and Beyond Travel, Norman  
The Travel Source, Oklahoma City  
Duke International, Inc., Tulsa  
Logdon Travel, Oklahoma City  
National Travel Systems, Lubbock, Texas  
Bentley Hedges Travel, Oklahoma City  
Navigant World Wide Travel, Houston, Texas  
Ship To Shore Travel, Norman  
STA Travel, Los Angeles, California

The evaluation committee comprised the following individuals:

Burr Millsap, Associate Vice President, Administrative Affairs  
Kenneth Rowe, Vice President, Administrative Affairs, HSC  
Connie Hamilton, Assistant to the Provost  
Radonna McDaniel, Manager, Accounting Operations, Financial Support Services  
Elizabeth Wallis, Staff Assistant, English Department  
Kathy Gross, Financial Administrator, Honors College  
Marcia Pallutto, Secretary, Meteorology  
Paulette Vickers, Staff Accountant, College of Law  
Alan Wong, Special Assistant to the Vice President, Information Technology  
Harold Jones, Executive Director of Operations for University Outreach  
Thelma Ingram, Manager, Auxiliary Support Services, Financial Support Services  
Florian Giza, Technology Team Manager, Purchasing  
Steve Smith, Assistant Director, Purchasing  
Jean Wilson, Assistant Director, Purchasing  
Susan Czentnar, Athletics Travel Specialist  
Marcia Bennett, Vice Provost, Academic Affairs, HSC  
Sammy Mayfield, Assistant Controller, Financial Accounting, HSC  
Jonathan Joiner, Director, Finance  
Mary Atkins, Program Coordinator, CCE

The evaluation team determined that award to all companies agreeing to provide services according to the evaluation criteria is in the best interest of the University.

Funding will come from the operating accounts of departments utilizing the services.

President Boren recommended the Board of Regents authorize the President or his designee to award contracts to the travel agencies listed above for travel services, primarily air travel.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **INTERCOLLEGIATE ATHLETIC SPORTS INSURANCE POLICY - NC**

The Athletic Department provides for medical expenses of student athletes including accidental death and dismemberment (AD&D). The Department also provides AD&D coverage for cheerleading and pompon squads, managers and trainers. For many years, the Athletic

Department was self-insured; however, as a result of escalating medical costs, it was determined that insurance coverage was necessary.

In response to a competitive solicitation, the following companies responded:

AG Administrators, Inc. Valley Forge, Pennsylvania  
 Bene-Marc, Inc. Dallas, Texas

An evaluation team comprising the following individuals reviewed the responses:

Vicki Ferguson, Buyer, Athletic Department  
 Sandy Totten, Senior Buyer, Purchasing Department  
 Mike Montgomery, Manager, Risk Management and Safety Services  
 Larry Naifeh, Executive Associate Athletic Director, Athletic Department  
 Lawana Ball, Medical Claims Coordinator, Athletic Department  
 Scott Anderson, Head Athletic Trainer, Athletic Department  
 Robert Smith, Athletic Business Manager, Athletic Department  
 Stephanie Rempe, Associate Athletics Director/Senior Women’s Advisor,  
 Athletic Department

Evaluation criteria were coverage and cost. The responding companies offered the following proposals:

| <u>Company</u>    | <u>Proposal</u> | <u>Cost of Policy</u> | <u>Conditions</u>                                    |
|-------------------|-----------------|-----------------------|--|
| AG Administrators | 1               | \$164,000             | \$5,000 deductible with reduced AD&D                 |
|                   | 2               | \$184,475             | \$5,000 deductible with \$10,000,000 aggregate AD&D  |
|                   | 3               | \$143,475             | \$10,000 deductible with reduced AD&D                |
|                   | 4               | \$163,950             | \$10,000 deductible with \$10,000,000 aggregate AD&D |
|                   | 5               | \$170,000             | \$7,500 deductible with reduced AD&D                 |
|                   | 6               | \$190,475             | \$3,000 deductible with \$10,000,000 aggregate AD&D  |

| <u>Company</u>  | <u>Proposal with Cost and Conditions</u>   |
|-----------------|--|
| Bene-Marc, Inc. | Partial self-insure –University pays \$65,000 plus the total claims paid next year up to guaranteed total of \$125,000. Once claims are paid up to \$125,000, Bene-Marc will pay anything over that amount. Additionally, the University pays \$5,125 for 10,000,000 AD&D. |

The evaluation team determined that AG Administrators, Inc., Proposal 2, represents best value to the University for coverage and conditions.

Funding for the policy has been identified, is available and set-aside within the Athletic Department operating account.

President Boren recommended the Board of Regents authorize the President or his designee to award a contract in the amount of \$184,475 to AG Administrators of Valley Forge, Pennsylvania, the low bidder, for an intercollegiate athletic sports insurance policy, for a one-year period beginning August 1, 2004.

Regent Weitzenhoffer moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **LLOYD NOBLE CENTER PARKING LOT RV CONNECTIONS - NC**

At the May 2004 meeting, the Board of Regents approved the Lloyd Noble Center Parking Lot RV Connections project as a part of the overall Campus Master Plan of Capital Improvements Projects. The project was originated in response to customer demand for additional RV connections, particularly for use during home football games in the Fall. Parking and Transportation, for example, currently has some 200 individuals on a waiting list for this purpose.

Approximately 200 RV stations with 30-amp and some 50-amp power outlets to allow for temporary parking of recreational vehicles will be installed in the southwest quadrant of the Lloyd Noble Center parking lot. Design and construction documents for the project were completed by Smith Roberts Baldischwiler, LLC, an on-call engineering consultant.

### **I. AWARD CONTRACT FOR CONSTRUCTION**

On May 20, 2004, construction bids for the Lloyd Noble Center Parking Lot RV Connections project were received from five firms. The bids have been evaluated by the project engineers and the following representatives of the University administration:

Larry Naifeh, Executive Associate Athletic Director  
 Michael Moorman, Director, Architectural and Engineering Services  
 Tom Knotts, Campus Planner, Architectural and Engineering Services

It is recommended that a contract in the amount of \$388,614 be awarded to Shawver & Sons, Inc. of Oklahoma City, the low bidder, as follows:

|   |              |
|---|--------------|
| Base Proposal   | \$ 233,964   |
| Alternate No. 1, RV Electrical Connections (North 101 Spaces)   | 135,000      |
| Alternate No. 3, RV Cable TV Conduit & Boxes (South 101 Spaces) | 9,825        |
| Alternate No. 4, RV Cable TV Conduit & Boxes (North 101 Spaces) | <u>9,825</u> |
| Total Proposed Contract Amount                                  | \$ 388,614   |

### **II. SIGN THE AGREEMENT**

State statutes allow change orders to be issued for up to fifteen percent of the construction cost for projects costing one million dollars or less. Board approval of this phase of the project will authorize the President or his designee to sign the Agreement for Construction, and will allow issuance of necessary change orders of up to fifteen percent of the contract

amount, within project budget limitations.

The approximate total cost for this project is \$550,000. Athletic Department funds have been identified and are available for the initial expense and for operations. The net revenue generated from the rental of these additional connections is expected to recover this amount in four to six years and to continue as a revenue source.

TABULATION OF BIDS  
LLOYD NOBLE CENTER PARKING LOT RV CONNECTIONS

|  | Shawver &<br>Son, Inc.<br>Oklahoma<br>City | Delta<br>Electrical<br>Contractors,<br>Inc.<br>Oklahoma<br>City | Wynn<br>Construction<br>Co., Inc.<br>Oklahoma<br>City | Libra<br>Electric<br>Company<br>Oklahoma<br>City | Wise<br>Electric Co.<br>Owasso |
|--|--|---|---|--|--------------------------------|
| Base Proposal  | \$233,964                                  | \$246,161   | \$254,326   | \$271,059  | \$437,355                      |
| Alternate No. 1<br><i>RV Electrical<br/>Connection (North 101<br/>Spaces)</i>            | 135,000                                    | 142,840   | 140,000   | 142,868  | 254,000                        |
| Alternate No. 2<br><i>1-1/2" Asphalt<br/>Concrete Overlay (in<br/>lieu of Seal Coat)</i> | 184,324                                    | 209,437   | 153,998   | 176,268  | 189,536                        |
| Alternate No. 3<br><i>RV Cable TV Conduit<br/>&amp; Boxes (South 101<br/>Spaces)</i>     | 9,825                                      | 10,428  | 10,500  | 10,649   | 9,500                          |
| Alternate No. 4<br><i>RV Cable TV Conduit<br/>&amp; Boxes (North 101<br/>Spaces)</i>     | 9,825                                      | 9,044   | 10,500  | 10,533   | 9,500                          |
| Total Proposed<br>Contract Amount:<br>Base Proposal +<br>Alts. Nos. 1, 3 & 4             | \$388,614                                  | \$408,473   | \$415,326   | \$435,109  | \$710,355                      |

President Boren recommended the Board of Regents:

- I. Award a contract in the amount of \$388,614 to Shawver & Sons, Inc. of Oklahoma City, the low bidder, for the Lloyd Noble Center Parking Lot RV Connections project; and
- II. Authorize the President or his designee to sign the Agreement for Construction and the necessary change orders during construction within the statutory and project budget limitations.

Regent Clark moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **ATHLETIC TICKET SCANNING HARDWARE - NC**

### **I. AWARD OF CONTRACT**

The Athletic Department requires ticket scanning hardware and turnstiles to fully implement a digital ticketing system. Digital ticketing will allow better utilization of tickets and will include the following types of program benefits:

- Customer Service
  - Ticket exchange and transfer program for season ticket holders to receive credit and allow others to use tickets they won't be able use, even at the last minute
  - The Sooner Ticket Market Place for exchanged tickets to be available to and used by other Sooner fans
  - On-line ticketing and renewal for ease of service and reduction of will call and ticket purchase lines
  - Creation of loyalty and other fan award programs
  - Future opportunity to integrate ticketing with student IDs, concessions, merchandise and other event services
- Security
  - Prevention of the use of counterfeit, stolen or lost tickets
  - Provision of gate information and flow of patron traffic for the appropriate staffing of areas for service and security
  - Customer confidence in tickets received through the Ticket Market Place rather than through third parties
- Financial
  - Marketing programs and sponsorships related to on-line services and patron loyalty and award programs
  - Season ticket holder credit for exchanged tickets
  - Reduced ticket office distribution costs and increased customer service options.
  - Potential for increased attendance and last-minute sale of unused tickets
  - Revenue from convenience fees, premium programs, Ticket Market Place, and other services

The use of turnstiles and the implementation of other program components may be introduced gradually to assist in the transition from past operations and customer awareness to this digital system. Similar programs are currently being initiated at Ohio State University, Vanderbilt, University of Texas, UCLA, USC, and others as well as at a number of professional venues including Arizona Diamondbacks, Chicago Cubs, and Florida Marlins.

In response to a competitive solicitation, the following firms responded:

|                           |                    |
|---------------------------|--------------------|
| CGI, Inc.                 | Edmond             |
| Dell Computer Corporation | Round Rock, Texas  |
| Paciolan, Inc.            | Irvine, California |
| Heartland Computers, Inc. | Wauconda, Illinois |
| Peak Technologies, Inc.   | Columbia, Maryland |

The following individuals comprised the evaluation committee:



Rick Hart, Associate Athletic Director of Marketing, Athletic Department  
 Kirby Hocutt , Associate Athletic Director for Development, Athletic Department  
 Robert Smith, Assistant Athletic Director for Business, Athletic Department  
 Terrie Taylor, Information Technology Specialist II, Athletic Department  
 Mike Flournoy, Information Technology Specialist II, Information Technology  
 Florian Giza, Technology Team Manager, Purchasing Department

The evaluation criteria were price and meeting specifications.

The results of the evaluation are as follows:

| <u>Company</u> | <u>Location</u>    | <u>Meets Specs</u> | <u>Cost of Scanners/Printers</u> | <u>Cost of Turnstiles</u> | <u>Total</u> |
|----------------|--------------------|--------------------|----------------------------------|---------------------------|--------------|
| CGI            | Edmond             | yes                | \$191,771                        | no bid                    | \$191,771    |
| Dell           | Round Rock, Texas  | yes                | \$222,512                        | no bid                    | \$222,512    |
| Paciolan       | Irvine, California | yes                | \$133,769                        | \$333,000*                | \$466,769    |
| Heartland      | Wauconda, Illinois | yes                | \$162,492                        | no bid                    | \$162,492    |
| Peak           | Columbia, Maryland | yes                | \$190,316                        | no bid                    | \$190,316    |

*\*Turnstiles are produced by Alvarado Manufacturing and list at \$394,500. Alvarado does not sell directly to the end purchaser. The Paciolan bid on turnstiles is discounted at 15% of list price which is considered reasonable.*

The evaluation team determined that Paciolan, Inc. of Irvine, California, the low bidder, represents best value to the University.

## II./III. MASTER LEASE-PURCHASE PROGRAM

The Oklahoma State Regents for Higher Education (OSRHE) implemented the Master Lease-Purchase program to facilitate for Oklahoma colleges and universities acquisitions of long-lived assets using the lease-purchase method. OSRHE submits funding requirements periodically through the Oklahoma Executive and Legislative Bond Oversight Commissions and the Oklahoma Development Finance Authority, the conduit financing agency, and assists in developing and executing an appropriate plan of financing. Institutions service the bond debt using current operating funds. Certain dollar limits and useful life requirements must be met for an acquisition to qualify for the program. This service provided by OSRHE greatly reduces the time and effort that would otherwise be required for an institution to finance the acquisition of a major asset. A Reimbursement Resolution by the Board is required in the event-because of timing- University funds must be used for the original acquisition, and reimbursement is needed from the lease proceeds. This Resolution constitutes a declaration of official intent as is required by the reimbursement regulations set forth in Regulation Section 1.150-2 of the Internal Revenue Code.

### FUNDING:

Funding for the hardware has been identified, is available and set-aside within the Athletic Department operating budget.

President Boren recommended the Board of Regents:

- I. Authorize the President or his designee to award a contract in the amount of \$466,769 to Paciolan, Inc. of Irvine, California, the low bidder, for athletic ticket

scanning hardware;

- II. Authorize the President or his designee to submit the above project for acquisition under the Oklahoma State Regents for Higher Education Master Lease-Purchase Program; and,
- III. Recognize and acknowledge that the University may fund certain costs of the above project prior to delivery of purchase proceeds from its own funds and, to the extent the University utilizes its own funds for said purposes, it is intended that proceeds of the Master Lease-Purchase Program will be utilized to reimburse the University.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **STUDENT CODE REVISION**

This amendment to Title 10.1 informs organizations of the existence of the Constitutional Guidelines for Student Organizations.

This amendment to Title 12 adds the outgoing UOSA General Counsel as a non-voting, ex-officio member of the UOSA General Counsel selection committee.

## **SUGGESTED REVISIONS**

### TITLE 10.1 Student Activities

#### **PROPOSED READING**

1. Membership in, association with, and benefits emanating from student organizations and their related activities shall be based upon such considerations as performance, educational achievement, and other criteria related to the goals of the organization and purposes of the activities. Judgments in this regard based solely on an individual's race, color, religion, national origin, age, gender, sexual orientation, disability, veteran status, marital status, or political belief are not judgments based on such considerations. Further, the purpose of the

organization must be consistent with public policy as established by prevailing University Community standards. Exceptions to this policy shall be recognized where enforcement would violate the United States Constitution or federal law. See Article I, Section 3 of the Constitution Guidelines for Student Organizations.

#### **RATIONALE:**

This sentence will inform organizations of the existence of the Constitution Guidelines for Student Organizations form created by the office of General Counsel which further clarifies the role of the organization and the General Counsel's office in determining membership.

### TITLE 12 General Counsel

#### **PROPOSED READING**

1.2 General Counsel shall be at least a second year law student with consideration given by the selection committee in its deliberations to professional qualifications, including but not limited to: past legal counsel experience, quality of writing sample, law faculty recommendations, understanding of administrative hearings, and familiarity with the Student and Academic Misconduct Codes of The University of Oklahoma.

1.3 General Counsel shall be appointed by the UOSA President, with the advice and consent of the UOSA Legislative Branch. General counsel shall be recommended to the UOSA President by a selection committee composed of: the Chair of the UOSA Student Congress; the Chair of the UOSA Graduate Student Senate, or their respective appointees should they be unavailable to serve; one student appointed by the UOSA President; and a representative named by the Vice President for Student Affairs. The UOSA President will serve as a member of the selection committee, but will only cast a vote in the event of a tie. The outgoing UOSA General Counsel will serve as an ex-officio, non-voting member of the selection committee.

#### RATIONALE:

A previous change to the committee composition removed the General Counsel completely from the selection process to prevent the potential conflict of interest that may occur when an Associate General Counsel, hired by the outgoing General Counsel, applies for the General Counsel position. This recommended revision provides the outgoing General Counsel with the opportunity for input in the interview and selection process without the authority of a vote.

President Boren recommended approval of the revision of The University of Oklahoma Student Code of Responsibilities and Conduct for the Norman Campus to amend titles 10.1 and 12.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

#### **CORRECTION TO MARCH 2004 AGENDA ITEM REGARDING STUDENT VACCINATIONS**

This item was a correction of a scrivener's error in the March 2004 agenda item.

President Boren recommended the Board of Regents modify the agenda item on student vaccinations passed at the March 2004 meeting of the Board of Regents (attached hereto as Exhibit G) to correctly reflect the referenced sections of law as Sections 3243 and 3244 of Title 70 and to clarify that the exceptions are only available and approved under Section 3244.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

#### **AMENDMENT TO UNIVERSITY OF OKLAHOMA 457(b) ELIGIBLE DEFERRED COMPENSATION PLAN**

The University adopted the Plan to allow eligible employees of the University to defer their compensation into the Plan on a tax-deferred basis. The Plan is strictly an employee deferred compensation plan and does not involve any University contribution. The Plan is being amended to comply with final regulations issued by the Internal Revenue Service regarding required minimum distributions from an eligible deferred compensation plan as defined in section 457(b) of the Internal Revenue Code of 1986, as amended. The Code requires that participants begin to receive a certain level of distributions from the Plan upon reaching their required beginning date that is defined as the April 1 following the later of the year that the participant turns 70½ or retires. The amendment to be adopted is a “model” amendment prepared by the Internal Revenue Service and is intended to make no other changes than to comply with federal tax regulations.

REQUIRED MINIMUM DISTRIBUTION AMENDMENT  
TO THE UNIVERSITY OF OKLAHOMA  
457(b) ELIGIBLE DEFERRED COMPENSATION RETIREMENT PLAN

Pursuant to authority vested in the undersigned, the University of Oklahoma 457(b) Eligible Deferred Compensation Retirement Plan (the “Plan”) is hereby amended as set forth below. This amendment (the “Amendment”) of the Plan is adopted to reflect final regulations promulgated under Section 401(a)(9) of the Internal Revenue Code of 1986 concerning Required Minimum Distributions from the Plan.

*Minimum Distribution Requirements.* The provisions of this Section will apply for purposes of determining required minimum distributions for calendar years beginning with the 2003 calendar year. The requirements of this Section shall apply to any distribution of a Participant’s vested Accumulation Account(s) and will take precedence over any inconsistent provisions of this Plan. Distributions in all cases will be made in accordance with Code Section 401(a)(9) and the regulations promulgated thereunder.

(A) *Time and Manner of Distribution.*

- (1) *Required Beginning Date.* The Participant’s entire interest shall be distributed, or begin to be distributed, to the Participant no later than the Participant’s Required Beginning Date.
- (2) *Death of Participant Before Distributions Begin.* If the Participant dies before distributions begin, the Participant’s entire interest shall be distributed, or begin to be distributed, no later than as follows:
  - a) If the Participant’s surviving spouse is the Participant’s sole designated Beneficiary, then distributions to the surviving spouse shall begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained age 70½, if later.
  - b) If the Participant’s surviving spouse is not the Participant’s sole designated Beneficiary, then distributions to the designated Beneficiary shall begin by December 31 of the calendar year immediately following the calendar year in which the Participant died.

- c) If there is no designated Beneficiary as of September 30 of the year following the year of the Participant's death, the Participant's entire interest shall be distributed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.
- d) If the Participant's surviving spouse is the Participant's sole designated Beneficiary and the surviving spouse dies after the Participant but before distributions to the surviving spouse begin, this subsection (A)(2), other than subsection (A)(2)(a), will apply as if the surviving spouse were the Participant.

For purposes of subsections (A)(2) and (C), unless subsection (A)(2)(d) applies, distributions are considered to begin on the Participant's Required Beginning Date. If subsection (A)(2)(d) applies, distributions are considered to begin on the date distributions are required to begin to the surviving spouse under subsection (A)(2)(a). If distributions under an annuity purchased from an insurance company irrevocably commence to the Participant before the Participant's Required Beginning Date or to the Participant's surviving spouse before the date distributions are required to begin to the surviving spouse under subsection (A)(2)(a), the date distributions are considered to begin is the date distributions actually commence.

- (3) *Forms of Distribution.* Unless the Participant's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the Required Beginning Date, as of the first distribution calendar year distributions shall be made in accordance with subsections (B) and (C) of this Section. If the Participant's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Code Section 401(a)(9) and the Treasury Regulations.

(B) *Required Minimum Distributions During Participant's Lifetime.*

- (1) *Amount of Required Minimum Distribution for Each Distribution Calendar Year.* During the Participant's lifetime, the minimum amount that will be distributed for each distribution calendar year is the lesser of:
  - a) the quotient obtained by dividing the Participant's account balance by the distribution period in the Uniform Lifetime Table set forth in Treasury Regulation Section 1.401(a)(9)-9, using the Participant's age as of the Participant's birthday in the distribution calendar year; or
  - b) if the Participant's sole designated Beneficiary for the distribution calendar year is the Participant's spouse, the quotient obtained by dividing the Participant's account balance by the number in the Joint and Last Survivor Table set forth in Treasury Regulation Section 1.401(a)(9)-9, using the Participant's and spouse's attained ages as of the Participant's and spouse's birthdays in the distribution calendar year.
- (2) *Lifetime Required Minimum Distribution Through Year of Participant's Death.* Required minimum distributions will be determined under this

subsection (B) beginning with the first distribution calendar year and up to and including the distribution calendar year that includes the Participant's date of death.

(C) *Required Minimum Distributions After Participant's Death.*

(1) *Death On or After Date Distributions Begin.*

a) *Participant Survived by Designated Beneficiary.* If the Participant dies on or after the date distributions begin and there is a designated Beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's account balance by the longer of the remaining life expectancy of the Participant or the remaining life expectancy of the Participant's designated Beneficiary, determined as follows:

(i) The Participant's remaining life expectancy is calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

(ii) If the Participant's surviving spouse is the Participant's sole designated Beneficiary, the remaining life expectancy of the surviving spouse is calculated for each distribution calendar year after the year of the Participant's death using the surviving spouse's age as of the spouse's birthday in that year. For distribution calendar years after the year of the surviving spouse's death, the remaining life expectancy of the surviving spouse is calculated using the age of the surviving spouse as of the spouse's birthday in the calendar year of the spouse's death, reduced by one for each subsequent calendar year.

(iii) If the Participant's surviving spouse is not the Participant's sole designated Beneficiary, the designated Beneficiary's remaining life expectancy is calculated using the age of the Beneficiary in the year following the year of the Participant's death, reduced by one for each subsequent year.

b) *No Designated Beneficiary.* If the Participant dies on or after the date distributions begin and there is no designated Beneficiary as of September 30 of the year after the year of the Participant's death, the minimum amount that shall be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's account balance by the Participant's remaining life expectancy calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

(2) *Death Before Date Distributions Begin.*

a) *Participant Survived by Designated Beneficiary.* If the Participant dies before the date distributions begin and there is a designated Beneficiary, the minimum amount that shall be distributed for each distribution calendar year after the year of the Participant's death is

the quotient obtained by dividing the Participant's account balance by the remaining life expectancy of the Participant's designated Beneficiary, determined as provided in Section 8.3(a).

- b) *No Designated Beneficiary.* If the Participant dies before the date distributions begin and there is no designated Beneficiary as of September 30 of the year following the year of the Participant's death, distribution of the Participant's entire interest shall be completed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.
- c) *Death of Surviving Spouse Before Distributions to Surviving Spouse are Required to Begin.* If the Participant dies before the date distributions begin, the Participant's surviving spouse is the Participant's sole designated Beneficiary, and the surviving spouse dies before distributions are required to begin to the surviving spouse under subsection (A)(2)(a), this subsection (C)(2) shall apply as if the surviving spouse were the Participant

(D) *Definitions*

- (1) *Designated Beneficiary.* The individual who is designated as the Beneficiary under the Plan and is the designated Beneficiary under Code Section 401(a)(9) and Treasury Regulation Section 1.401(a)(9)-1, Q&A-4.
- (2) *Distribution calendar year.* A calendar year for which a minimum distribution is required. For distributions beginning before the Participant's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the Participant's Required Beginning Date. For distributions beginning after the Participant's death, the first distribution calendar year is the calendar year in which distributions are required to begin under subsection (A)(2). The required minimum distribution for the Participant's first distribution calendar year shall be made on or before the Participant's Required Beginning Date. The required minimum distribution for other distribution calendar years, including the required minimum distribution for the distribution calendar year in which the Participant's Required Beginning Date occurs, will be made on or before December 31 of that distribution calendar year.
- (3) *Life expectancy.* Life expectancy as computed by use of the Single Life Table in Treasury Regulation Section 1.401(a)(9)-9.
- (4) *Participant's Account Balance.* The Participant's account balance as of the last valuation date in the calendar year immediately preceding the distribution calendar year (valuation calendar year) increased by the amount of any contributions made and allocated or forfeitures allocated to the Participant's account balance as of dates in the valuation calendar year after the valuation date and decreased by distributions made in the valuation calendar year after the valuation date. The Participant's account balance for the valuation calendar year includes any amounts rolled over or transferred to the Plan either in the valuation calendar year or in the distribution calendar year if distributed or transferred in the valuation calendar year.
- (5) *Required Beginning Date.* The Required Beginning Date of a Participant is April 1 following the calendar year in which the Participant attains age 70½

or if later, April 1 following the calendar year in which the Participant retires.

- (E) *Election to Allow Participants, Former Participants or Beneficiaries to Elect 5-Year Rule.*

Participants or Beneficiaries may elect on an individual basis whether the 5-year rule or the life expectancy rule in subsections (A)(2) and (C)(2) applies to distributions after the death of a Participant who has a designated Beneficiary. The election must be made no later than the earlier of September 30 of the calendar year in which distribution would be required to begin under Subsection (A)(2), or by September 30 of the calendar year which contains the fifth anniversary of the Participant's (or, if applicable, surviving spouse's) death. If neither the Participant nor Beneficiary makes an election under this paragraph, distributions will be made in accordance with subsection (A)(2) and (C)(2).

Except as otherwise provided in this Amendment, the Plan is hereby ratified and confirmed in all respects.

EXECUTED as of the 23rd day of June, 2004.

THE UNIVERSITY OF OKLAHOMA

By \_\_\_\_\_  
Stephen F. Bentley, Chairman, Board of Regents

President Boren recommended the Board of Regents adopt the above "model" amendment prepared by the Internal Revenue Service that is required to comply with federal tax legislation for The University of Oklahoma 457(b) Eligible Deferred Compensation Plan (the "Plan").

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

#### **DESIGNATION OF GIFT TO REGENTS' FUND AS A QUASI ENDOWMENT**

The University of Oklahoma received a distribution of \$250,000 from the Estate of Aaron Alexander. The distribution will benefit the Aaron Alexander Professorship in Civil Engineering Fund. The Last Will and Testament of Mr. Alexander contains no restrictions requiring the gift to be held in perpetuity and, therefore, the entire gift is expendable for support of the Professorship. However, it is the opinion of the Dean of the College of Engineering that the intent of the donor can best be met by making the gift a quasi-endowment within the Regents' Fund, with only the investment earnings being utilized.

The gift will be formally designated as a quasi-endowment within the Regents' Fund. As such, the fund will function like an endowment fund with only the investment earnings being used for support of the Professorship. At any time, however, the entire gift may be totally expended for the purpose intended by the donor at the discretion of the Board of Regents.



President Boren recommended a distribution from the Estate of Aaron Alexander be designated as a quasi-endowment fund within the Regents' Fund. The fund shall be titled the "Aaron Alexander Professorship in Civil Engineering."

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **ANNUAL AUDIT PLAN FOR 2004-2005 - THE UNIVERSITY OF OKLAHOMA**

Following practices within the auditing industry and standards of the Institute of Internal Auditors, Internal Auditing has developed an audit plan using a risk-based audit approach. As part of the risk-based approach, risk factors have been discussed with University management, and internal and external data were compiled in a risk matrix to develop a risk-based audit plan. Based upon the analysis performed and the internal audit resources available, it is believed the current audit plan addresses the higher risk areas within the University.

The detailed Audit Plan for FY 2005 has been discussed with the Finance and Audit Committee and includes 33 audits out of a total Audit Universe of 156 audits. This provides audit coverage of 21% for fiscal year 2004-2005. Any proposed changes to the plan will be discussed with the Finance and Audit Committee.

Special projects and post-audit reviews will be performed when necessary. Internal audits may be performed on an unannounced basis.

President Boren recommended the Board of Regents approve the annual audit plan for 2004-2005.

Regent Clark moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## **REGENTS' FUND QUARTERLY FINANCIAL REPORT**

This summary report is provided in accordance with University of Oklahoma Board of Regents' policy. The summary highlights all of the financial activity within the Regents' Fund during the nine months ended March 31, 2004. The detailed information upon which the attached financial highlights are based was distributed separately to the Regents prior to the June meeting and is attached hereto as Exhibit H.

### **REGENTS' FUND QUARTERLY FINANCIAL REPORT March 31, 2004**

#### **EXECUTIVE SUMMARY**

Highlights from the Regents' Fund Quarterly Financial Report for the nine months

ended March 31, 2004 are presented below for information only.

### ALL FUNDS

- As of March 31, 2004, the Regents' Fund consisted of 166 individual funds with a combined net market value of approximately \$71.1 million.

### CONSOLIDATED INVESTMENT FUND (CIF)

- Cash and investments held by the CIF at March 31, 2004, had a net market value of \$48.9 million, which is up \$8.7 million (21.8%) from June 30, 2003.
- During the nine months ended March 31, 2004, the CIF realized a total return of 16.4%, exceeding the benchmark return of 14.0% by 240 basis points.
- During the year ended March 31, 2004, the CIF realized a total return of 30.4%, which exceeded the benchmark return of 26.2% by 420 basis points.

### SHORT-TERM INVESTMENT FUND (STIF)

- Cash and investments held by the STIF at March 31, 2004, had a net market value of \$19.9 million, which is up \$2.0 million (11.4%) from June 30, 2003.
- During the nine months ended March 31, 2004, the STIF realized a total return of 1.1%, which exceeded the benchmark return of 0.7% by 40 basis points.
- During the year ended March 31, 2004, the STIF realized a total return of 1.6%, which exceeded the benchmark return of 1.1% by 50 basis points.

This report was for information only. No action was required.

## **QUARTERLY FINANCIAL ANALYSIS**

The Quarterly Financial Analysis for the nine months ended March 31, 2004 was presented for review. Detailed schedules are attached hereto as Exhibit I. The following comments were submitted for consideration.

### **QUARTERLY FINANCIAL ANALYSIS for the nine months ended March 31, 2004**

#### **EXECUTIVE SUMMARY**

Highlights from the Quarterly Financial Analysis (QFA) for the nine months ended March 31, 2004 are presented below for information only. For more detailed information, see the QFA report which was provided separately to the Regents prior to the June meeting.

### ALL FUNDS, COMBINED

- Available resources of \$1.0 billion exceeded expenditures of \$929.6 million, resulting in a net increase of \$82.1 million.

### NORMAN CAMPUS

- Total available resources of \$510.5 million exceeded expenditures of \$449.2 million, resulting in a net increase of \$61.3 million.
- Education and General resources of \$278.0 million exceeded expenditures of \$228.0 million, resulting in a net increase of \$50.0 million.
- Of the fourteen major auxiliary enterprises and services units (those generating year-to-date revenues of \$1.5 million or more), twelve are reporting net increases to the bottom line. The two reporting decreases have, with the exception of the Athletic Department, accumulated sufficient reserves to fund their respective losses.

#### HEALTH SCIENCES CENTER

- Total available resources of \$501.2 million exceeded expenditures of \$480.4 million, resulting in a net increase of \$20.8 million.
- Education and General resources of \$94.7 million exceeded expenditures of \$83.0 million, resulting in a net increase of \$11.7 million.
- Of the three major auxiliary enterprises and service units (those generating year-to-date revenues of \$1.5 million or more) all are reporting net increases to the bottom line.
- Professional Practice Plan (PPP) resources of \$150.6 million exceeded expenditures of \$145.3 million, resulting in a net increase of \$5.3 million.

This report was for information only. No action was required.

#### **QUARTERLY REPORT OF PURCHASES**

The Board of Regents' policy governing the buying and selling of goods and services states that:

- I. Purchases and/or acquisition of goods and services over \$125,000 must be submitted to the Board for prior approval; and
- II. Purchase obligations between \$50,000 and \$125,000 must be reported quarterly to the Board as an information item. Sole source procurements in this category must also be reported and identified as such.

The quarterly report for II above is shown below.

#### QUARTERLY REPORT OF PURCHASES February 1, 2004 through April 30, 2004

| <u>Item</u> | <u>Description</u> | <u>Campus-<br/>Department</u> | <u>Vendor</u> | <u>Award<br/>Amount</u> | <u>Explanation/<br/>Justification</u> |
|-------------|--------------------|-------------------------------|---------------|-------------------------|---------------------------------------|
|-------------|--------------------|-------------------------------|---------------|-------------------------|---------------------------------------|

#### PURCHASE OBLIGATIONS BETWEEN \$50,000 AND \$125,000

|   |  |  |                         |           |  |
|---|--|--|-------------------------|-----------|--|
| 1 | NC – Tape Library                            | Geosciences Computing Network          | Western Scientific Inc. | \$119,563 | Advanced Intelligence Tape library. Sorts and stores information into categories similar in manner to book titles.                               |
| 2 | HSC – Flow Cytometry (Cell Counting) Systems | Ophthalmology                          | Beckman Coulter Inc     | \$84,500  | For tissue and cell samples.   |
| 3 | HSC – Boiler Stack Economizer                | Site Support – Steam and Chilled Plant | Kentube Engineering     | \$107,350 | Maximizes heat transfer by using heat escaping from the stack to re-heat return steam. Includes end panels, transitions, soot-blower and valves. |
| 4 | NC – Uni-Boxes                               | Oklahoma Climatological Survey         | Solarcraft Inc          | \$84,000  | Equipment for use in the Oklahoma Mesonet.   |

SOLE SOURCE PROCUREMENTS IN EXCESS OF \$50,000

|   |   |                                   |                 |          |  |
|---|---|-----------------------------------|-----------------|----------|--|
| 5 | HSC – Portal and Learning System License and fees | Provost Office – Academic Affairs | Blackboard, Inc | \$67,075 | Competition not applicable. Renewal of annual licenses for the web based technology learning system. Original purchase of system was based on competition. |
| 6 | NC – Door Readers                                 | OneCard Office                    | Blackboard Inc  | \$66,450 | Competition not applicable. Equipment for ID Card System must be compatible with existing equipment. Original installation was based on competition.       |

|    |                                      |   |                                 |           |  |
|----|--------------------------------------|---|---------------------------------|-----------|--|
| 7  | HSC –Testing and Analysis System     | Cell Biology  | LKC Technologies Inc            | \$57,563  | Competition not applicable. Equipment must be compatible with existing equipment. Purchase of original equipment was based on competition.     |
| 8  | HSC – Subscription                   | Robert Bird Library                                   | Teton Data Systems              | \$60,186  | Competition not applicable. Renewal of annual subscription for online electronic books. Supplier is unique in the market.                      |
| 9  | HSC – Membership                     | College of Dentistry                                  | Oklahoma Dental Association     | \$51,706  | Competition not applicable. Unique professional membership required by the University.   |
| 10 | NC - Study Tour                      | International and Area Studies / East Asia            | Chinasmith Inc                  | \$50,882  | Competition not applicable. Particular supplier required by the associated sponsored project.  |
| 11 | NC – Summer Education Program        | Honors College  | First Fidelity Bank             | \$116,193 | Competition not applicable. Expenditure covers year four of the summer program for students and faculty to attend Brasenose College in Oxford. |
| 12 | NC – Authoring Tool and Model Course | National Center for Disability Education and Training | Dazzle Technologies Corporation | \$70,000  | Competition not applicable. Research and design services specifically required by the associated sponsored project.                            |

|    |                                       |   |                                   |          |   |
|----|---------------------------------------|---|-----------------------------------|----------|---|
| 13 | NC – Aerospace System                 | Aerospace and Mechanical Engineering – Research         | TSI Inc                           | \$79,569 | Competition not applicable. Equipment must be compatible with existing equipment. Purchase of original equipment was based on competition.              |
| 14 | NC – Array                            | Botany and Microbiology                                 | Affymetrix Inc                    | \$76,000 | Competition not applicable. Equipment and source uniquely specified by the associated sponsored project.  |
| 15 | NC – Diffusion Pump and Auto-Injector | Botany and Microbiology                                 | Agilent Technologies              | \$60,746 | Competition not applicable. Equipment must be compatible with existing equipment. Purchase of original equipment was based on competition.              |
| 16 | NC - Instruction and Fees             | College of Continuing Education Pre-Collegiate Programs | National Cheerleaders Association | \$61,200 | Cheerleading camp. Particular supplier required for continuity of program. Supplier has conducted camps for the University since 1953.                  |
| 17 | NC – Probes                           | Oklahoma Climatological Survey                          | Campbell Scientific Inc           | \$74,400 | Competition not applicable. Equipment must be compatible with existing equipment. Purchase of original equipment was specified by the Oklahoma Mesonet. |

|       |                                      |   |                           |           |   |
|-------|--------------------------------------|---|---------------------------|-----------|---|
| 18    | NC – Framing                         | Athletic Department                         | Hall of Frame Inc         | \$63,556  | Framing for east stadium suites and the McClendon Center for Intercollegiate Athletics. Vendor selected competitively previously. Selected without competition for this project due to matching, continuity, and compatibility of presentation. |
| 19    | HSC – Servers                        | Information Technology – Enterprise Systems | Dell Marketing LP         | \$64,925  | Competition not applicable. Equipment must be compatible with existing equipment. Purchase of original equipment was based on competition.  |
| 20    | HSC – System Implementation Services | Provost Office – Futurelink                 | IO Consulting             | \$56,500  | Competition not applicable. Services must have continuity with previous services. Selection of original services was based on competition.  |
| OTHER |                                      |   |                           |           |   |
| 21    | HSC – Subcontract*                   | Child Study Center                          | Highpointe Healthcare LLC | \$233,756 | Professional and technical services related to child care and neglect, as required by the associated sponsored project.   |

*\*This acquisition predates the January 2004 change in Board of Regents policy governing the acquisition of goods and services.*

This report was for information only. No action was required.

**ON-CALL ARCHITECTS AND ENGINEERS QUARTERLY REPORT**

In June 1999, the Board authorized a group of architectural and engineering firms to provide professional services required for small projects; and in July 2001, twelve additional architectural firms and seven additional civil engineering and surveying firms were added to the pool of on-call consultants. The work completed during the third quarter of fiscal year 2004 by on-call architectural and engineering firms is summarized below.

For the Norman Campus:

| <u>Firm Name</u>                                  | <u>Date Initiated</u> | <u>Work Performed</u>  | <u>Fee</u> |
|---|-----------------------|--|------------|
| Smith Roberts Baldischwiler, LLC<br>Oklahoma City | February 20, 2003     | Easement Descriptions, Topographic Survey and Stake Locations for ONG and OG&E Lines<br>(University Research Campus) | \$12,210   |
|   | January 29, 2004      | Topographic Survey<br>(Engineering and Technology Facilities)  | \$6,285    |

For the Health Sciences Center, Oklahoma City:

|  |                    |  |          |
|--|--------------------|--|----------|
| Architects In Partnership, P.C.<br>Norman                | April 15, 2004     | Plan Layout, Millwork Detail<br>(Service Center, Parking & Transportation Office)                | \$10,330 |
| Fritz Baily, Inc.<br>Tulsa                               | July 31, 2002      | Construction Documents and Construction Administration<br>(Sheridan Campus, Exterior Renovation) | \$33,233 |
| Determan Scheirman Consulting Engineers<br>Oklahoma City | September 26, 2000 | Electrical Engineering<br>(PA Classroom Addition, Family Medicine Center)                        | \$19,140 |
| Smith Roberts Baldischwiler, LLC<br>Oklahoma City        | September 5, 2003  | As-built Documentation<br>(For implementation of Parking Access and Revenue Control System)      | \$17,029 |

For the Schusterman Center, Tulsa:

|  |               |  |          |
|--|---------------|--|----------|
| Zebrowski Architecture & Planning, PLLC<br>from Urban Design Group)<br>Tulsa | June 26, 2003 | Architectural Design,<br>(assigned Construction Documents, Construction Administration<br>(Academic Renovations, Bldg 1) | \$13,440 |
|--|---------------|--|----------|



**CUMULATIVE TOTAL PROFESSIONAL FEES FOR WORK COMPLETED BY  
ON-CALLS THROUGH THE THIRD QUARTER OF FISCAL YEAR 2003-2004**

For the Norman Campus:

| <u>Firm Name</u>                                      | <u>Total Fees</u> |
|---|-------------------|
| Architectural Design Group, Inc., Oklahoma City       | \$52,712          |
| Architects In Partnership, P.C., Norman               | \$3,880           |
| Cardinal Engineering / Lemke Land Surveying, Norman   | \$3,300           |
| Frankfurt Short Bruza Associates, P.C., Oklahoma City | \$7,000           |
| Kirkpatrick, Forest, Curtis, Inc., Oklahoma City      | \$3,553           |
| Smith Roberts Baldischwiler, LLC, Oklahoma City       | \$18,495          |

For the Health Sciences Center, Oklahoma City:

| <u>Firm Name</u>                                       | <u>Total Fees</u> |
|--|-------------------|
| Architectural Design Group, Inc., Oklahoma City        | \$2,400           |
| Architects In Partnership, P.C., Norman                | \$10,330          |
| Determan Scheirman Consulting Engineers, Oklahoma City | \$19,140          |
| Kirkpatrick, Forest, Curtis, Inc., Oklahoma City       | \$660             |
| Smith Roberts Baldischwiler, LLC, Oklahoma City        | \$17,029          |

For the Schusterman Center and Sheridan Campus, Tulsa:

| <u>Firm Name</u>                               | <u>Total Fees</u> |
|--|-------------------|
| Fritz Baily, Inc., Tulsa                       | \$50,983          |
| Matrix Architects Engineers Planners, Tulsa    | \$28,900          |
| Zebrowski Architecture & Planning, PLLC, Tulsa | \$31,290          |

This report was for information only. No action was required.

**ON-CALL CONSTRUCTION-RELATED SERVICES QUARTERLY REPORT**

In December 2000, the Board of Regents authorized the administration to award a contract to Warden Construction of Stillwater for on-call construction-related services for the Norman, Health Sciences Center and Schusterman Center campuses. It was indicated that the administration would provide a quarterly report to the Board for all work completed, as well as seek prior Board approval for any project with an estimated cost of \$125,000 or greater.

In September 2003, the Board added BOX Master Builders, L.L.C., of Tulsa for work on the Schusterman Campus, which allowed for greater flexibility and responsiveness to customer needs on that campus.

Work completed during the third quarter of fiscal year 2003/04 is summarized below.

| <u>Building/Location</u> | <u>Project Description</u>  | <u>Cost of Work</u> |
|--------------------------|---|---------------------|
| For the Norman Campus:   |   |                     |
| Robertson Hall           | Renovate first floor for Graduate College and Vice President for Research | \$ 84,040           |
| Hester Hall              | Renovate space for the Provost Office                                     | \$ 41,819           |

|  |  |           |
|--|--|-----------|
| June 22-23, 2004                             |  | 29202     |
| Physical Sciences Center                     | Modify room 132  | \$ 2,996  |
| Coats Hall                                   | Modify ductwork for classrooms 4 and 5   | \$ 3,383  |
| Physical Sciences Center                     | Remodel the eleventh floor for the Mathematics Department  | \$ 14,990 |
| 3200 Marshall Avenue                         | Provide carpet and paint for designated areas of the Parkway South facility for Real Estate Operations | \$123,787 |
| Gould Hall                                   | Replace the flooring in classrooms 101, 102 and 103  | \$ 11,136 |
| Oklahoma Memorial Union                      | Replace the carpet in room 273A  | \$ 377    |
| Couch Center                                 | Replace the carpet in room 233W  | \$ 387    |
| Gaylord Family-Oklahoma Memorial Stadium     | Provide freeze protection for piping at the north end zone   | \$ 25,441 |
| Burton Hall                                  | Replace the carpet; patch, repair and paint room 101   | \$ 4,332  |
| Sarkeys Energy Center                        | Remodel lab A206   | \$ 49,315 |
| Couch Center Cafeteria                       | Repair broken countertop   | \$ 533    |
| Coats Hall                                   | Modify HVAC system and repair wall on second floor   | \$ 7,446  |
| Lloyd Noble Center                           | Construct food preparation area in room 342  | \$ 35,343 |
| Gaylord Family-Oklahoma Memorial Stadium     | Install new carpet on the second floor west side (old band room)                                       | \$ 17,168 |
| Goddard Health Center                        | Remodel the basement shower area to make it ADA compliant  | \$ 9,411  |
| For the Health Sciences Center:              |  |           |
| O'Donoghue Rehabilitation Institute          | Replace 15 KV Switch   | \$ 30,059 |
| University Hospital                          | Relocate the Lloyd Radar Memorial Statue   | \$ 20,402 |
| College of Health Building                   | Remodel rooms 144-146  | \$ 18,902 |
| For the Schusterman Center:                  |  |           |
| No activity for Third Quarter of FY 2003/04. |  |           |

This report was for information only. No action was required.

**LEASE OF REAL PROPERTY - NC**

Savoie Lottinville Hall is an aging facility located on the main part of Norman Campus. Due to its age and condition, it is becoming increasingly cost prohibitive to operate and maintain. Its design and configuration do not readily lend themselves to cost effective remodeling or reconfiguration; therefore, the University's administration has determined that it is best to vacate the facility, demolish it, and begin planning for the construction of a new academic facility.

Two departments, University Press and Printing Services, are currently housed in Savoie Lottinville Hall. University Press is in the process of relocating to another University-owned space adjacent to its existing Venture Drive location. Despite a search of all University-owned space, there is not sufficient or appropriate space to accommodate the needs of Printing Services on Campus. A search of other potential Norman area locations resulted in the identification of a facility located at 2101 Tecumseh Road. The property comprises approximately 70,000 square feet of which 30,000 will be leased by the University. The building was formerly used for a printing operation, and will require very little modification to house Printing Services.

Negotiations were conducted and completed, and an annual per-square-foot price of \$6.50 was agreed upon. This price is equal to or lower than comparable per-square-foot pricing of similar property in the area. The lease also provides the University the option, upon Board of Regents' approval, to exercise a purchase option at the conclusion of the initial term or extend the lease an additional five one-year terms at a fixed rate of \$7.00 per-square-foot.

Funding has been identified, set aside and is available within Printing Services operations accounts.

President Boren recommended the Board of Regents authorize the President or his designee to enter into a lease agreement in the amount of \$195,000 per year to Tecumseh Road Building No. One, LLC of Norman, Oklahoma, for the use of office and production space at 2101 Tecumseh Road, Norman, Oklahoma, for a one-year period beginning September 1, 2004, with the option to renew for four additional one-year periods.

Regent Weitzenhoffer moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

**ACQUISITION AND SALE OF PROPERTIES - NC**

The University's administration recommends that it be authorized to pursue the sale of one single family house and two four-plex apartment units located on the corner of Cruce and Chautauqua in Norman. The administration also recommends that it be authorized to acquire a single family house on Jenkins. The maps attached hereto as Exhibit J show the locations of the properties.

The University received the Cruce and Chautauqua properties in 2001 from The University of Oklahoma Foundation after they were gifted to the Foundation by Louis deStolinski. The University has been managing the properties since acquisition at a modest profit. The administration seeks authorization to sell the properties and employ the proceeds to address other real estate priorities for the University.

The University of Oklahoma Foundation received the Jenkins property in June, 2004 from Yoshi Sasaki. The Foundation is transferring the property to the University.

The sale and acquisition of these properties meet Regents' policy.

President Boren recommended the Board of Regents:

- I. Authorize the administration to sell properties located at 635 Chautauqua, 643 Chautauqua and 621 Cruce Streets in Norman; the proceeds from which will be utilized to address other real estate priorities; and
- II. Authorize the administration to acquire property located at 1017 Jenkins in Norman, from The University of Oklahoma Foundation.

Regent Everest moved approval of the recommendation as amended to correct the street addresses as shown above. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **ACADEMIC PERSONNEL ACTIONS ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS**

Regent Everest moved the Board meet in executive session for the purpose of discussing personnel-related issues as listed above. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

The executive session was held in the same location and began at 11:43 a.m.

The meeting reconvened in regular session at 12:08 p.m.

### **ACADEMIC PERSONNEL ACTIONS**

Health Sciences Center:

#### **LEAVES OF ABSENCE:**

Bender, Denise Gaffigan, Assistant Professor of Rehabilitation Sciences, Adjunct Assistant Professor of Allied Health Sciences, and Clinical Instructor in Geriatrics, leave of absence without pay, May 24, 2004 through July 21, 2004.

Candler, Christopher Scott, Assistant Professor of Medicine, Associate Dean of Education, College of Medicine, and Director, Office of Educational Development and Support, leave of absence without pay, July 1, 2004 through June 30, 2005.

Chadek, Richard Frank, Assistant Professor of Family and Preventive Medicine, military leave of absence with pay, May 12, 2004 through June 9, 2004; military leave of absence without pay, June 10, 2004 through September 10, 2004.

Hall, Thomas A., Associate Professor of Occupational and Environmental Health, medical leave of absence with pay, April 19, 2004 through August 12, 2004.

Hildebrand, P. Lloyd, Assistant Professor of Ophthalmology, leave of absence without pay extended, July 1, 2004 through June 30, 2005.

Malke, Horst, G., Visiting Professor of Microbiology and Immunology, leave of absence without pay, June 1, 2004 through September 1, 2004.

Wisdom, Peggy J., Professor and Vice Chair of Neurology, medical leave of absence with pay, April 21, 2004 through July 21, 2004.

#### NEW APPOINTMENTS:

Abramson, Wendy B., Instructor in Anesthesiology, annualized rate of \$65,000 for 12 months (\$5,416.67 per month), June 30, 2004 through June 30, 2005.

Ahmad, Salahuddin, Ph.D., Associate Professor of Radiological Sciences, annualized rate of \$80,000 for 12 months (\$6,666.67 per month), June 30, 2004 through June 30, 2005. New tenure track appointment.

Barud, Stephanie J., Pharm.D., Clinical Assistant Professor of Pharmacy Clinical and Administrative Sciences, annualized rate of \$73,000 for 12 months (\$6,083.33 per month), July 31, 2004 through June 30, 2005.

Caballero, Michelle R., M.D., Assistant Professor of Anesthesiology, annualized rate of \$65,000 for 12 months (\$5,416.67 per month), June 30, 2004 through June 30, 2005. New consecutive term appointment.

Ference, Jonathan D., Pharm.D., Clinical Assistant Professor of Pharmacy Clinical and Administrative Sciences, Tulsa, annualized rate of \$73,000 for 12 months (\$6,083.33 per month), June 30, 2004 through June 30, 2005.

Gormley, Andrew K., M.D., Assistant Professor of Pediatrics, annualized rate of \$150,000 for 12 months (\$12,500.00 per month), June 30, 2004 through June 30, 2005. New tenure track appointment. University base salary \$70,000. Departmental salary \$80,000.

Henley, Charles E., D.O., Professor of Family Medicine, Tulsa, and The Founders and Associates Research Chair in Family Medicine, Tulsa, annualized rate of \$115,000 for 12 months (\$9,583.33 per month), June 30, 2004 through June 30, 2005. New consecutive term appointment.

Hoffman, LaVae M., Ph.D., Assistant Professor of Communication Sciences and Disorders, annualized rate of \$55,000 for 10 months (\$5,500.00 per month), July 31, 2004 through June 30, 2005. New tenure track appointment.

Hritzak, Kimberly A., Pharm.D., Clinical Assistant Professor of Pharmacy Clinical and Administrative Sciences, Tulsa, annualized rate of \$73,000 for 12 months (\$6,083.33 per month), June 30, 2004 through June 30, 2005.

Jafari-Boroujerdi, Mehrdad, M.D., Assistant Professor of Medicine, annualized rate of \$60,000 for 12 months (\$5,000.00 per month), July 19, 2004 through June 30, 2005. New tenure track appointment.

Marcy, Todd R., Pharm.D., Assistant Professor of Pharmacy Clinical and Administrative Sciences, annualized rate of \$74,000 for 12 months (\$6,166.67 per month), June 30, 2004 through June 30, 2005. New consecutive term appointment.

McCollum, Jeffrey S., M.D., Associate Professor of Family Medicine, Tulsa, annualized rate of \$100,000 for 12 months (\$8,333.33 per month), June 28, 2004 through June 30, 2005. New consecutive term appointment.

Mwachofi, Ari, Ph.D., Assistant Professor of Health Administration and Policy, annualized rate of \$80,000 for 12 months (\$6,666.67 per month), July 1, 2004 through June 30, 2005. New tenure track appointment. Tenurable base salary \$60,000 plus minority recruitment supplement of \$20,000 for 3 years.

Payne, Deidre R., Pharm.D., Assistant Professor of Pharmacy Clinical and Administrative Sciences, annualized rate of \$74,000 for 12 months (\$6,166.67 per month), June 30, 2004 through June 30, 2005. New consecutive term appointment.

Rooms, Laura M., M.D., Assistant Professor of Pediatrics, annualized rate of \$60,000 for 12 months (\$5,000.00 per month), June 1, 2004 through June 30, 2004. New consecutive term appointment.

Santoro, Jose E., M.D., Assistant Professor of Anesthesiology, annualized rate of \$65,000 for 12 months (\$5,416.67 per month), May 31, 2004 through June 30, 2004. New consecutive term appointment.

Saxena, Kapil, M.B.B.S., Assistant Professor of Pediatrics, annualized rate of \$60,000 for 12 months (\$5,000.00 per month), June 30, 2004 through June 30, 2005. New consecutive term appointment.

Seaman, Jeffrey S., M.D., Associate Professor of Psychiatry and Behavioral Sciences, annualized rate of \$80,000 for 12 months (\$6,666.67 per month), June 30, 2004 through June 30, 2005. New consecutive term appointment.

Smith, Zachary, Assistant Professor of Radiologic Technology, annualized rate of \$60,000 for 10 months (\$6,000.00 per month), June 30, 2004 through June 30, 2005. New consecutive term appointment.

Walston, Stephen L. Ph.D., Associate Professor of Health Administration and Policy and Director of Executive Education, Department of Health Administration and Policy, annualized rate of \$95,000 for 12 months (\$7,916.67 per month), July 30, 2004 through June 30, 2005. Includes an administrative supplement of \$15,000 while serving as Director of Executive Education. New tenure track appointment. Tenurable base salary \$80,000.

Wang, Jian-Zhong, Ph.D., Assistant Professor of Radiological Sciences, annualized rate of \$65,000 for 12 months (\$5,416.67 per month), June 7, 2004 through June 30, 2004. New tenure track appointment.

Wilson, Justin B., Pharm.D., Clinical Assistant Professor of Pharmacy Clinical and Administrative Sciences, annualized rate of \$18,500 for 12 months (\$1,541.67), 0.25 time, May 1, 2004 through June 30, 2004.

Zondor, Stacey Deanne, Pharm.D., Assistant Professor of Pharmacy Clinical and Administrative Sciences, annualized rate of \$74,000 for 12 months (\$6,166.67 per month), July 30, 2004 through June 30, 2005. New consecutive term appointment.

#### CHANGES:

Adelson, David Michael, title changed from Clinical Assistant Professor to Associate Professor of Dermatology, Tulsa, given additional titles Vice Chair of Dermatology, Tulsa, Associate Professor of Dermatology, OKC, and Associate Professor of Internal Medicine, Tulsa; salary changed from without remuneration to annualized rate of \$60,000 for 12 months (\$5,000.00 per month), June 30, 2004 through June 30, 2005. New consecutive term appointment.

Archer, Ann G., Associate Professor of Radiological Sciences, Director of Breast Imaging, and The Elizabeth Merrick Coe Chair in Breast Imaging, appointment start date changed from April 1, 2004 to March 31, 2004. Correction to previous action.

Arnold, Charles D., Assistant Professor of Radiological Sciences, given additional title Program Director, Nuclear Medicine Residency Program, July 1, 2003. To correct internal records.

Bigfoot, Dolores Subia, title changed from Assistant Professor of Research to Assistant Professor of Pediatrics, retains title Adjunct Assistant Professor of Research, Department of Psychiatry and Behavioral Sciences; annualized rate of \$71,000 for 12 months (\$5,916.67 per month), May 1, 2004 through June 30, 2004. Changing to consecutive term appointment.

Bowlware, Karen L., Clinical Instructor in Pediatrics, salary changed from annualized rate of \$65,000 for 12 months (\$5,416.67 per month), full time, to annualized rate of \$32,500 for 12 months (\$2,708.33 per month), 0.50 time, July 1, 2004 through June 30, 2005.

Comp, Philip C., Professor of Medicine and Adjunct Professor of Pathology, salary changed from annualized rate of \$161,200 for 12 months (\$13,433.33 per month) to annualized rate of \$117,051 for 12 months (\$9,754.24 per month), April 12, 2004 through June 30, 2004.

Relinquished title as GCRC Program Director.

Eggleston, Cherrie A., title changed from Assistant Professor to Adjunct Instructor in Radiologic Technology, titles Clinical Coordinator, Department of Radiologic Technology, and Adjunct Instructor in Allied Health Sciences deleted; salary changed from annualized rate of \$60,000 for 12 months (\$5,000.00 per month) to without remuneration, July 1, 2004 through June 30, 2005.

Gardner, Patricia D., title changed from Assistant Professor of Research to Assistant Professor of Pediatrics, annualized rate of \$57,750 for 12 months (\$4,812.50 per month), May 1, 2004 through June 30, 2004. Changing to consecutive term appointment.

Grantham, Vesper V., title changed from Clinical Assistant Professor to Assistant Professor of Radiologic Technology; salary changed from annualized rate of \$42,002 for 12 months (\$3,500.15 per month) to annualized rate of \$60,000 for 12 months (\$5,000.00 per month), May 1, 2004 through June 30, 2004. New consecutive term appointment.

Harley, John B., George Lynn Cross Research Professor of Medicine, The James R. McEldowney Chair in Immunology, Adjunct Professor of Microbiology and Immunology, and Adjunct Professor of Pathology, title Vice Chair for Research, Department of Medicine, deleted, salary changed from annualized rate of \$125,921 for 12 months (\$10,493.42 per month) to annualized rate of \$110,921 for 12 months (\$9,243.42 per month), June 1, 2004 through June 30, 2004. Deleting \$15,000 administrative supplement for Vice Chair for Research, Department of Medicine.

Herndon, William A., Clinical Professor of Orthopedic Surgery and Rehabilitation, salary changed from without remuneration to annualized rate of \$10,500 for 12 months (\$875.00 per month), 0.15 time, May 1, 2004 through June 30, 2004.

Holmquist-Day, Lori, title changed from Clinical Instructor to Clinical Assistant Professor of Pediatrics, May 1, 2004 through June 30, 2004. Completion of post-doctoral fellowship.

Lees, Julie, title changed from Clinical Instructor to Clinical Assistant Professor of Pediatrics, salary changed from without remuneration to annualized rate of \$30,000 for 12 months (\$2,500.00 per month), 0.50 time, June 30, 2004 through June 30, 2005.

Leonard, Joseph E., Clinical Professor of Otorhinolaryngology, salary changed from without remuneration to annualized rate of \$9,000 for 12 months (\$750.00 per month), 0.15 time, July 1, 2004 through June 30, 2005.

Lyons, Timothy J., Professor of Medicine, The William K. Warren Chair in Diabetes Studies, and Section Chief, Division of Endocrinology and Metabolism; given additional title Program Director of GCRC, Department of Medicine; salary changed from annualized rate of \$166,700 for 12 months (\$13,391.67 per month) to annualized rate of \$205,000 for 12 months (\$17,083.35 per month), April 12, 2004 through June 30, 2004. Includes an administrative supplement of \$43,925 while serving as Director GCRC. Tenured base salary \$100,000.

Millan, Daniel A., title corrected from Clinical Assistant Professor of Medicine to Clinical Assistant Professor of Anesthesiology, March 5, 2004 through June 30, 2004. Correction to action approved by OU Board of Regents May 7, 2004.

Moran, Maribeth L., Assistant Professor of Nursing, salary changed from annualized rate of \$43,966 for 12 months (\$3,663.85 per month) to annualized rate of \$53,966 for 12 months (\$4,497.19 per month), June 1, 2004 through June 30, 2004. Includes administrative supplement of \$10,000 for facilitator assignment in BSN second-degree program.

O'Rourke, Linda Rae, title changed from Instructor to Assistant Professor of Surgery, given additional title The Harris Foundation Professorship in Surgery Library Science, salary changed from annualized rate of \$43,417 for 12 months (\$3,618.11 per month) to annualized rate of \$55,000 for 12 months (\$4,583.36 per month), May 1, 2004 through June 30, 2004. Changing to consecutive term appointment. Includes an administrative supplement of \$11,583 while holding endowed professorship. University base salary \$43,417.

Sacra, John C., Clinical Associate Professor of Internal Medicine, Tulsa, given additional title Clinical Associate Professor of Family Medicine, Tulsa, July 1, 2004.

Smith, E. Michael, title changed from Clinical Associate Professor to Associate Professor of Psychiatry and Behavioral Sciences, annualized rate of \$86,275 for 12 months (\$7,189.58 per month), July 1, 2004 through June 30, 2005. Changing to consecutive term appointment.

Thompson, David M., Assistant Professor of Biostatistics and Epidemiology and Associate Director, Bioinformatics and Data Management Center, Department of Biostatistics and Epidemiology, given additional title Adjunct Assistant Professor of Allied Health Sciences, March 31, 2004.

Tuggle, David W., Professor and Vice Chairman of Surgery and The CMRI/Paula Milburn-Miller Chair in Pediatric Surgery, salary changed from annualized rate of \$61,925 for 12 months (\$5,160.42 per month) to annualized rate of \$100,000 for 12 months (\$8,333.34 per month), May 1, 2004 through June 30, 2004. Retention increase. Tenured base salary remains \$61,925.

Waner, Joseph L., Professor of Pediatrics, title Director of Technology Transfer deleted; given additional title Vice President for Research-Designate, Health Sciences Center, salary changed from annualized rate of \$95,255 for 12 months (\$7,937.91 per month) to annualized rate of \$150,000 for 12 months (\$12,500.00 per month), July 1, 2004. Executive Officer. Includes an administrative supplement of \$88,220 while serving as Vice President for Research. Tenured base salary \$61,780.

Warn, Ann A., Clinical Assistant Professor of Ophthalmology, salary changed from agreed contract rate to annualized rate of \$6,000 for 12 months (\$500.00 per month), .09 time, April 1, 2004 through June 30, 2004.



Yount, Brian James, Assistant Professor of Internal Medicine, Tulsa, and Assistant Professor of Pediatrics, Tulsa, appointment start date changed from July 15, 2004, to June 30, 2004. Correction to previous action.

#### RESIGNATIONS AND/OR TERMINATIONS:

Botchkarev, Alexei, Assistant Professor of Biochemistry and Molecular Biology, June 30, 2004.

Hughes, David B., Clinical Assistant Professor of Pharmacy Clinical and Administrative Sciences, May 31, 2004 (with accrued vacation through June 29, 2004).

Katragadda, Raghunath E., Assistant Professor of Medicine, June 11, 2004 (with accrued vacation through July 12, 2004).

Loftus, Christopher M., Professor and Chair of Neurosurgery and The Harry Wilkins Chair in Neurosurgery, June 1, 2004 (with accrued vacation through July 15, 2004).

Lu, You, Assistant Professor of Pathology, June 30, 2004 (with accrued vacation through July 28, 2004).

Mannion, John D., Clinical Professor of Surgery, April 1, 2004.

Pitcock, Christopher J., Assistant Professor of Medicine, May 29, 2004 (with accrued vacation through July 14, 2004).

Rainbolt, Leslie J., Clinical Assistant Professor of Dermatology, May 26, 2004 (with accrued vacation through May 31, 2004).

Sirna, Sara Jeanne, Clinical Associate Professor of Medicine, June 5, 2004.

Stanley, John R., Associate Professor of Obstetrics and Gynecology and Adjunct Assistant Professor of Radiological Sciences, June 30, 2004 (with accrued vacation through July 30, 2004).

#### RETIREMENTS:

Brandt, Edward N., Jr., Regents' Professor, Professor of Health Administration and Policy, Professor of Medicine, and Director, Center for Health Policy Research and Development, College of Public Health, September 3, 2004 (with accrued vacation through November 2, 2004), named Regents' Professor Emeritus.

May, Jude Thomas, David Ross Boyd Professor of Health Administration and Policy, December 31, 2004 (with accrued vacation through February 7, 2005), named David Ross Boyd Professor Emeritus of Health Administration and Policy.

Roane, James B., Professor and Co-Chair of Endodontics, July 1, 2004, named Professor Emeritus of Endodontics.

#### Norman Campus:

#### LEAVES OF ABSENCE:

Fowler, Loretta, Professor of Anthropology, leave of absence without pay, August 16, 2004 through May 15, 2005. Personal reasons.

Gudis, Catherine, Assistant Professor of Honors, leave of absence without pay, August 16, 2004 through May 15, 2005. Will head public history project on the history of Wilshire Boulevard in Los Angeles.

Kamau, Kwadwo A., Assistant Professor of English, leave of absence without pay, August 16, 2004 through May 15, 2005. Complete current novel and begin work on fourth novel.

Morrissey, Mark L., Associate Professor of Meteorology, leave of absence without pay, August 16, 2004 through December 31, 2004. Assume position of Pacific Island Science Officer for the Global Climate Observation System (GCOS) in Apia, Samoa.

Wahl, Michael D., Professor of Architecture and of Landscape Architecture, military leave of absence without pay, August 16, 2004 through May 15, 2005. Continues on unpaid military leave.

#### NEW APPOINTMENTS:

Cox, Johanna H., Assistant Professor of Music, annualized rate of \$41,000 for 9 months (\$4,555.55 per month), August 16, 2004 through May 15, 2005. New tenure-track faculty.

Drege, Lance M., Assistant Professor of Music, annualized rate of \$47,000 for 9 months (\$5,222.22 per month), August 16, 2004 through May 15, 2005. Changing from temporary faculty appointment to new tenure-track faculty.

Fagg, Andrew H., Ph.D., Associate Professor of Computer Science, annualized rate of \$80,000 for 9 months (\$8,888.88 per month), October 1, 2004 through May 15, 2005. New tenure-track faculty.

Foote, Joe S., Ph.D., Professor of Journalism and Mass Communication and Gaylord Family Endowed Chair #2, annualized rate of \$115,000 for 9 months (\$12,777.78 per month), August 16, 2004 through May 15, 2005. New faculty. Tenure credentials under review.

Gettys, Ann, Instructor of Zoology, annualized rate of \$27,000 for 9 months (\$3,000.00 per month), August 16, 2004 through May 15, 2009. Changing from temporary faculty appointment to five-year renewable term appointment.

Green, Matthew B., Research Associate, Engineering Dean's Office, annualized rate of \$70,000 for 12 months (\$5,833.33 per month), June 1, 2004.

McGovern, Amy, Ph.D., Assistant Professor of Computer Science, annualized rate of \$70,000 for 9 months (\$7,777.77 per month), January 3, 2005 through May 15, 2005. New tenure-track faculty.

O'Brien, Clara J., Assistant Professor of Music, \$43,000 for 9 months (\$4,777.77 per month), August 16, 2004 through May 15, 2005. New tenure-track faculty.

Olson, Brandon W., Ph.D., Assistant Professor of Aerospace and Mechanical Engineering, annualized rate of \$62,500 for 9 months (\$6,944.44 per month), August 16, 2004 through May 15, 2005. New tenure-track faculty.

Reichardt, Sarah, Ph.D., Assistant Professor of Music, annualized rate of \$39,500 for 9 months (\$4,388.88 per month), August 16, 2004 through May 15, 2005. New tenure-track faculty.

Stewart, Todd A., Assistant Professor of Art, annualized rate of \$40,000 for 9 months (\$4,444.44 per month), August 16, 2004 through May 15, 2005. New tenure-track faculty.

Thomas, George, Ph.D., Assistant Professor of Political Science, annualized rate of \$45,000 for 9 months (\$5,000.00 per month), August 16, 2004 through May 15, 2005. New tenure-track faculty.

White, Kathryn Jenson, Assistant Professor of Journalism and Mass Communication, annualized rate of \$49,000 for 9 months (\$5,444.44 per month), August 16, 2004 through May 15, 2005.

Changing from temporary faculty appointment to new tenure-track faculty.

Xu, Yunjun, Ph.D., Assistant Professor of Aerospace and Mechanical Engineering, annualized rate of \$62,500 for 9 months (\$6,944.44 per month), August 16, 2004 through May 15, 2005.

New tenure-track faculty.

#### REAPPOINTMENT:

Goodey, Paul R., Professor of Mathematics, reappointed as Chair of the Department of Mathematics, July 1, 2004 through June 30, 2008.

#### CHANGES:

Bluestein, Howard B., George Lynn Cross Research Professor of Meteorology, salary changed from annualized rate of \$117,327 for 9 months (\$13,036.33 per month) to annualized rate of \$127,327 for 9 months (\$14,147.44 per month), August 16, 2004. \$10,000 retention increase.

Brewster, Keith A., Senior Research Scientist, Center for the Analysis and Prediction of Storms, salary changed from annualized rate of \$84,000 for 12 months (\$7,000.00 per month) to annualized rate of \$88,200 for 12 months (\$7,350.00 per month), July 1, 2004. 5% merit increase.

Brotzge, Jerald A., Research Scientist, Center for the Analysis and Prediction of Storms, salary changed from annualized rate of \$67,000 for 12 months (\$5,583.33 per month) to annualized rate of \$72,360 for 12 months (\$6,030.00 per month), July 1, 2004. 8% merit increase.

Chesnokov, Evgeni, Research Professor, Energy Center Director's Office, salary changed from annualized rate of \$90,000 for 12 months (\$7,500.00 per month) to annualized rate of \$120,000 for 12 months (\$10,000.00 per month), June 1, 2004. 33% increase. Paid from grant funds; subject to availability of funds.

Cortinas, Jr., John V., Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$79,947 for 12 months (\$6,662.22 per month) to annualized rate of \$85,543 for 12 months (\$7,128.58 per month), July 1, 2004. 7% annual salary increase. Paid from grant funds; subject to availability of funds.

Damphousse, Kelly R., Associate Professor of Sociology, salary changed from annualized rate of \$53,031 for 9 months (\$5,892.33 per month) to annualized rate of \$60,000 for 9 months (\$6,666.66 per month), August 16, 2004. 13% merit retention increase.

Devenport, Lynn D., Professor of Psychology, additional stipend of \$13,512 for duties as Vice-Chair of the Norman Campus Institutional Review Board for 2004-2005 fiscal year.

Elmore, Kimberly L., Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$76,976 for 12 months (\$6,414.64 per month) to annualized rate of \$81,340 for 12 months (\$6,778.35 per month), July 1, 2004. 5.7% annual salary increase. Paid from grant funds; subject to availability of funds.

Gao, Jidong, Senior Research Scientist, Center for the Analysis and Prediction of Storms, salary changed from annualized rate of \$70,000 for 12 months (\$5,833.33 per month) to annualized rate of \$73,500 for 12 months (\$6,125.00 per month), July 1, 2004. 5% merit increase.

Ghosh, Dipankar, Associate Professor of Accounting, additional stipend of \$4,000 for administering the McLaughlin Award for Research in Ethics in Accounting and Taxation Program for 2003-2004 academic year.

Gibbens, Daniel G., Regents' Professor of Law and NCAA Faculty Representative, salary changed from annualized rate of \$88,083 for 12 months (\$7,340.25 per month), 0.68 time, to annualized rate of \$72,900 for 12 months (\$6,075.00 per month), 0.57 time, July 1, 2004.

Reduction due to continuation of phased retirement plan.

Greene, Barbara A., Professor of Educational Psychology, given additional title Chair of the Department of Educational Psychology, salary changed from annualized rate of \$52,000 for 9 months (\$5,777.77 per month) to annualized rate of \$82,000 for 12 months (\$6,833.33 per month), July 1, 2004. Changing from 9-month faculty appointment to 12-month academic administrator. Salary includes \$6,000 administrative stipend.

Hatlelid, Carl M., Research Associate, Engineering Dean's Office, salary changed from annualized rate of \$68,796 for 12 months (\$5,733.00 per month), 1.00 time, to annualized rate of \$34,398 for 12 months (\$2,866.50 per month), 0.50 time, June 1, 2003. Reduce to 0.50 time June 1, 2004 through November 30, 2004.

Hobson, Kenneth R., Lecturer of Zoology, salary changed from annualized rate of \$28,000 for 9 months (\$3,111.11 per month), 1.00 time, to annualized rate of \$28,000 for 9 months (\$3,111.11 per month), 0.75 time, August 16, 2004. FTE correction.

Ivic', Igor R., Research Associate, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$61,987 for 12 months (\$5,165.55 per month) to annualized rate of \$64,943 for 12 months (\$5,411.95 per month), July 1, 2004. 4.8% annual salary increase. Paid from grant funds; subject to availability of funds.

Kain, John S., Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$76,340 for 12 months (\$6,361.65 per month) to annualized rate of \$81,302 for 12 months (\$6,775.16 per month), July 1, 2004. 6.5% annual salary increase. Paid from grant funds; subject to availability of funds.

Kogan, Yefim L., Research Professor, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$110,113 for 12 months (\$9,176.07 per month) to annualized rate of \$116,719 for 12 months (\$9,726.63 per month), July 1, 2004. 6% annual salary increase. Paid from grant funds; subject to availability of funds.

Kogan, Zena, Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$66,942 for 12 months (\$5,578.48 per month), 1.00 time, to annualized rate of \$34,977 for 12 months (\$2,914.76 per month), 0.50 time, July 1, 2004. 4.5% annual salary increase. Paid from grant funds; subject to availability of funds.

Lakshmanan, Valliappa, Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$80,356 for 12 months (\$6,696.35 per month) to annualized rate of \$85,579 for 12 months (\$7,131.61 per month), July 1, 2004. 6.5% annual salary increase. Paid from grant funds; subject to availability of funds.

Lipe, Marlys G., Professor of Accounting, additional stipend of \$5,000 for Committee A Chair duties in the Michael F. Price College of Business for 2003-2004 academic year.

Magsig, Michael A., Research Associate, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$59,790 for 12 months (\$4,982.50 per month) to annualized rate of \$65,763 for 12 months (\$5,480.25 per month), July 1, 2004. 9.9% annual salary increase. Paid from grant funds; subject to availability of funds.

Mechem, David B., Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$60,000 for 12 months (\$5,000.00 per month) to annualized rate of \$63,600 for 12 months (\$5,300.00 per month), July 1, 2004. 6% annual salary increase. Paid from grant funds; subject to availability of funds.

Meinkov, Valery M., Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$68,467 for 12 months (\$5,705.58 per month) to annualized rate of \$72,205 for 12 months (\$6,017.11 per month), July 1, 2004. 5.5% annual salary increase. Paid from grant funds; subject to availability of funds.

Ostas, Daniel T., Professor of Legal Studies and James G. Harlow, Jr. Chair in Business Ethics and Community Service, additional stipend of \$2,500 for Committee A duties in the Michael F. Price College of Business for 2004-2005 academic year.

Pace, Terry M., Professor of Educational Psychology, delete title Chair of the Department of Educational Psychology, salary changed from annualized rate of \$80,124 for 12 months (\$6,677.00 per month) to annualized rate of \$64,500 for 9 months (\$7,166.66 per month), July 1, 2004. Changing from 12-month academic administrator to 9-month faculty position, 7% salary increase. Off OU payroll July 1, 2004 through August 15, 2004.

Pandora, Katherine A., Associate Professor of History of Science, salary changed from annualized rate of \$50,640 for 9 months (\$5,626.67 per month) to annualized rate of \$63,500 for 9 months (\$7,055.56 per month), August 16, 2004. 25% merit retention increase.

Peppler, Randy A., Research Associate and Associate Director, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$89,888 for 12 months (\$7,490.67 per month) to annualized rate of \$95,281 for 12 months (\$7,940.11 per month), July 1, 2004. 6% annual salary increase. Paid from grant funds; subject to availability of funds.

Portis, Diane M., Senior Research Associate, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$50,209 for 12 months (\$4,184.06 per month) to annualized rate of \$53,221 for 12 months (\$4,435.10 per month), July 1, 2004. 6% annual salary increase.

Ray, William O., given additional title, Vice Provost for Norman Programs in Tulsa; retains titles Dean of Tulsa Graduate College and Associate Professor of Mathematics, salary changed from annualized rate of \$101,764 for 12 months (\$8,480.33 per month) to annualized rate of \$128,000 for 12 months (\$10,666.66 per month), July 1, 2004. Retention/compression.

Ryzhkov, Alexander, V., Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$106,723 for 12 months (\$8,893.63 per month) to annualized rate of \$111,889 for 12 months (\$9,324.08 per month), July 1, 2004. 4.8% annual salary increase. Paid from grant funds; subject to availability of funds.

Schaefer, Shawn M., Assistant Professor of Architecture and Director of the Master of Architectural Urban Studies Program at Tulsa, salary changed from annualized rate of \$85,000 for 12 months (\$7,083.33 per month) to annualized rate of \$95,000 for 12 months (\$7,916.66 per month), July 1, 2004. 12% increase.

Schultz, David M., Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$73,223 for 12 months (\$6,101.89 per month) to annualized rate of \$76,613 for 12 months (\$6,384.41 per month), July 1, 2004. 4.6% annual salary increase. Paid from grant funds; subject to availability of funds.

Schuur, Terry J., Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$65,499 for 12 months (\$5,458.28 per month) to annualized rate of \$69,076 for 12 months (\$5,756.30 per month), July 1, 2004. 5.4% annual salary increase. Paid from grant funds; subject to availability of funds.

Schwarzkopf, Albert B., Associate Professor of Management Information Systems, additional stipend of \$2,500 for Committee A duties in the Michael F. Price College of Business for 2003-2004 academic year and \$5,000 for Committee A Chair duties in the Michael F. Price College of Business for 2004-2005 academic year.

Sinclair, Carl E., Research Associate, Center for the Analysis and Prediction of Storms, title changed to Research Scientist, Center for the Analysis and Prediction of Storms, salary changed from annualized rate of \$51,000 for 12 months (\$4,250.00 per month) to annualized rate of \$60,000 for 12 months (\$5,000.00 per month), July 1, 2004. Promotional increase.

Smith, Travis M., Research Associate, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$56,286 for 12 months (\$4,690.47 per month) to annualized rate of \$61,661 for 12 months (\$5,138.41 per month), July 1, 2004. 9.5% annual salary increase. Paid from grant funds; subject to availability of funds.

Spencer, Phillip L., Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$61,854 for 12 months (\$5,154.49 per month) to annualized rate of \$64,266 for 12 months (\$5,355.52 per month), July 1, 2004. 3.9% annual salary increase. Paid from grant funds; subject to availability of funds.

Stock, Duane R., Professor of Finance and Michael F. Price Student Investment Fund Professor, additional stipend of \$2,500 for Committee A duties in the Michael F. Price College of Business for 2003-2004 academic year and \$2,500 for Committee A duties in the Michael F. Price College of Business for 2004-2005 academic year.

Stumpf, Gregory J., Research Associate, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$72,839 for 12 months (\$6,069.95 per month) to annualized rate of \$80,116 for 12 months (\$6,676.34 per month), July 1, 2004. 9.9% annual salary increase. Paid from grant funds; subject to availability of funds.

Taylor, E. Lorette, Associate Professor of Health and Exercise Science and Chair of the Department of Health and Exercise Science, additional stipend of \$19,092 for duties as Chair of the Norman Campus Institutional Review Board for 2004-2005 fiscal year.

Thomas, Kevin W., Research Associate, Center for the Analysis and Prediction of Storms, salary changed from annualized rate of \$65,000 for 12 months (\$5,416.67 per month) to annualized rate of \$71,370 for 12 months (\$5,947.50 per month), July 1, 2004. 9.8% merit increase.

Torres, Sebastian M., Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$75,591 for 12 months (\$6,299.24 per month) to annualized rate of \$80,504 for 12 months (6,708.69 per month), July 1, 2004. 6.5% annual salary increase. Paid from grant funds; subject to availability of funds.

Wang, Yunheng, Research Associate, Center for the Analysis and Prediction of Storms, title changed to Research Scientist, Center for the Analysis and Prediction of Storms, salary changed from annualized rate of \$45,000 for 12 months (\$3,750.00 per month) to annualized rate of \$60,000 for 12 months (\$5,000.00 per month), July 1, 2004. Promotional increase.

Weber, Daniel B., Senior Research Scientist, Center for the Analysis and Prediction of Storms, salary changed from annualized rate of \$82,000 for 12 months (\$6,833.33 per month) to annualized rate of \$86,100 for 12 months (\$7,175.00 per month), July 1, 2004. 5% merit increase.

Zhang, Jian, Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$67,619 for 12 months (\$5,634.96 per month) to annualized rate of \$71,602 for 12 months (\$5,966.86 per month), July 1, 2004. 5.9% annual salary increase. Paid from grant funds; subject to availability of funds.

#### NEPOTISM WAIVER:

Baker, Emily L., Undergraduate Research Assistant, School of Social Work, \$10.00 per hour, 0.50 time, May 10, 2004. Ms. Baker is the daughter of Dr. Donald R. Baker, Associate Professor of the School of Social Work. Ms. Baker's will work in the area of database management and statistical analysis on the evaluation project for State Incentive Cooperative Agreement sponsored and funded by the Oklahoma State Department of Mental Health. Ms. Baker will be a valuable asset in these areas, assuring the timely completion of this project. Dr. Roosevelt Wright, Director of the School of Social Work, will be her immediate supervisor during this period. A Nepotism Waiver Management Plan has been reviewed and approved to ensure that Dr. Donald Baker is removed from any and all financial or supervisory matters relating to Ms. Emily Baker.

#### RESIGNATIONS AND/OR TERMINATIONS:

Bernd, Lisa J., Assistant Professor of Drama, July 31, 2004.

Champagne, Salvatore C., Assistant Professor of Music and Chair of the Voice Department, May 16, 2004. Accepted position at Oberlin Conservatory of Music.

Claibourn, Michele P., Assistant Professor of Political Science, August 15, 2004. Accepted position at the University of Virginia.

De Nevers, Renee, Assistant Professor of Political Science and of International and Area Studies, August 15, 2004. Accepted position in the Maxwell School Department of Political Science, Syracuse University.

Fiske, Shany, Lecturer of Expository Writing Program, July 1, 2004. Five-year renewable term faculty. Acceptance rescinded.

Hogue, Samuel R., Associate Professor of Landscape Architecture, May 16, 2005.

Horowitz, Edward M., Assistant Professor of Communication, May 31, 2004. Accepted position at Cleveland State University.

Hoskisson, Robert E., Professor of Management and Rath Chair in Strategic Management, July 1, 2004. Accepted position at Arizona State University.

Kawabata, Eiji, Assistant Professor of Political Science and of International and Area Studies, August 15, 2004. Accepted position at Minnesota State University, Mankato.

Martin, Paul S., Assistant Professor of Political Science, August 15, 2004. Accepted position at The University of Virginia.

McDougall, Gordon, Professor of Drama, May 15, 2004.

Mical, Thomas, Assistant Professor of Architecture, June 1, 2004.

Payne, Jeffrey L., Assistant Professor of Accounting, August 15, 2004. Accepted position at The University of Kentucky.

Scott, Thurman E., Research Assistant Professor of PoroMechanics Institute, Sarkeys Energy Center, May 16, 2004. To manage personal business.

Additional Actions:

LEAVE OF ABSENCE:

Smith, Tyler J., Assistant Professor of Classics and Letters, leave of absence without pay, August 16, 2004 through May 15, 2005. Visiting position in the McIntire Department of Art, University of Virginia, extended.

NEW APPOINTMENT:

Yadav, Pradeep K., Ph.D., Professor of Finance and W. Ross Johnston Chair in Finance, annualized rate of \$190,000 for 9 months (\$21,111.11 per month), January 1, 2005 through May 15, 2005. New faculty. Tenure credentials under review.

President Boren recommended the Board of Regents approve the academic personnel actions shown above.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

President Boren regretted to report the following deaths:

Williams, Richard P., Professor Emeritus of Reading Education, April 29, 2004.

Woodard, Clayton E., Clinical Assistant Professor of Family Medicine, Tulsa, September 3, 2003.

**ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS - NC AND HSC**

Health Sciences Center:

NEW APPOINTMENT:

Urice, Daniel Rex, Development Officer, University Development, annualized rate of \$65,000 for 12 months (\$5416.66 per month), April 26, 2004. Administrative Staff.

REAPPOINTMENTS:

Jones, Gayle Hill, Development Officer, University Development, annualized rate of \$75,000 for 12 months (\$6250.00 per month), May 3, 2004. Administrative Staff.



Pham, Ngoc Trinh Thuy, Nuclear Staff Pharmacist, College of Pharmacy annualized rate of \$80,000 for 12 months (\$6666.67 per month), May 17, 2004. Professional Staff.

#### CHANGES:

Hackney, Melissa, Patient Care Manager, General Clinical Research Center, salary changed from annualized rate of \$57,200 for 12 months (\$4,766.67 per month) to annualized rate of \$62,920 for 12 months (\$5,243.34 per month), April 1, 2004. Professional Staff. Equity Adjustment.

Peek, Carolyn A., title changed from Clinical Pharmacist, College of Pharmacy to Pharmacy Manger, College of Pharmacy, salary changed from annualized rate of \$70,297 for 12 months (\$5,858.08 per month) to annualized rate of \$85,000 for 12 months (\$7,083.33 per month), June 6, 2004. Managerial Staff. Promotion.

Stanton, Kathleen B., title changed from Assistant Director to Executive Director, HSC Student Affairs, salary changed from annualized rate of \$47,000 for 12 months (\$3,916.67 per month) to annualized rate of \$65,000 for 12 months (\$5,416.67 per month), July 1, 2004. Changed from Administrative Staff to Administrative Officer.

#### Norman Campus:

#### TRANSFERS:

Cook, Rennie R., title changed from Executive Director of HSC Student Affairs and Associate Director, Center for Student Life, to Director of the Center for Student Life and Associate Dean of Students, transferring from HSC office to Norman Campus office, salary changed from annualized rate of \$65,000 for 12 months (\$5,458.34 per month) to annualized rate of \$80,000 for 12 months (\$6,666.67 per month), July 1, 2004. Administrative Officer.

Gould, Anthony D., Associate General Counsel, Office of Legal Counsel, transferring from Health Sciences Center office to the Norman Campus office, remains annualized rate of \$90,000 for 12 months (\$7,500.00 per month), effective July 1, 2004. Administrative Staff.

#### NEW APPOINTMENT:

Hoffman, James B., Assistant Men's Basketball Coach, Athletic Department, contract term of one year with option to extend annually, annualized rate of \$115,000 for 12 months (\$9,583.33 per month) base salary, additional and outside compensation from unrestricted private funds of \$5,000 annually, and performance bonuses including up to two months base salary for a National Championship. Merit. May 10, 2004. Professional Staff.

#### CHANGES:

Adams, Richard W., Information Technology Analyst II, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$65,753 for 12 months (\$5,479.40 per month) to annualized rate of \$69,343 for 12 months (\$5,778.58 per month), July 1, 2004. Managerial Staff. 5.5% annual salary increase. Paid from grant funds; subject to availability of funds.

Benner, Mark R., Information Technology Analyst III, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$63,241 for 12 months (\$5,270.06 per month) to annualized rate of \$66,340 for 12 months (\$5,528.29 per month), July 1, 2004. Managerial Staff. 4.9% annual salary increase. Paid from grant funds; subject to availability of funds.

Bradley, Clifton D., title changed from Associate Dean of Students, Student Affairs, to Associate Dean for Recruitment Services, Prospective Student Services [remains Administrator II], salary remains annualized rate of \$76,560 for 12 months (\$6,380.00 per month), July 1, 2004. Administrative Staff.

Braun, Janet K., Scientist/Researcher III, Sam Noble Oklahoma Museum of Natural History, given additional title Head Curator, Sam Noble Oklahoma Museum of Natural History, salary changed from annualized rate of \$60,445 for 12 months (\$5,037.08 per month) to annualized rate of \$65,445 for 12 months (\$5,453.75 per month), May 15, 2004. Professional Staff.

Brogden, Jeffrey W., Information Technology Analyst III, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$78,941 for 12 months (\$6,578.41 per month) to annualized rate of \$83,330 for 12 months (\$6,944.17 per month), July 1, 2004. Managerial Staff. 5.6% annual salary increase. Paid from grant funds; subject to availability of funds.

Brooks, Gwineth F., Information Technology Specialist III, Financial Aid Services, salary changed from annualized rate of \$47,719 for 12 months (\$3,976.58 per month) to annualized rate of \$60,000 for 12 months (\$5,000.00 per month), July 1, 2004. Managerial Staff. Compensation for additional responsibilities.

Burcham, Darwin H., Information Technology Analyst III, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$84,356 for 12 months (\$7,029.65 per month) to annualized rate of \$87,646 for 12 months (\$7,303.81 per month), July 1, 2004. Managerial Staff. 3.9% annual salary increase. Paid from grant funds; subject to availability of funds.

\*Castiglione, Joseph, Director of Athletics, Athletic Department, annual review of compensation and contract of employment.

\*Coale, Sherri, Head Coach Women's Basketball, Athletic Department, annual review of compensation and contract of employment.

Cochell, Larry, Head Coach Men's Baseball, Athletic Department, annual review of compensation and contract of employment; base salary changed from \$103,800 to \$109,000 annually with current performances bonuses, effective July 1, 2004; other terms and conditions remain the same. Professional staff. Merit.

Curtis, Christopher D., Information Technology Analyst III, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$64,358 for 12 months (\$5,363.19 per month) to annualized rate of \$67,994 for 12 months (\$5,666.21 per month), July 1, 2004. Managerial Staff. 5.6% annual salary increase. Paid from grant funds; subject to availability of funds.

Davenport, Jeffrey, K., Manager, One Card Office, salary changed from annualized rate of \$48,000 for 12 months (\$4,000.00 per month) to annualized rate of \$60,000 for 12 months (\$5,000.00 per month), July 1, 2004. Managerial Staff. Retention.

Evans, Randy, Head Coach, Women's Soccer, Athletic Department, annual review of compensation and contract of employment; one year term with option to extend annually; base salary changed from \$58,000 to \$61,000 annually with additional performances bonuses including up to two months base salary for a National Championship, effective July 1, 2004. Professional Staff. Merit, equity.

---

\* See amendments on pages 29222-29226.

Forren, Harry E., Information Technology Analyst III, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$74,107 for 12 months (\$6,175.60 per month) to annualized rate of \$78,072 for 12 months (\$6,506.00 per month), July 1, 2004. Managerial Staff. 5.3% annual salary increase. Paid from grant funds; subject to availability of funds.

\*Gasso, Patty, Head Coach, Women's Softball, Athletic Department, annual review of compensation and contract of employment.

\*Gundy, Cale, Assistant Football Coach, Athletic Department, annual review of compensation and contract of employment.

Hill, Scott D., Information Technology Specialist II, Center for the Analysis and Prediction of Storms, salary changed from annualized rate of \$60,000 for 12 months (\$5,000.00 per month) to annualized rate of \$78,000 for 12 months (\$6,500.00 per month), July 1, 2004. 30% salary increase. Paid from grant funds; subject to availability of funds.

Hoggard, Kenyon R., Information Technology Analyst III, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$58,193 for 12 months (\$4,849.42 per month) to annualized rate of \$61,632 for 12 months (\$5,136.00 per month), July 1, 2004. Managerial Staff. 5.9% annual salary increase. Paid from grant funds; subject to availability of funds.

Johnson, Mark, Head Coach, Women's Tennis, Athletic Department, annual review of compensation and contract of employment; one year term with option to extend annually; base salary changed from \$48,100 to \$51,000 annually with additional performances bonuses including up to two months base salary for a National Championship, effective July 1, 2004. Professional Staff. Merit, equity.

Kerr, Charles S., Information Technology Analyst III, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$69,194 for 12 months (\$5,766.16 per month) to annualized rate of \$72,238 for 12 months (\$6,019.87 per month), July 1, 2004. Managerial Staff. 4.4% annual salary increase. Paid from grant funds; subject to availability of funds.

Krause, John M., Information Technology Analyst II, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$61,796 for 12 months (\$5,149.67 per month) to annualized rate of \$64,978 for 12 months (\$5,414.88 per month), July 1, 2004. Managerial Staff. 5.1% annual salary increase. Paid from grant funds; subject to availability of funds.

Lancaster, Jill, Head Coach, Track, Athletic Department, annual review of compensation and contract of employment; one year term with option to extend annually; base salary changed from \$56,900 to \$60,000 annually with additional performances bonuses including up to two months base salary for a National Championship, effective July 1, 2004. Professional Staff. Merit, equity.

Lockwood, Paul, Head Coach, Men's Tennis, Athletic Department, annual review of compensation and contract of employment; one year term with option to extend annually; base salary changed from \$48,100 to \$51,000 annually with additional performances bonuses including up to two months base salary for a National Championship, effective July 1, 2004. Professional Staff. Merit.

\*Long, Chuck, Assistant Football Coach, Athletic Department, annual review of compensation and contract of employment.

---

\* See amendments on pages 29222-29226.

Ludvigson, Carol, Head Coach, Women's Golf, Athletic Department, annual review of compensation and contract of employment; term extended to July 1, 2005 with option to extend to July 1, 2006; base salary changed from \$65,000 to \$69,000 annually with current performances bonuses, effective July 1, 2004; other terms and conditions to remain the same. Professional Staff. Merit, equity.

Marzban, Caren, Temporary Employee, Center for the Analysis and Prediction of Storms, salary changed from annualized rate of \$8,194 for 12 months (\$682.86 per month), to annualized rate of \$42,000 for 12 months (\$3,500.00 per month), FTE changed from 0.10 to 0.50, June 1, 2004. Paid from grant funds; subject to availability of funds.

McMillen, Matt, Administrative Assistant, Football Operations, Athletic Department, one year term with option to extend annually; base salary changed from \$95,000 to \$100,000 annually with additional performances bonuses including up to two months base salary for a National Championship, effective July 1, 2004; other terms and conditions remain the same. Managerial Staff. Merit, retention.

Minton, Alfred L., Information Technology Analyst I, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$68,394 for 12 months (\$5,699.54 per month) to annualized rate of \$71,335 for 12 months (\$5,944.62 per month), July 1, 2004. Managerial Staff. 4.3% annual salary increase. Paid from grant funds; subject to availability of funds.

\*Nunno, Steve, Head Coach, Women's Gymnastics, Athletic Department, annual review of compensation and contract of employment.

Pelini, Mark, Assistant Football Coach, Athletic Department, annual review of compensation and contract of employment.

Price, Rodney, Head Coach, Track, Athletic Department, annual review of compensation and contract of employment; one year term with option to extend annually; base salary changed from \$56,900 to \$60,000 annually with additional performance bonuses including up to two months base salary for a National Championship, effective July 1, 2004. Professional Staff. Merit, equity.

Priegnitz, David L., Information Technology Analyst III, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$79,762 for 12 months (\$6,646.83 per month) to annualized rate of \$84,029 for 12 months (\$7,002.44 per month), July 1, 2004. Managerial Staff. 5.3% annual salary increase. Paid from grant funds; subject to availability of funds.

Ragan, Jim, Head Coach, Men's Golf, Athletic Department, annual review of compensation and contract of employment; option to extend term to July 1, 2006; base salary changed from \$78,000 to \$82,000 annually with current performance bonuses, effective July 1, 2004; other terms and conditions to remain the same. Professional Staff. Merit.

Restrepo, Santiago, Head Coach, Women's Volleyball, Athletic Department, annual review of compensation and contract of employment.

Ross, Jan, Assistant Coach, Women's Basketball, Athletic Department, annual review of compensation and contract of employment; one year term with option to extend annually; base salary changed from \$85,000 to \$95,000 annually, provide additional and outside compensation from unrestricted private funds of \$5,000 for 12 months, and additional performances bonuses including up to two months base salary for a National Championship, effective July 1, 2004. Professional Staff. Merit, retention, equity.

---

\* See amendments on pages 29222-29226.

Rothoff, Rodney, Head Coach, Cross Country, Athletic Department, annual review of compensation and contract of employment.

\*Sampson, Kelvin, Head Coach, Men's Basketball, Athletic Department, annual review of compensation and contract of employment.

\*Schmidt, Jerry, Director of Strength and Conditioning, Athletic Department, annual review of compensation and contract of employment.

Sedwick, Susan W., title changed from Executive Director, Office of Research Services to Associate Vice President for Research and Executive Director, Office of Research Services, salary changed from annualized rate of \$92,906 for 12 months (\$7,742.17 per month) to annualized rate of \$105,000 for 12 months (\$8,750.00 per month), April 1, 2004. Administrative Officer.

Seltzer, Bennie, Assistant Coach, Men's Basketball, Athletic Department, annual review of compensation and contract of employment; one year term with option to extend annually; base salary changed from \$60,000 to \$82,500 annually, additional and outside compensation from unrestricted private funds changed from \$2,500 to \$5,000 for 12 months, and additional performances bonuses including up to two months base salary for a National Championship, effective July 1, 2004. Professional Staff. Merit, retention.

\*Shipp, Jackie, Assistant Football Coach, Athletic Department, annual review of compensation and contract of employment.

Skaggs, Gary A., Information Technology Analyst III, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$62,394 for 12 months (\$5,199.54 per month) to annualized rate of \$65,995 for 12 months (\$5,499.55 per month), July 1, 2004. Managerial Staff. 5.7% annual salary increase. Paid from grant funds; subject to availability of funds.

Song, Lulin, Information Technology Analyst II, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$60,227 for 12 months (\$5,018.93 per month) to annualized rate of \$63,515 for 12 months (\$5,292.96 per month), July 1, 2004. Managerial Staff. 5.4% annual salary increase. Paid from grant funds; subject to availability of funds.

Spates, John, Head Coach, Wrestling, Athletic Department, annual review of compensation and contract of employment; one year term with option to extend annually; base salary changed from \$80,000 to \$82,000 annually, additional and outside compensation from unrestricted private funds of \$5,000 for 12 months, and additional performances bonuses including up to two months base salary for a National Championship, effective July 1, 2004. Professional Staff. Merit.

Staples, Robert D., Special Project Associate, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$70,165 for 12 months (\$5,847.09 per month) to annualized rate of \$72,901 for 12 months (\$6,075.13 per month), remains 0.75 time, July 1, 2004. 3.9% annual salary increase. Paid from grant funds; subject to availability of funds.

\*Stoops, Robert, Head Coach, Football, Athletic Department, annual review of compensation and contract of employment.

\*Sumlin, Kevin, Assistant Football Coach, Athletic Department, annual review of compensation and contract of employment.

---

\* See amendments on pages 29222-29226.

Suppes, Daniel J., Information Technology Analyst III, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$66,710 for 12 months (\$5,559.15 per month) to annualized rate of \$69,311 for 12 months (\$5,775.96 per month), July 1, 2004. Managerial Staff. 3.9% annual salary increase. Paid from grant funds; subject to availability of funds.

Thompson, John I., Information Technology Analyst III, Cooperative Institute for Mesoscale Meteorological Studies, salary changed from annualized rate of \$79,835 for 12 months (\$6,652.90 per month) to annualized rate of \$83,611 for 12 months (\$6,967.58 per month), July 1, 2004. Managerial Staff. 4.7% annual salary increase. Paid from grant funds; subject to availability of funds.

\*Venable, Brent, Assistant Football Coach, Athletic Department, annual review of compensation and contract of employment.

Wiese, Edward J., Program Administrator III, Southwest Prevention Center, College of Continuing Education, salary changed from annualized rate of \$75,000 for 12 months (\$6,250.00 per month) to annualized rate of \$77,250 for 12 months (\$6,437.50 per month), April 1, 2004. Managerial Staff.

Williams, Mark, Head Coach, Men's Gymnastics, Athletic Department, annual review of compensation and contract of employment; one year term with option to extend annually; base salary changed from \$62,000 to \$67,000 annually, additional and outside compensation from unrestricted private funds of \$5,000 for 12 months, and additional performance bonuses including up to two months base salary for a National Championship, effective July 1, 2004. Professional Staff. Merit.

\*Wilson, Kevin, Assistant Football Coach, Athletic Department, annual review of compensation and contract of employment.

\*Wright, Bobby Jack, Assistant Football Coach, Athletic Department, annual review of compensation and contract of employment.

\*Wyatt, Darryl, Assistant Football Coach, Athletic Department, annual review of compensation and contract of employment.

#### RESIGNATIONS AND/OR TERMINATIONS:

Paw, David, Technical Project Management Specialist III, School of Electrical and Computer Engineering, May 26, 2004. Managerial Staff.

Shaw, Jim, Assistant Men's Basketball Coach, Athletic Department, May 10, 2004. Professional Staff.

President Boren recommended the Board of Regents approve the administrative and professional personnel actions shown above, with amendments as follows:

Castiglione, Joseph R., that the Board of Regents:

- I. Modify the employment agreement of Joseph R. Castiglione effective July 1, 2004, and
  - 1) extend the contract two (2) years to July 1, 2009;
  - 2) change his Base Salary from the annualized rate of \$238,770 to the annualized rate of \$295,000;

---

\* See amendments on pages 29222-29226.

- 3) change his additional and outside compensation from non State appropriated unrestricted private funds from the annualized rate of \$105,000 to the annualized rate of \$170,000;
- 4) modify the current performance based incentive bonuses to provide the opportunity to earn up to \$75,000 annually; and provide other annual extraordinary achievement bonuses; and,

II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms

Stoops, Robert, that the Board of Regents:

- I. Modify the employment agreement of Robert Stoops effective January 1, 2004, to extend the contract one (1) year to January 1, 2010; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such term.

Coale, Sherri, that the Board of Regents:

- I. Modify the employment agreement of Sherri Coale effective July 1, 2004, and
  - a. extend the contract two (2) years to July 1, 2009;
  - b. change her Base Salary from the annualized rate of \$200,000 to the annualized rate of \$210,000;
  - c. change her additional and outside compensation from non State appropriated unrestricted private funds from the annualized rate of \$220,000 to the annualized rate of \$260,000;
  - d. continue the current performance based incentive bonuses including a National Championship bonus, and other performance bonuses; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms

Gasso, Patty, that the Board of Regents:

- I. Modify the employment agreement of Patty Gasso effective July 1, 2004, and
  - a. extend the contract three (3) years to July 1, 2007;
  - b. change her Base Salary from the annualized rate of \$97,000 to the annualized rate of \$102,000;
  - c. change her additional and outside compensation from non State appropriated unrestricted private funds from the annualized rate of \$5,000 to the annualized rate of \$10,000;
  - d. modify the current performance based incentive bonuses including up to two months base salary for a National Championship bonus, and other performance bonuses; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms

Nunno, Steve, that the Board of Regents:

- I. Modify the employment agreement of Steve Nunno effective July 1, 2004, and
  - a. extend the contract one (1) year to July 1, 2007;
  - b. change his Base Salary from the annualized rate of \$72,400 to the annualized rate of \$78,000;

- c. change his additional and outside compensation from non State appropriated unrestricted private funds from the annualized rate of \$8,600 to the annualized rate of \$10,000;
  - d. modify the current performance based incentive bonuses including a National Championship bonus, and other performance bonuses; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms

Sampson, Kelvin, that the Board of Regents:

- I. Modify the employment agreement of Kelvin Sampson effective July 1, 2004, and
- a. extend the contract one (1) year to July 1, 2010;
  - b. change his Base Salary from the annualized rate of \$200,000 to the annualized rate of \$210,000;
  - c. change his additional and outside compensation from non State appropriated unrestricted private funds from the annualized rate of \$765,000 to the annualized rate of \$800,000;
  - d. continue the current performance based incentive bonuses including a National Championship bonus, and other performance bonuses; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms

Gundy, Cale, that the Board of Regents:

- I. Modify the employment agreement of Cale Gundy effective March 1, 2004, and
- a. extend the contract one (1) year to March 1, 2005 with the option to extend annually;
  - b. change his Base Salary from the annualized rate of \$111,000 to the annualized rate of \$140,000;
  - c. change his additional and outside compensation from non State appropriated unrestricted private funds from the annualized rate of \$20,000 to the annualized rate of \$10,000;
  - d. continue the current performance based incentive bonuses including up to a two month base salary for a National Championship bonus, and other performance bonuses; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms

Long, Chuck, that the Board of Regents:

- I. Modify the employment agreement of Chuck Long effective March 1, 2004, and
- a. extend the contract one (1) year to March 1, 2005 with the option to extend annually;
  - b. change his Base Salary from the annualized rate of \$141,000 to the annualized rate of \$180,000;
  - c. change his additional and outside compensation from non State appropriated unrestricted private funds from the annualized rate of \$25,000 to the annualized rate of \$20,000;
  - d. continue the current performance based incentive bonuses including up to a two month base salary for a National Championship bonus, and other performance bonuses; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms



Schmidt, Jerry, that the Board of Regents:

- I. Modify the employment agreement of Jerry Schmidt effective March 1, 2004, and
  - a. Provide a contract for one (1) year to March 1, 2005 with the option to extend annually;
  - b. change his Base Salary from the annualized rate of \$132,850 to the annualized rate of \$141,000;
  - c. continue his additional and outside compensation from non State appropriated unrestricted private funds at the annualized rate of \$5,000;
  - d. provide performance based incentive bonuses including up to a two month base salary for a National Championship bonus, and other performance bonuses; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms

Shipp, Jackie, that the Board of Regents:

- I. Modify the employment agreement of Jackie Shipp effective March 1, 2004, and
  - a. extend the contract one (1) year to March 1, 2005 with the option to extend annually;
  - b. change his Base Salary from the annualized rate of \$121,000 to the annualized rate of \$145,000;
  - c. change his additional and outside compensation from non State appropriated unrestricted private funds from the annualized rate of \$20,000 to the annualized rate of \$10,000;
  - d. continue the current performance based incentive bonuses including up to a two month base salary for a National Championship bonus, and other performance bonuses; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms

Sumlin, Kevin, that the Board of Regents:

- I. Modify the employment agreement of Kevin Sumlin effective March 1, 2004, and
  - a. extend the contract one (1) year to March 1, 2005 with the option to extend annually;
  - b. change his Base Salary from the annualized rate of \$132,000 to the annualized rate of \$140,000;
  - c. provide additional and outside compensation from non State appropriated unrestricted private funds at the annualized rate of \$10,000;
  - d. continue the current performance based incentive bonuses including up to a two month base salary for a National Championship bonus, and other performance bonuses; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms

Venables, Brent, that the Board of Regents:

- I. Modify the employment agreement of Brent Venables effective March 1, 2004, and
  - a. extend the contract one (1) year to March 1, 2005 with the option to extend annually;
  - b. change his Base Salary from the annualized rate of \$160,000 to the annualized rate of \$195,000;
  - c. continue his additional and outside compensation from non State appropriated unrestricted private funds from the annualized rate of \$40,000;

- d. continue the current performance based incentive bonuses including up to a two month base salary for a National Championship bonus, and other performance bonuses; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms

Wilson, Kevin, hat the Board of Regents:

- I. Modify the employment agreement of Kevin Wilson effective March 1, 2004, and
- a. extend the contract one (1) year to March 1, 2005 with the option to extend annually;
  - b. change his Base Salary from the annualized rate of \$135,000 to the annualized rate of \$165,000;
  - c. change his additional and outside compensation from non State appropriated unrestricted private funds from the annualized rate of \$5,000 to the annualized rate of \$15,000;
  - d. continue the current performance based incentive bonuses including up to a two month base salary for a National Championship bonus, and other performance bonuses; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms

Wright, Bobby Jack, that the Board of Regents:

- I. Modify the employment agreement of Bobby Jack Wright effective March 1, 2004, and
- a. extend the contract one (1) year to March 1, 2005 with the option to extend annually;
  - b. change his Base Salary from the annualized rate of \$121,000 to the annualized rate of \$145,000;
  - c. change his additional and outside compensation from non State-appropriated unrestricted private funds from the annualized rate of \$20,000 to the annualized rate of \$10,000;
  - d. continue the current performance based incentive bonuses including up to a two month base salary for a National Championship bonus, and other performance bonuses; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms

Wyatt, Darrel, that the Board of Regents:

- I. Modify the employment agreement of Darrel Wyatt effective March 1, 2004, and
- a. extend the contract one (1) year to March 1, 2005 with the option to extend annually;
  - b. continue his Base Salary at the annualized rate of \$140,000;
  - c. provide additional and outside compensation from non State appropriated unrestricted private funds at the annualized rate of \$10,000;
  - d. continue the current performance based incentive bonuses including up to a two month base salary for a National Championship bonus, and other performance bonuses; and,
- II. Authorize the President and Athletic Director with the assistance of the General Counsel to execute a contract including such terms

Regent Everest moved approval of the recommendation as amended. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

**LITIGATION**

This item was included in the agenda for the purpose of meeting with General Counsel in executive session for a report on pending and possible litigation. No executive session was held, and there was no report.

**DESKTOP COMPUTERS FOR GAYLORD HALL - NC**

The Gaylord College of Journalism and Mass Communication will soon move to the newly constructed Gaylord Hall, which is anticipated to be open for the Fall 2004 semester. Desktop computers are needed to equip the new Hall's student computer labs as well as faculty and staff offices. The College requested Apple computers for this purpose since they are typical in newsrooms, advertising and public relations agencies, and broadcasting facilities. By doing so, students will be educated with technology they will most likely utilize upon graduation.

The standard educational discount from Apple Computer is 10%. The University negotiated a further quantity discount for this purchase, resulting in a 23.5% total discount off list price. Pricing was found to be fair and reasonable.

Funding has been identified, set aside and is available within the Journalism and Mass Communication operating budget.

President Boren recommended the Board of Regents authorize the President or his designee to award a contract in the amount of \$186,549, to Apple Computer, Inc. of Austin, Texas, on a sole source basis, for desktop computers for the newly constructed Gaylord Hall on the Norman Campus.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

**MAINTENANCE FOR CAMPUS ENTERPRISE APPLICATIONS**

In May 2004, the Board of Regents approved the purchase and implementation of an Enterprise Financial System for the Norman Campus. As a result of that action, the opportunity to renegotiate maintenance contracts of all PeopleSoft modules developed. The University currently pays maintenance for the following PeopleSoft software modules: HSC Financials, HSC Student Administration, and HSC/NC Human Resources. Beginning July 2004, the University also will pay maintenance for the NC Financials module. Combining the needed maintenance support for both campuses for the service is anticipated to save the University \$3.2 million over the next eight years (see table below for details).

Maintenance support for PeopleSoft Software is only available directly from PeopleSoft USA, Inc.

**New Combined Agreements**

| Application Suite                                 | Maintenance 8% Caps Years 6-8 |            |            |            |            |                  |                  |                  | Total 8 Year Maintenance |
|---|-------------------------------|------------|------------|------------|------------|------------------|------------------|------------------|--------------------------|
|   | FY2005                        | FY2006     | FY2007     | FY2008     | FY2009     | FY2010           | FY2011           | FY2012           |                          |
| NC & HSC HR Combined                              | \$1,269,485                   |            |            |            |            | \$274,209        | \$296,145        | \$319,837        | \$2,159,676              |
| NC & HSC FS Combined                              | \$1,231,620                   |            |            |            |            | \$266,030        | \$287,312        | \$310,297        | \$2,095,260              |
| HSC Student Administration and SA eApps Amendment | \$338,500                     |            |            |            |            | \$73,116         | \$78,965         | \$85,283         | \$575,864                |
| NC & HSC Grants ePro                              | \$81,672                      |            |            |            |            | \$17,641         | \$19,052         | \$20,577         | \$138,942                |
| <b>Sub-Totals</b>                                 | <b>\$2,921,277</b>            | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$630,996</b> | <b>\$681,475</b> | <b>\$735,994</b> | <b>\$4,969,742</b>       |
| NC Credit   | (\$194,040)                   |            |            |            |            |                  |                  |                  | (\$194,040)              |
| <b>Totals</b>                                     | <b>\$2,727,237</b>            | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$630,996</b> | <b>\$681,475</b> | <b>\$735,994</b> | <b>\$4,775,702</b>       |

**NC Financials License and Existing Agreements with NC and HSC**

| Application Suite      | FY2005           | FY2006           | FY2007           | FY2008           | FY2009             | FY2010             | FY2011             | FY2012             | Total 8 Year Maintenance |
|------------------------|------------------|------------------|------------------|------------------|--------------------|--------------------|--------------------|--------------------|--------------------------|
| HSC HRMS               | \$122,497        | \$134,747        | \$148,221        | \$163,044        | \$179,348          | \$197,283          | \$217,011          | \$238,712          | \$1,400,862              |
| NC HRMS                | \$131,400        | \$164,250        | \$205,313        | \$256,641        | \$320,801          | \$401,001          | \$441,101          | \$485,211          | \$2,405,717              |
| HSC Financials         | \$110,664        | \$121,730        | \$133,903        | \$147,294        | \$162,023          | \$178,225          | \$196,048          | \$215,653          | \$1,265,541              |
| HSC SA                 | \$54,500         | \$59,950         | \$65,945         | \$72,540         | \$79,793           | \$87,773           | \$96,550           | \$106,205          | \$623,256                |
| HSC Collaborative Apps | \$13,200         | \$14,520         | \$15,972         | \$17,569         | \$19,326           | \$21,259           | \$23,385           | \$25,723           | \$150,954                |
| NC Financials          | \$151,994        | \$164,154        | \$177,286        | \$221,608        | \$277,010          | \$346,262          | \$432,828          | \$541,035          | \$2,312,177              |
| <b>Sub-Totals</b>      | <b>\$584,255</b> | <b>\$659,351</b> | <b>\$746,641</b> | <b>\$878,694</b> | <b>\$1,038,301</b> | <b>\$1,231,803</b> | <b>\$1,406,922</b> | <b>\$1,612,539</b> | <b>\$8,158,507</b>       |
| NC Credit              | (\$194,040)      |                  |                  |                  |                    |                    |                    |                    | (\$194,040)              |
| <b>Totals</b>          | <b>\$390,215</b> | <b>\$659,351</b> | <b>\$746,641</b> | <b>\$878,694</b> | <b>\$1,038,301</b> | <b>\$1,231,803</b> | <b>\$1,406,922</b> | <b>\$1,612,539</b> | <b>\$7,964,467</b>       |

**Analysis of Savings**

|  |                    |
|--|--------------------|
| New NC Financials License and Existing Agreements with NC and HSC<br>(based on projections provided by PeopleSoft) | \$7,964,467        |
| New Combined Agreements  | \$4,775,702        |
| <b>Savings attributable to exercising "New Combined Agreements"</b>  | <b>\$3,188,765</b> |

Funding has been identified, set aside and is available within the Information Technology operating budget.

President Boren recommended the Board of Regents authorize the President or his designee to award a contract in the amount of \$2,727,237 to PeopleSoft USA, Inc. of Atlanta, Georgia, on a sole source basis, for maintenance of PeopleSoft Software for all campuses beginning July 1, 2004, with option to renew in years six, seven and eight in an amount not to exceed \$736,000 per year.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## CAMERON UNIVERSITY

### FISCAL YEAR 2005 BUDGET

Cameron University's proposed 2004-05 budget is guided by and consistent with the goals and objectives detailed in *Plan 2008: Preparing for Cameron University's Second Century*. Designed to lead the University into its second century, this comprehensive plan is bold and progressive. Most importantly, *Plan 2008* and the proposed budget put student learning as the University's top priority.

The challenge of providing students the quality education they deserve and need has proven difficult in recent years. Reductions in State funding support to Cameron students have eroded academic quality and student access. Most notably, faculty salaries have not kept pace. Cameron's faculty salaries suffer not only in comparison to faculty at regional universities outside of Oklahoma, but also within the State. Currently, Cameron's faculty salary average ranks sixth among the eleven regional universities and is \$13,883 behind the national average for regional universities.

The primary focus of the proposed 2004-05 budget is recruiting and retaining quality faculty and staff. Coupled with the adoption of the ambitious goals in *Plan 2008* is a revision of Cameron's Faculty Handbook. The Handbook revisions require higher standards for faculty including the development of departmental standards for promotion and tenure, annual faculty evaluations, and post-tenure review. It is imperative that the meritorious performance of faculty and staff be recognized.

Major initiatives in Cameron University's 2004-05 budgets include:

- Requiring a terminal degree for regular faculty members at the rank of assistant professor and above
- Raising the minimum salary
  - Assistant Professor \$40,000
  - Associate Professor \$42,000
  - Professor \$45,000
- Providing faculty and staff equity adjustments
- Planning for the first merit-based salary adjustment in three years
- Initiating operations in the new Center for Emerging Technology and Entrepreneurial Studies (CETES)
- Investing in University facilities

#### Overview of Budget Reductions

To understand the 2004-05 budget priorities, an overview of Cameron's recent budget history is required. Since 2001-02, the State appropriated budget has been reduced by \$1,463,600 (7.4 percent). Added to the budget reductions have been increased mandatory costs in areas such as utilities and insurance totaling approximately \$858,000. Cameron students have been forced to partially offset the State budget cuts and increase in mandatory costs by paying increased tuition and fees.

For the coming fiscal year, Cameron University has received \$246,100 (2.3 percent) in additional State dollars for Campus operations. With anticipated increased mandatory costs of \$750,200, students again will pay more. Anticipated tuition and E&G fee revenue will result in an additional \$763,750 in the 2004-05 budget. The net dollars plus reallocated funds are proposed to address Campus priorities.

In Spring 2004, the Oklahoma Legislature recognized Cameron's long-term commitment to providing access to higher education to the residents of Duncan by approving the designation of the Duncan Higher Education Center as a branch campus of Cameron University. In recognition of the new branch campus in Duncan, Cameron received an allocation of \$100,000. The elimination of the off-campus fee to Duncan students results in a revenue reduction of approximately \$93,000. Thus, the branch allocation results in an essentially even budget in Duncan. During the coming year, details regarding the transfer of assets from the Duncan Economic Development Trust Authority to Cameron University will be finalized.

### Budget Priorities

As previously noted, the proposed budget raises minimum salaries for faculty by rank. The increased salary and fringe benefits costs follow:

- 33 current assistant professors to \$40,000 costs \$180,410
- 11 current associate professors to \$42,000 costs \$39,871
- 4 professors costs \$12,318

While the proposed budget includes funds for a merit-based pay increase, the amount and timing of the adjustment will be determined by the level of student enrollment in the Fall semester.

Establishing the higher minimum salary levels for faculty, coupled with the planned merit salary increase will allow Cameron to be more competitive in attracting and retaining qualified and high performing faculty and staff. Notwithstanding the new minimum salary levels, Spring faculty recruiting efforts indicate that Cameron is not competitive in many disciplines. Preliminary results show that eight faculty positions will not be filled due to salary constraints.

Consistent with committing resources to faculty and staff, the proposed budget reflects a commitment to Cameron's aging physical plant. In April 2004, the transformation of the old Physical Science building into the CETES facility began. The renovation will be completed by January 2005, and the new facility will be occupied by the MultiMedia Department and CETES staff. The proposed budget contains three positions for CETES, including two new positions for an executive director and support staff member at an annual cost of approximately \$130,000. Design also has been completed on Cameron Village, the new apartment-style student-housing complex that includes an 8,000-square-foot learning center and housing to accommodate 240 students. Construction is expected to begin in August 2004 with the facility ready for occupancy one year later.

### Educational and General Budget Summary

Total projected revenue for fiscal year 2005 is \$32,964,128. This is comprised of the following:

- State appropriations - \$18,332,701 (55 percent)
- Tuition - \$11,740,208 (36 percent)
- Student fees - \$2,351,750 (7 percent)
- Gifts, grants and State program reimbursements - \$300,969 (1 percent)
- Other income - \$238,500 (1 percent)

Projected revenues include an increase over fiscal year 2004 funds allocated by the Oklahoma State Regents for Higher Education of \$346,100 and proposed tuition and E&G fee increases totaling \$763,750.

Substantially all of Cameron University's revenue comes from state allocations and tuition and mandatory fees. Cameron University received state appropriations as follows:

- FY 2001 - \$19,278,669
- FY 2002 - \$19,796,317
- FY 2003 - \$18,376,027
- FY 2004 - \$17,986,604
- FY 2005 - \$18,332,701

Fiscal year 2005 State appropriations are \$945,968 less than fiscal year 2001, four years ago. Reduced State support has resulted in a greater reliance on revenue from tuition and fees to pay for increases in mandatory cost, increased salaries to attract and retain qualified faculty and staff, and increased repair and maintenance costs associated with maintaining aging facilities. An increase of \$763,750 in tuition and E&G fees has been requested. This dollar projection is based on a tuition increase of \$5.00, a fee increase of \$2.40, and a 1.3 percent projected increase in student credit hours.

Total expenditures for fiscal year 2005 are projected to be \$34,447,206, an eight percent increase from the current budget year. The proposed budget includes the following expenditures:

- \$19,380,668 for instruction (6 percent increase)
- \$127,973 for research (4 percent increase)
- \$330,559 for public service (2 percent increase)
- \$1,468,781 for academic support (6 percent reduction)
- \$1,894,224 for student services (3 percent increase)
- \$3,342,434 for institutional support (1 percent increase)
- \$5,057,359 for physical facilities (11 percent increase)
- \$2,845,208 for scholarships and tuition waivers (39 percent increase)

Overall University expenditures will increase \$2,438,133 from fiscal year 2004, of which 79 percent is instruction, scholarships and tuition waivers.

It is important to note that in fiscal year 2005, Cameron's administrative expenses declined as a percentage of total expenditures from 10.3 percent to 9.7 percent. This is the result of the Administration's commitment to increasing the portion of the budget allocated to instruction, academic support, and student services and reducing the portion of the budget used by administrative departments.

The significant components of the planned increases in expenditures are:

- \$232,599 - faculty salary adjustments to meet new minimum salary levels
- \$36,093 - equity adjustments for faculty
- \$281,537 - planned merit-based pay increase
- \$750,200 - mandatory cost increases
  - \$73,274 - FICA contributions
  - \$134,575 - retirement contributions
  - \$177,491 - health insurance
  - \$274,950 - utilities
  - \$52,419 - risk management
  - \$37,450 - other miscellaneous mandatory costs

Significant to meeting the projected expenditures of the new fiscal year is the commitment of prior year educational and general reserve funds in the amount of \$1,483,078. The reserve funds are budgeted to meet faculty compensation adjustments, the planned merit-based pay increase, mandatory cost increases, and planned tuition waiver commitments. While

this is a tight budget, it is anticipated that some of the reserves committed will be recaptured through expanded student recruitment efforts resulting in increased enrollment, through not filling and/or delaying the filling of some open positions and through spending restraint by Cameron's faculty and staff. Increased funding from the Oklahoma Legislature is needed if Cameron is to adequately meet the educational needs of Southwest Oklahoma.

The projected, unobligated reserve balance for June 30, 2005 is \$2,632,500. This amount is equal to the minimum reserve of 8.33 percent of budgeted expenditures recommended by the Oklahoma State Regents for Higher Education.

President Ross recommended the Board of Regents approve the operating budget for fiscal year 2005 as presented.

Regent Wade moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **TUITION RATES FOR FISCAL YEAR 2005**

The proposed tuition increases will provide additional funding needed to support Cameron University's top budget priorities: the first planned salary increase in three years of faculty and staff salaries, partially offset continued reduced levels of funding from the State of Oklahoma, and partially offset increases in mandatory costs. The proposed tuition increase is expected to generate additional tuition revenues of approximately \$587,500.

For fiscal year 2005, Cameron University's top budget priority is a merit-based pay increase for faculty and staff. The average faculty salary at Cameron is \$44,557, sixth among the eleven regional universities in the State. On a national level, the 2002-2003 average faculty salary for public, four-year universities was \$58,440, placing Cameron at 76 percent of the national average.

Cameron's faculty and staff last received a salary increase in July 2001. In October 2003, eligible employees received a one-time merit stipend, averaging three percent. The planned salary increase will allow Cameron to be more competitive in attracting and retaining qualified faculty and staff. Ongoing recruitment efforts for the 2004-2005 academic year indicate current salary levels generally are insufficient to attract qualified faculty. Preliminary results show that eight positions will not be filled due to salary constraints. Additionally, Cameron has made several salary adjustments for existing high-performing faculty to counter offers from other universities and to provide equity among individual faculty. The amount of the salary increase plan will be determined when Fall enrollment is known. Each one-percent increase in salary costs the University approximately \$174,000.

Dr. Paul Risser, Chancellor for the Oklahoma State Regents for Higher Education, has established the following guidelines for requesting tuition increases:

- Communication of tuition request to student government organizations, other student groups and students at large
- Efforts to increase need-based financial aid proportionately to tuition
- Analysis of the expected effect of tuition increases on enrollment
- Dedication to cost-effectiveness in operations

President Ross presented tuition and mandatory fee adjustment information to Cameron's Student Government Association representatives in April. Two additional open forums on tuition and mandatory fee rates for students were conducted. At each of these



sessions, students were briefed on a range of tuition and mandatory fee increase options. It was communicated that the final amount of tuition and mandatory fee adjustments would be dependent on the level of the University's FY 2004-2005 State funding.

In fiscal year 2004, Cameron's resident, undergraduate tuition and mandatory fees were 87% of the tuition and mandatory fee limits (based on "like-type" public institutions in surrounding and other states) as established by the State Regents. The proposed fiscal year 2005 rates dropped to 85% of the 2005 limits established by the State Regents. In 2004, resident, graduate tuition and mandatory fees were 95% of the limit, however the proposed rates for fiscal year 2005 are only 82% of the 2005 limits. In 2004, non-resident undergraduate tuition and mandatory fees were 81% of the established limits, and in 2005 will remain at 81%. In 2004, non-resident, graduate tuition and mandatory fees were 94% of the limit, but in 2005 will only be 82% of the limits established by the State Regents.

Cameron University is committed to keeping the cost of attending the University affordable. To that goal, the University plans to spend \$995,000 in resident tuition waivers, a 44 percent increase over the amount spent in fiscal year 2004. To further assist students in meeting their financial needs, in fiscal year 2004, the Cameron University Foundation, Inc. increased by 50 percent the amount of money available for an emergency loan program for students, provided \$52,800 for a new scholarship program called President's Partners Scholars, and provided additional scholarship funds.

Based on discussions with students, faculty and community leaders, Cameron University does not expect the proposed tuition increases to have a significant effect on the enrollment of new students or the continued enrollment of existing students.

Cameron University's administrative costs are currently under guidelines established by the Oklahoma State Regents for Higher Education. In fiscal year 2004, Cameron University joined The University of Oklahoma to combine its natural gas contracts. Additionally, Cameron University has begun using The University of Oklahoma's new contract for leasing reprographic equipment. In an effort to further reduce the need for additional revenues, most departments' non-salary operating budgets were held to fiscal year 2003-2004 levels.

Once approved by the Board of Regents, the tuition requests will be forwarded to the Oklahoma State Regents for Higher Education for approval, and will be effective Fall 2004.

President Ross recommended the Board of Regents approve the following per credit hour resident and non-resident tuition for fiscal year 2005.

| Resident Tuition Per Credit Hour |         |          |                     |
|----------------------------------|---------|----------|---------------------|
|                                  | Current | Proposed | Percentage Increase |
| Undergraduate                    | \$65.00 | \$70.00  | 7.69%               |
| Graduate                         | \$85.00 | \$91.00  | 7.06%               |

| Non-Resident Tuition Per Credit Hour<br>(Including Resident Tuition) |          |          |                     |
|--|----------|----------|---------------------|
|  | Current  | Proposed | Percentage Increase |
| Undergraduate  | \$195.00 | \$212.00 | 8.72%               |
| Graduate   | \$240.00 | \$260.00 | 8.33%               |

Regent Weitzenhoffer moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **FEES REQUEST FOR FISCAL YEAR 2004-2005**

Cameron University is requesting the above mandatory fees for fiscal year 2004-2005. Fees that differ from June 2003 Board of Regents' approval are listed in italics. The requested increase in mandatory fees is \$2.40 an hour, or 8.7%.

1. In fiscal year 2004/2005, Cameron University will continue to invest in enhancing its Library materials and systems. In 2003/2004 the installation of Innovative Interfaces, Inc.'s Millennium Integrated Library Management System began. This purchase was approved in September 2003 by the Board. The new system's cataloging, public access catalog, serials control and circulations modules have been implemented. In 2004/2005, the remaining modules, acquisitions and media management, are scheduled for implementation. Additionally, the Library has begun the process to replace the security system used to ensure books are not removed from the Library without proper authorization. The fee increase will generate \$57,500 in additional revenue to partially offset costs of purchasing Library materials, replacing the Library materials security system, and maintaining the new integrated Library system. Total fees (revenue) generated by the Library Automation and Materials fee at the requested rate is approximately \$460,000, less than the amount being spent for Library automation and materials.
2. The current student assessment fee generates approximately \$115,000 to support Cameron University's student assessment activities. In recent years Cameron University has increased its efforts in student assessment, specifically focusing on entry-level and mid-level students. Entry-level students are assessed to ensure proper placement in pre-college and freshman courses. Mid-level students are assessed to ensure the efficacy of the University's pedagogical methods. Both are efforts to improve the success of Cameron University students. The \$.50 per credit hour increase will generate approximately \$57,500 in additional revenue. The additional revenue partially offsets the increased cost experienced by Cameron University in its student assessment efforts.
3. Cameron University is requesting an increase of \$.20 per credit hour in the Student Activity/Student Government Fee from \$5.80 per credit hour to \$6.00 per credit hour. Substantially all student activity fees collected are spent on programs that are reviewed and recommended by the Student Activity Fee Allocation Committee (SAFAC). The Committee, composed of students, faculty and staff, reviews requests from student organizations and Cameron departments involved in student activities. In FY2004/2005 requests received for student activity fund allocations were approximately \$46,000 greater than were funded in FY2003/2004. While not all of the requests were recommended for funding by SAFAC, the additional funds generated by the \$.20 increase, approximately \$23,000, are needed for those that were recommended.
4. The facility fee increase is needed to ensure sufficient facility fee funds will be available for maintaining Cameron University's student facilities. Most of the existing facility fees will be used during FY 2004/2005 by the installation of a sprinkler system in the existing student dormitories and the construction of the Living/Learning Center. Historically, new student facilities or renovations to existing student facilities have a substantial portion of their costs funded by the student facility

fee. As noted, the two current projects will substantially deplete existing student facility fee reserves. The fee increase is requested to not only to ensure that sufficient funds are available in FY2004/2005 for routine operating and maintenance expenditures, but also to begin building funds for other student facility needs.

President Ross recommended that the Board of Regents approve the fees listed below for fiscal year 2004-2005.

| <b>Fee Description</b>                 | <b>Fiscal Year<br/>2004</b> | <b>Requested for<br/>Fiscal Year 2005</b> |
|--|-----------------------------|---|
| Library Automation and Materials       | \$3.50                      | \$4.00                                    |
| Student Technology Services            | 8.00                        | 8.00                                      |
| Student Facility                       | 7.30                        | 8.00                                      |
| Student Activity/Student<br>Government | 5.80                        | 6.00                                      |
| Student Assessment                     | 1.00                        | 1.50                                      |
| Academic Records                       | 1.00                        | 1.50                                      |
| Academic Lecture and Cultural          | 1.00                        | 1.00                                      |
|  | \$27.60                     | \$30.00                                   |

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

#### **RATES FOR HOUSING AND FOOD SERVICES FOR FISCAL YEAR 2004-2005**

The rate increases will provide sufficient additional resources to fund cost increases for utilities and food, planned salary increases, and repair and maintenance expenditures. Charges for cable, telephone service, and the Residence Hall Association Fee, which are included in the room rates, will remain at current levels.

|   | <u>Current<br/>Rates<br/>2003-2004</u> | <u>Proposed<br/>Increases*</u> | <u>New Rates<br/>2004-2005</u> |
|---|--|--------------------------------|--------------------------------|
| <u>Room Rates:</u>                                    |  |                                |                                |
| Single Room   | \$1,005                                | \$35                           | \$1,040                        |
| Double Room   | 651                                    | 21                             | 672                            |
| <u>Meal Plans:</u>                                    |  |                                |                                |
| 10 Meals Per Week                                     | \$776                                  | \$31                           | \$807                          |
| 8 Meals Per Week and \$225 Flex                       | 857                                    | 34                             | 891                            |
| 15 Meals Per Week and \$50 Flex                       | 857                                    | 34                             | 891                            |
| 60 Block Meals Per Semester and \$225 Flex            | 857                                    | 34                             | 891                            |
| 90 Block Meals Per Semester and \$110 Flex            | 857                                    | 34                             | 891                            |
| 140 Block Meals Per Semester and \$50 Flex            | 857                                    | 34                             | 891                            |
| 200 Block Meals Per Semester and \$75 Flex            | 905                                    | 36                             | 941                            |
| Commuter 20 Block Meals Per Semester<br>and \$40 Flex | 117                                    | 5                              | 122                            |
| Commuter 30 Block Meals Per Semester<br>and \$50 Flex | 159                                    | 6                              | 165                            |

\*Proposed increases reflect a 4% increase for room and meal plans.

President Ross recommended the Board of Regents approve a four percent (4%) rate increase for University residence halls and food services, effective August 23, 2004 (start of the fall semester).

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **NONSUBSTANTIVE PROGRAM CHANGE**

The Oklahoma State Regents for Higher Education confer upon each institution the authority to approve program modifications that are non-substantive, but require the changes to be communicated to them for information only. The program modification listed below has been approved by the President, upon recommendation of the Provost, respective departments and deans, and approved by the Curriculum Committee.

| <b>PROGRAM MODIFICATIONS</b>            |   |  |
|---|---|--|
| <b>PROGRAM</b>                          | <b>PROPOSED MODIFICATION</b>  | <b>COMMENTS</b>  |
| Bachelor of Science in Criminal Justice | Remove CJ 3013 Organized and White Collar Crime as a required core course in the Criminal Justice degree plan. The removal reduces the number of hours in the required core from 27 to 24 and the total number of hours in the major from 42 to 39. CJ 3013 will be maintained as an active course for use as an elective in the 15 hours Criminal Justice support block. | Organized crime, no longer the dominant focus in national criminal justice policy, now competes with other issues such as terrorism and drug enforcement. The CJ Advisory Council has recommended the change. The modification will allow the department more flexibility in directing the focus of the CJ degree and course rotation for the support component of the degree plan. Reducing the number of hours in the major to 39 hours is well within the norm for a B.S. degree. Assessment reports from 2002-2003 and 2003-2004 reference this modification as a goal for improvement of the program. |

This was reported for information only. No action was required.

### **CU/RSU BOARD POLICY MANUAL REVISIONS**

The Board of Regents originally approved the CU/RSU Board Policy Manual at the January 27, 2004 meeting. Since then, OU Legal Counsel has reviewed the manual and recommended a number of revisions. Staffs at Rogers State University and Cameron University worked with legal counsel and agreed on the revisions that would be made. Additionally, the manual's "look" was improved by developing a consistent numbering scheme and style. A Table of Contents was also added.

Given the number of changes, both substantive and non-substantive, it was felt that the Regents should approve the entire manual.

One revision suggested by legal counsel was not agreed to by Presidents Wiley and Ross. Currently, the Board Manual for OU requires that Regents approval must be obtained prior to adding an outside person to an administrative search committee, such as a Provost search

committee. Presidents Wiley and Ross believe for institutions of their size and scope, this requirement would not serve the search process effectively. Therefore, they are recommending that requirement not be included in the revised CU/RSU Board Policy Manual.

Substantive revisions are:

#### 1.2.6—Powers and Duties

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

- b) .... Any of such personnel having custody of public funds or other public property may be required to furnish corporate surety bonds in such amounts as may be deemed necessary by the Board of Regents, payable to the Board of Regents and conditioned upon a faithful accounting of all such funds and property.

#### 2.1.2.3—Academic Responsibility - replaced entire section with updated AAUP 1987 Statement on Professional Ethics

#### 2.3.3—Post-Tenure Review

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

#### 2.3.4.1—Grounds for Abrogation of Tenure, Dismissal, and Other Severe Sanctions

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

#### 3.1.1—Personnel Actions

- Appointments, salaries, and other changes for members of the faculty who are non-tenure track, not tenured, or not eligible for tenure, whether part-time or full-time, unless full-time equivalent salary for the academic year will be \$60,000 or more.

#### 3.1.6.1—Administrative

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

#### 3.1.12—Prevention of Alcohol Abuse and Drug Use on Campus and in the Workplace

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

#### 3.1.13—Firearms Policy

B) Firearms are permitted on Campus only under the following circumstances:

- 1) In the possession or control of sworn law enforcement officers or properly licensed armed security guards employed by the University who are performing their assigned duties. The Director of Campus Police must approve in advance the use or employment of armed private security providers.

- 6) For use as a teaching aid, subject to the following conditions:
  - a) Permission for such use must be granted by the academic dean and prior written notice of the presence of the firearm on Campus must be given to the Director of Campus Police.
  - b) Such firearms must be approved and secured by means acceptable to the Director of Campus Police.
  - c) Except for recognized University shooting ranges and while under authorized supervision, munitions shall not be present with firearms when used in class.
  
- 10) The Rogers State University President has the authority to make exceptions to the above provisions when appropriate to further the University's mission.

#### 4.4.6—Legal Action to Collect Accounts

The University Collection Division, under the authority of the Office of Legal Counsel, is responsible for recovery of delinquent student accounts receivable and student loans that require litigation.

#### 4.10.4—Purchases That Do Not Require Formal Competition or Bids

- Purchases up to \$50,000 of legal, medical, accounting, consulting, architectural, engineering, interior design, appraisal, landscape design, real estate agency, or similar professional services, only when such services are ordered by the President or his or her designee pursuant to University-wide matters of importance, and only when such services represent discrete short-term engagements with specific terminal objectives. Purchases of legal services shall be coordinated through the Office of Legal Counsel.

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

- Such other purchases as may be identified by the chief fiscal officer and approved by the President

#### 4.10.8—Submitting Purchases to the Board of Regents for Approval and Reporting Other Purchases

- Purchases over \$125,000 must be submitted to the Board of Regents for prior approval; sole source purchases in this category must be identified as such; changes that would increase the financial obligation of the University by more than 15% must be submitted to the Board for prior approval.
- Purchases above \$50,000 but not exceeding \$125,000 must be reported to the Board of Regents at least quarterly; sole source purchases in this category must be reported separately and identified as such.

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

- 3) Funds may be considered for transfer to the departing faculty member's new institution only when it was the specific intent of the donor or granting agency that the funds were/are for the purpose of supporting the

activity of the departing faculty member (rather than a program of the University).

#### 4.14.1—Selection Process

- 8) Normally, the President or his or her designee will negotiate a contract with the first choice consultant. However, if the University cannot reach agreement with the first choice consultant, negotiations shall be terminated, and the University shall negotiate in a similar pattern with the remaining consultants in descending rank order until an agreement is reached. The President or his or her authorized designee may execute the consultant contract.

#### 6.3.1—Purpose of Intercollegiate Athletics

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

#### 7.1.3—Donor Gift Credit

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

#### 7.4 — NAMES OF CAMPUS FACILITIES

The naming of major Campus buildings or additions requires the approval of the Board of Regents. The Board of Regents also reserves the right to deny the naming of any Campus facility, other than that which designates the type of work done therein, as a way to ensure that no name is given to a Campus facility that does not reflect the ideals of the University, as well as the right to rename Campus buildings or additions. No facility shall ordinarily be named after individuals who are members of the active faculty or staff of the University.

#### 7.7 — APPROVAL OF ALL FUNDRAISING ACTIVITY

Any fundraising activity, whether on behalf of students, faculty/staff, schools, or programs, must be approved by the Vice President for Development.

President Ross recommended the Board of Regents approve the revised CU/RSU Board Policy Manual.

Regent Weitzenhoffer moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

#### **SICK LEAVE POLICY**

Cameron University does not have a formal published sick leave policy. Tradition has resulted in a practice related to the administration of a sick leave policy.

#### CURRENT PRACTICE

- Employees holding a regular appointment and working at least 50 percent time or more are allowed to use sick leave for personal illnesses and appointments.
- The sick leave accrual rate for classified employees holding a regular appointment and working at least 50 percent time is ten hours per month. The cap on classified employees' total accumulated sick leave is 360 hours.

### PROPOSED POLICY

- Employees holding a regular appointment and working at least 50 percent time or more are allowed to use, in addition to personal illnesses and doctor/dental appointments, up to 72 hours of accrued sick leave per fiscal year for illnesses and doctor/dental appointments for immediate family. Immediate family includes spouse, dependent children, and parents of the employee.
- The sick leave accrual rate for classified employees holding a regular appointment and working at least 50 percent time is 12 hours per month. The cap on classified employees' total accumulated sick leave is 1440 hours. (This change provides for a monthly accrual rate and possible sick leave accrual equal to other Cameron University employees.)

The proposed policy was completed after polling ten other regional universities in Oklahoma including Rogers State University. The majority of those universities have provisions allowing employee sick leave to be used for immediate family members, many with more generous limits than those proposed above. All responding universities indicated sick leave accrual rates, and the cap on accrued sick leave were the same for classified and administrative employees. The complete policy is attached hereto as Exhibit K.

President Ross recommended the Board of Regents approve the proposed Cameron University sick leave policy.

Regent Weitzenhoffer moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **SHEPLER MEZZANINE EXPANSION AND RENOVATION**

The large room on the mezzanine level of Shepler Center is used extensively as a major meeting area for on-campus and off-campus conferences, seminars and banquets. Smaller breakout rooms on each side of the large meeting area are less frequently used.

Constructed in 1967, the facility is too small to meet the needs of most University functions. The breakout rooms are not accessible from inside the large meeting room. Although accessible by freight elevator from the lower level food production facility, there is no public elevator for ADA accessibility from the lower main level of the building. In addition, the rooms are dated in terms of interior finishes, and have poor lighting, acoustics and audio/video capability.

To ensure that Cameron University is able to meet the needs of current and future



programming, the enlargement and updating of this major meeting area are necessary. The services of a design firm for the full range of architectural and engineering services will be required. The proposed project will consist of:

1. Enlargement of the room by removing walls of adjacent smaller rooms.
2. Upgrade of the wall finishes, lighting, and audio/video capability, and installation of carpet.
3. Installation of a public elevator.
4. Renovation/upgrade of the freight elevator.
5. Enlargement and upgrade of the public restrooms to comply with ADA.
6. Installation of additional heating, ventilating and air conditioning capability.
7. Replacement of window coverings on the large exterior building wall windows.
8. Replacement of existing furniture and fixtures.

The selection process will follow the guidelines established in Section 4 of the Board of Regents' Policy Manual for Cameron University and Rogers State University. Preliminary estimated cost of the project is \$700,000. Architectural and engineering fees will be determined based on guidelines provided by the Office of Central Services. The project is to be funded from Student Facility Fees, Section 13 funds, existing reserves, and private contributions.

President Ross recommended the Board of Regents:

- I. Authorize the addition of a project to expand and renovate the mezzanine level of Shepler Center to Cameron University's Long-Range Capital Planning Commission's Campus Master Plan of Capital Projects; and
- II. Approve initiating the process to select a consultant firm to provide professional services for developing plans and specifications for the above project.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

### **SELECTION OF ARCHITECTURAL AND ENGINEERING SERVICES FOR REDESIGN AND RESURFACE OF THE MUSIC BUILDING AND THEATER PARKING LOTS**

The Music Building and Theater are part of a five-building complex that composes the Louise D. McMahon Fine Arts Center. The two buildings are adjacent and were constructed in 1978 and 1979, respectively.

At the time of construction, a separate parking lot was constructed for each facility. Although the buildings and parking lots are adjacent, a dividing median and roadway between the lots prohibits travel from one to the other. The lots must be entered from different city

thoroughfares that are one block apart. During hours of peak daytime class attendance, parking in the lots is often difficult. The confusing configuration is even more evident in the evening and nighttime hours when Theater patrons, unfamiliar with the lot layouts, are searching for a parking space to attend a Theater production.

In addition, barriers created by the dividing medians and roadway and the differences in elevations between the lots causes surface drainage water to collect and stand in the parking area. The standing water continues to deteriorate the surface and sub-surface of the lots.

Redesign and connecting the two lots by removing the dividing medians and roadway will increase the total number of spaces available, enhance the use of the lot, and eliminate drainage problems.

The selection process will follow the guidelines established in Section 4 of the Board of Regents' Policy Manual for Cameron University and Rogers State University. Architectural and engineering fees will be determined based on the guidelines provided by the Office of Central Services.

Funding for this project will be from Section 13 funds.

President Ross recommended the Board of Regents approve initiating the process to select a consultant firm to provide professional services for developing plans and specifications for redesign of the Music Building and Theater parking lots for the purpose of connecting the two lots.

Regent Wade moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

#### **ANNUAL AUDIT PLAN FOR 2004-2005 - CAMERON UNIVERSITY**

Following practices within the auditing industry and standards of the Institute of Internal Auditors, Internal Auditing has developed an audit plan using a risk-based audit approach. As part of the risk-based approach, risk factors have been discussed with University management, and internal and external data were compiled in a risk matrix to develop a risk-based audit plan. Based upon the analysis performed and the internal audit resources available, it is believed the current audit plan addresses the higher risk areas within the University.

The detailed Audit Plan for FY 2005 has been discussed with the Finance and Audit Committee and includes 10 audits out of a total Audit Universe of 46 audits. This provides audit coverage of 22% for fiscal year 2004-2005. Any proposed changes to the plan will be discussed with the Finance and Audit Committee.

Special projects and post-audit reviews will be performed when necessary. Internal audits may be performed on an unannounced basis.

President Ross recommended the Board of Regents approve the annual audit plan for 2004-2005.

Regent Clark moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

#### **QUARTERLY FINANCIAL ANALYSIS**

Being reported this month is the Quarterly Financial Analysis for the quarter ended March 31, 2004. The following comments are submitted for your consideration. Detailed charts are attached hereto as Exhibit L.

ALL FUNDS: CAMERON UNIVERSITY

**SCHEDULE 1 CU: STATEMENT OF REVENUES AND EXPENDITURES**

1. At March 31, 2004, revenues for all funds were at \$33.8 million. These collections represent 79.2% of the budget.
2. Expenditures were at \$29.4 million, representing 66.2% of the budget. Revenues and expenditures for this fiscal year are in line with amounts budgeted.

**SCHEDULE 2 CU: STATEMENT OF REVENUES AND EXPENDITURES – EDUCATION AND GENERAL PART I – UNRESTRICTED**

1. Revenues – Revenues of \$23.0 million comprising 80.4% of the budget are reported. For the same quarter last fiscal year, there were revenues of \$22.4 million, comprising 80.6% of the budget. Revenues are down compared to last year due to the decrease in state allocation.
2. Expenditures – Expenditures of \$19.2 million comprising 63.9% of the budget are reported. Comparable figures for the prior year show expenditures of \$20.3 million, representing 70.5% of the budget.

**SCHEDULE 3 CU: STATEMENT OF REVENUES AND EXPENDITURES – EDUCATION AND GENERAL PART II – RESTRICTED**

1. Revenues – Revenues of \$7.7 million representing 75.2% of the budget are reported. Prior year revenues for the same period were \$7.4 million, representing 76.6% of the budget.
2. Expenditures – Expenditures of \$7.5 million comprising 73.2% of the budget are reported. This is comparable to the prior year's expenditures of \$7.2 million at 74.3% of the budget.

**SCHEDULE 4 CU: STATEMENT OF REVENUE AND EXPENDITURES – AUXILIARY ENTERPRISES**

1. Revenues – Revenues for Auxiliary Enterprises are at anticipated levels.
2. Expenditures – Expenditures for Auxiliary Enterprises are at anticipated levels.

**SCHEDULE 5 CU: DISCRETIONARY RESERVES**

Discretionary reserves represent that portion of the university's resources that are not currently budgeted for expenditure or are otherwise held for specific future uses. As such, resources of this nature are available to fund future capital projects, operating needs and/or unforeseen contingencies for any lawful purpose of the university.

**E & G PART I**

The E&G Part I discretionary reserves were \$4,559,016 on March 31, 2004.

**E & G PART II**

The E&G Part II discretionary reserves were \$489,947 on March 31, 2004.

**AUXILIARY ENTERPRISES**

Student Activities reserves were \$170,603 at March 31, 2004. Student Activities working capital requirements for the remainder of fiscal year 2004 will be \$62,761. Student Activities discretionary reserves were \$107,842 at March 31, 2004.

Miscellaneous Auxiliary reserves were \$879,564 at March 31, 2004. Miscellaneous Auxiliary working capital requirements for the remainder of fiscal year 2004 will be \$651,815. Miscellaneous Auxiliary discretionary reserves were \$227,749 at March 31, 2004.

Student Facility reserves were \$3,565,088 at March 31, 2004. Student Facility working capital and other commitment requirements for the remainder of fiscal year 2004 will be \$3,395,659. Student Facility discretionary reserves were \$169,429 at March 31, 2004.

**PLANT FUNDS**

Section 13, Section 13 Offset and New College Funds currently have a balance of \$1,440,345. Private Sources balance is \$124,691.

Renewal and Replacements have a balance of \$1,626,137.

The Facility Fee Bond Fund has a balance of \$490,515.

This report was presented for information and discussion. No action was required.

**ACADEMIC AND ADMINISTRATIVE PERSONNEL ACTIONS****APPOINTMENTS:**

Abramo, Peter M., Ph.D., Executive Director, Center for Emerging Technology and Entrepreneurial Studies, at an annualized rate of \$60,000 beginning August 30, 2004, increased to \$62,500 on March 1, 2005 on condition of meritorious performance, and terminable at will.

Ph.D., Temple University  
M.A., Villanova University  
B.A., Indiana University of Pennsylvania  
Last Position: Temporary Instructor, Cameron University  
Years Related Experience: 10 Years

Afzal, Muhammad, M.L.I.S., Assistant Professor/Head of Collection Services, University Library, annual rate of \$45,000 for 12 months, tenure track position effective July 1, 2004.

M.L.I.S., Dalhousie University  
M.L.I.S., Bahawalpur University, Punjab, Pakistan  
B.A., Sadiq Egerton College, Bahawalpur, Pakistan  
Last Position: Environment Canada Library, Downsview, Toronto, ON  
Years Related Experience: 15 Years

Bachelor, John, L.L.M., Assistant Professor of Accounting, Department of Business, annual rate of \$50,000 for 9 months, tenure track position effective August 16, 2004.

L.L.M., Southern Methodist University  
J.D., University of Oklahoma College of Law  
B.ACCT., Cameron University  
Certified Public Accountant  
Last Position: Tax Attorney  
Years Teaching and Related Experience: 6 Years

Duan, Jason, Ph.D., Assistant Professor of Management, Department of Business, annual rate of \$70,000 for 9 months, tenure track position effective August 16, 2004.

Ph.D., University of Illinois at Urbana-Champaign  
M.B.A., University of Illinois at Urbana-Champaign  
B.S., Wuhan University  
Last Position: Assistant Professor, Midwestern State University  
Years Teaching and Related Experience: 14 years

Johnson, Jeffrey, Ph.D., Assistant Professor, Department of History and Government, annual rate of \$40,000 for 9 months, tenure track position effective August 16, 2004.

Ph.D., University of Wisconsin-Madison  
M.A., University of Wisconsin-Madison  
B.A., California State Polytechnic University  
Last Position: Visiting Assistant Professor, Hendrix College  
Years Teaching and Related Experience: 7 Years

Powers, Justina, Ph.D., Assistant Professor, Department of Psychology and Human Ecology, annual rate of \$40,000 for 9 months, tenure track position effective August 16, 2004.

Ph.D., University of California, Riverside  
M.A., University of California, Riverside  
B.S., California State University, Bakersfield  
Last Position: Adjunct Faculty, Cameron University  
Years Teaching and Related Experience: 14 Years

Russell, Christine, Ph.D., Assistant Professor, Department of Physical Science, annual rate of \$42,000 for 9 months, tenure track position effective August 16, 2004.

Ph.D., State University of New York  
M.S., State University of New York  
B.S., State University of New York  
Last Position: Instructor, National American University  
Years Teaching and Related Experience: 7 Years

Sheridan, Daniel, D.M.A., Assistant Professor of Music, Department of Music and Theatre Arts, annual rate of \$40,000 for 10 months, tenure track position effective August 16, 2004.

D.M.A., State University of New York  
M.M., University of Akron  
B.M., Oklahoma State University  
Last Position: Coordinator, Undergraduate Chamber Music Program, State University of New York at Stony Brook

Years Teaching and Related Experience: 9 Years

Schroeder, Philip, Ph.D., Assistant Professor, Department of Agriculture, annual rate of \$44,000 for 10 months, tenure track position effective August 16, 2004.

Ph.D., Soil Physics, University of Georgia  
M.S., Soil Science, Virginia Tech  
B.S., Soil Science, Virginia Tech  
Last Position: Post Doctoral Research Scientist, National Soil Tilth Laboratory  
Years Teaching and Related Experience: 9 Years

CHANGES:

Adam-Rodwell, Gabriela, Ph.D., appointment changed from Temporary Instructor, non-tenure track, Department of Biological Sciences to Assistant Professor, tenure track, Department of Biological Sciences. Nine month salary changed from \$30,500 to \$44,000 effective August 16, 2004.

Blackman, Catherine, M.L.I.S., University Library, tenured, reassignment from Assistant Professor, Access Services to Assistant Professor, Cataloging. Twelve month salary changed from \$35,256 to \$40,000 effective July 1, 2004.

Helvey, Aubree, J.D., appointment changed from Temporary Instructor, non-tenure track, Department of Business to Assistant Professor, tenure track, Department of Business. Nine month salary changed from \$35,000 to \$48,000 effective August 16, 2004.

Karges, Kip, Ph.D., appointment changed from Temporary Assistant Professor, non-tenure track, Department of Agriculture to Assistant Professor, tenure track, Department of Agriculture. Nine month salary changed from \$41,000 to \$44,000 effective August 16, 2004.

Tabatabai, Mohammad, Ph.D., title of Chair, Department of Mathematical Sciences deleted and salary changed from \$62,068 to \$61,068 effective July 29, 2004.

EMERITUS STATUS:

Harrison, C. Wade, Ph.D., retired Professor, Department of Psychology and Human Ecology, named Professor Emeritus of Psychology.

RESIGNATIONS:

Chinquee, Kim, M.A., Assistant Professor, Department of English, declined appointment approved on May 7, 2004.

Donica, Wanda, M.L.S., Instructor/Librarian, University Library, June 30, 2004.

Johnson, James E., Ph.D., Assistant Professor, Department of Biological Sciences, July 29, 2004.

President Ross recommended the Board of Regents approve the academic and administrative personnel actions listed above.

Regent Wade moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

## LITIGATION

This item was included in the agenda for the purpose of meeting with General Counsel in executive session for a report on pending and possible litigation. No executive session was held, and there was no report.

## CAMERON VILLAGE CONSTRUCTION PROJECT CONSTRUCTION AUTHORIZATION

At the January 2004 meeting, the Board of Regents approved the solicitation of proposals for “at-risk” construction management services for the Living/Learning Center project. Pre-construction services not to exceed \$50,000 were authorized.

At the March 2004 meeting, the Board of Regents authorized the University administration to:

- Negotiate the terms of an agreement for at-risk construction management services, including a fee for pre-construction phase construction management services with CMSWillowbrook,
- Execute an Agreement for At Risk Construction Management Services with CMSWillowbrook,
- Negotiate a guaranteed maximum price (GMP) for construction to be presented to the Board for formal approval,
- Proceed with obtaining architectural and design services from Architects in Partnership for Phase 2 and 3 of the living/learning center project consisting of design development, cost estimating, preparing construction drawings, assisting the University in the selection of a construction manager, and providing oversight during the construction of the living/learning center, and
- Negotiate the terms and execute an agreement with Architects in Partnership (AIP) for these services, not to exceed \$575,000.

Preconstruction services have been negotiated with CMSWillowbrook at a price of \$47,367. Additionally, agreement has been reached with CMSWillowbrook to provide “at risk” construction management services for construction at a fee of six percent (6%) of total construction costs.

Architectural and design services have been negotiated with AIP at a price of \$527,000, including reimburseable expenses of \$30,000. The Board has approved an amount not to exceed of \$575,000.

Since the approval of Phase 2 and 3, preparation of the construction documents by AIP, with the continuing assistance of the construction manager CMSWillowbrook, has proceeded. Based on a detailed analysis of the approximately 50% complete construction documents, CMSWillowbrook proposes a guaranteed maximum price for construction including site preparation of \$10,350,000. This price includes the cost of work, the cost of direct project management, the construction manager’s contingency fund, and the construction manager’s fees. It is recommended that this proposal be accepted and approved by the Board of Regents.

Cameron Village’s estimated total project cost is \$11,816,000. One component of the project budget is an owner’s contingency of \$300,000. The actual results of the sale of revenue bonds and competitive bidding on constructing, equipping and furnishing Cameron Village may change the owner’s contingency. If additional funds become available, the University intends to

use those funds to make certain upgrades to Cameron Village, e.g., provide better carpet in areas with heavy traffic, change from vinyl flooring to tile in the bathrooms, construct a perimeter fence, etc.

As the project is to construct student housing, it is critical for the project to be completed and ready for occupancy in August 2005. Upon acceptance of the guaranteed maximum price, the construction manager, using "fast-track" procedures, will begin preparation of bid packages for early construction elements. "Fast-track" procedures involve completing construction documents, preparing bid packages and beginning construction on early construction elements, e.g., site excavation and fill, even as construction documents are still in process for other (later) work elements, e.g., mechanical and electrical equipment. In no case will any construction contracts be awarded, or any construction work begun, until the proceeds of the sale of revenue bonds are received.

Funding for this project, with an estimated total project cost of \$11,816,000, will be provided by a \$1.250 million McMahon Foundation grant, \$7.652 million from new revenue bonds to be retired with project revenues and \$2.914 million in existing, uncommitted student facility fee funds or other legally available resources.

President Ross recommended the Board of Regents:

- I. Authorize the commencement of construction, once the proceeds of the Student Housing, Series 2004 Revenue Bonds are received;
- II. Approve the guaranteed maximum price of \$10,350,000 for construction, including site preparation, of Cameron Village, as developed and proposed by the at-risk construction manager, CMSWillowbrook, Inc., and
- III. Authorize the expenditure of the University's project contingency as needed to construct, equip and/or furnish Cameron Village.

Regent Stuart moved approval of the recommendation. The following voted yes on the motion: Regents Everest, Clark, Stuart, Weitzenhoffer and Wade. The Chair declared the motion unanimously approved.

There being no further business, the meeting adjourned at 12:54 p.m.

---

Chris A. Purcell, Ph.D.  
Executive Secretary of the Board of Regents



**Agreement between the Commissioner of Public Safety and  
the Board of Regents of The University of Oklahoma**

**WHEREAS**, the state office and position of the Commissioner of Public Safety (“Commissioner”) is created under 47 O.S. §2-101, who shall have control and supervision over the Department of Public Safety (“DPS”), also created under 47 O.S. §2-101, and who shall have the powers and duties as set forth therein, in 47 O.S. §2-108 and elsewhere throughout Title 47 of the Oklahoma Statutes; and,

**WHEREAS**, the Oklahoma Highway Patrol (“OHP”) is created as a division of DPS under 47 O.S. §2-105, and officers and troopers therein are state law enforcement officers and peace officers under 47 O.S. §2-117; and,

**WHEREAS**, the Board of Regents of the University of Oklahoma (“Board of Regents”) is created as a state agency pursuant to Okla. Const., Art. XIII, §8, and 70 O.S. §3302; and,

**WHEREAS**, Rogers State University (“RSU”), formerly Claremore Junior College and the Oklahoma Military Academy pursuant to 70 O.S. §3801, is created under 70 O.S. §4669, and pursuant to 70 O.S. §3201, is a member of the Oklahoma State System of Higher Education, and pursuant to 70 O.S. §§ 3305 and 4669.1, is governed, supervised, managed and controlled by the Board of Regents; and,

**WHEREAS**, RSU desires to engage as independent contractors certain OHP Troopers and Officers on their OHP off-duty time (“OHP Members” herein), as Campus Police under the “Oklahoma Campus Security Act”, 74 O.S. §§ 360.15, *et seq.*, and pursuant to 51 O.S. §6(A)(15), such engagements may occur if pursuant to an agreement between the Commissioner and the Board of Regents.

**THEREFORE**, in consideration of the mutual promises, covenants and conditions herein contained and other good and valuable consideration exchanged between the parties hereto, the receipt and sufficiency of which is acknowledged between the parties, the Commissioner and the Board of Regents, effective as of June 1, 2004, agree as follows:

1. The terms of any engagement agreement reflecting the engagement of an OHP Member by RSU shall not be in conflict with the terms of this Agreement.
2. An OHP Member shall only be authorized to work for RSU while employed by DPS if he is then off-duty from OHP, and he shall not be entitled to work for both OHP or DPS and for RSU.
3. While working for RSU, said OHP Member shall be able to exercise the peace officer jurisdiction as granted in the “Oklahoma Campus Security Act”, and 74 O.S. §360.17 in particular; however, he shall not be authorized to exercise any jurisdiction as an OHP Trooper or Officer while working for RSU.

4. While working for RSU, all equipment, supplies, uniforms, firearms, automobiles, etc., used by said OHP Member shall only be composed of such items supplied by RSU, and said OHP Member shall not be authorized to use any OHP or DPS equipment, supplies, uniform, firearm or automobile.
5. Only RSU, and not OHP or DPS, shall be responsible for said OHP Member's salary and benefits, if any while said person is working for RSU.
6. RSU shall be responsible to carry and pay for such insurance on said OHP Member while he or she is working for RSU, as may be required by law.
7. DPS shall not be subject to liability for the acts of the OHP Member while he is engaged by RSU, and at such times, said OHP Member shall not be deemed to be an employee or agent of OHP or DPS; furthermore, RSU and its representatives shall neither hold such person out as an OHP Trooper or Officer nor as an agent or representative of either OHP or DPS.
8. It is not the intention of the parties to this Agreement that any OHP Trooper or Officer is a third party beneficiary to this Agreement.
9. In the event of an irreconcilable conflict between said OHP Member's duty owed to RSU and his duty owed to DPS, such as a DPS emergency requiring said OHP Member's immediate attention and call to duty for DPS, then said OHP Member is required to report to DPS irrespective of his obligation owed to RSU; however, in the event of such an occurrence, RSU shall be given as much advance warning as practicable.
10. It is understood that by virtue of said OHP Member being engaged by RSU, that said OHP Member is not released from his off-duty obligations owed to DPS as set forth in Section 1.1.10 of the DPS Patrol Divisions Operations Manual, dealing with "Employment outside of Department" and in Sub-chapter two (2) of Chapter one (1) of the DPS Patrol Divisions Operations Manual dealing with OHP Troopers' and Officers' conduct, both on and off duty, including the "Patrol Code of Ethics", the "Cannons of Police Ethics" and the "Rules of Conduct" as reported in Section 1.2.3.
11. This Agreement may be terminated by either party hereto upon thirty (30) days written notice to the other party.
12. No statements, representations, discussions or negotiations shall be deemed or interpreted to be included in this Agreement unless specifically expressed herein. This Agreement shall supersede and replace any and all prior agreements between the parties with respect to the subject matter hereof. This Agreement may not be amended, modified or waived, except by a written instrument duly executed by both parties and dated subsequent to the date hereof.

13. This Agreement may be executed in multiple counterparts, which together shall constitute one and the same Agreement. This Agreement may be executed in whole or in part by facsimile signature, and when so executed, it shall be deemed an original signature.

14. If any part of this Agreement is contrary to the constitution or laws of this state, or of the United States, the provision shall be void and unenforceable and if any party of the Agreement is ever ruled to be invalid, void or unenforceable by a court or other body of competent jurisdiction, the remainder of this Agreement shall continue in full force and effect and shall be deemed modified to the minimum extent necessary to make it enforceable; PROVIDED, however, if the ruling in question is subsequently overruled or obviated by Legislative or other lawful action, the severed provision(s) of this Agreement shall return to full force and effectiveness.

15. This Agreement is not intended to obviate or be in lieu of a separate engagement contract between RSU and said OHP Member or Members.

16. Nothing herein contained shall be construed to make the parties hereto partners or joint venturers, nor either party the legal representative or agent of the other party, nor shall either party have the right or authority to assume, create or incur any liability or any obligation of any kind, either expressed or implied, in the name of or on behalf of the other party hereto.

17. Each of the undersigned representatives of the parties hereto is the respective party's duly authorized agent empowered to enter into this Agreement for and on behalf of the respective party-principal.

18. The validity of this Agreement, the construction and enforcement of its terms and conditions and the interpretation of the rights and duties of the parties hereto shall be governed by the laws of the State of Oklahoma.

19. This Agreement shall be deemed dated as of the date of the last execution hereof by the parties hereto, and effective as of the first date above written.

**Commissioner of Public Safety**

**The Board of Regents of The University of Oklahoma**

\_\_\_\_\_  
Kevin L. Ward

By: \_\_\_\_\_  
Joe Wiley  
President of Rogers State University

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

June 22-23, 2004

2.3.4.1—Grounds for Abrogation of Tenure, Dismissal, and Other Severe Sanctions

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

3.1.1—Personnel Actions

- Appointments, salaries, and other changes for members of the faculty who are non-tenure track, not tenured, or not eligible for tenure, whether part-time or full-time, unless full-time equivalent salary for the academic year will be \$60,000 or more.

Deleted: or consecutive term

3.1.6.1—Administrative

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

3.1.12—Prevention of Alcohol Abuse and Drug Use on Campus and in the Workplace

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

3.1.13—Firearms Policy

B) Firearms are permitted on campus only under the following circumstances:

- 1) In the possession or control of sworn law enforcement officers or properly licensed armed security guards employed by the University who are performing their assigned duties. The Director of Campus Police must approve in advance the use or employment of armed private security providers.
- 6) For use as a teaching aid, subject to the following conditions:
  - a) Permission for such use must be granted by the academic dean and prior written notice of the presence of the firearm on campus must be given to the Director of Campus Police.
  - b) Such firearms must be approved and secured by means acceptable to the Director of Campus Police.
  - c) Except for recognized University shooting ranges and while under authorized supervision, munitions shall not be present with firearms when used in class.
- 10) The Rogers State University President has the authority to make exceptions to the above provisions when appropriate to further the University's mission.

Deleted: department chair/head

4.4.6—Legal Action to Collect Accounts

The University Collection Division, under the authority of the Office of Legal Counsel, is responsible for recovery of delinquent student accounts receivable and student loans that require litigation.

Deleted:

4.10.4—Purchases That Do Not Require Formal Competition or Bids

- Purchases up to \$50,000 of legal, medical, accounting, consulting, architectural, engineering, interior design, appraisal, landscape design, real estate agency, or similar professional services, only when such services are ordered by the President or his or her designee pursuant to University-wide matters of importance, and only when such services represent discrete short-term engagements with specific terminal objectives. Purchases of legal services shall be coordinated through the Office of Legal Counsel.

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

- Such other purchases as may be identified by the chief fiscal officer and approved by the President

Formatted: Bullets and Numbering

4.10.8—Submitting Purchases to The Board of Regents for Approval and Reporting Other Purchases

- Purchases over \$125,000 must be submitted to the Board of Regents for prior approval; sole source purchases in this category must be identified as such; changes that would increase the financial obligation of the University by more than 15% must be submitted to the Board for prior approval.
- Purchases above \$50,000 but not exceeding \$125,000 must be reported to the Board of Regents at least quarterly; sole source purchases in this category must be reported separately and identified as such.

Deleted: 150

Deleted: 150

4.12 — CRITERIA FOR TRANSFERRING EQUIPMENT AND/OR FUNDS

- 3) Funds may be considered for transfer to the departing faculty member's new institution only when it was the specific intent of the donor or granting agency that the funds were/are for the purpose of supporting the activity of the departing faculty member (rather than a program of the University).

Deleted: which specifically is being transferred by intent to the new institution employing the departing faculty member.

4.14.1—Selection Process

8) Normally, the President or his or her designee will negotiate a contract with the first choice consultant. However, if the University cannot reach agreement with the first choice consultant, negotiations shall be terminated and the University shall negotiate in a similar pattern with the remaining consultants in descending rank order until an agreement is reached. The President or his or her authorized designee may execute the consultant contract.

Deleted: <#>Following action by the Board of Regents, a full report of the selection process will be forwarded by the Chairman of the Board of Regents to the Office of the Governor for review.  
Deleted: following review by the Governor,

6.3.1—Purpose of Intercollegiate Athletics

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

Deleted: who support its teams  
Deleted: s  
Deleted: found in

7.1.3—Donor Gift Credit

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

Deleted: Individuals may be credited within the recognition levels listed previously.

7.4 — NAMES OF CAMPUS FACILITIES

The naming of major campus buildings or additions requires the approval of the Board of Regents. The Board of Regents also reserves the right to deny the naming of any campus facility, other than that which designates the type of work done therein, as a way to ensure that no name is given to a campus facility that does not reflect the ideals of the University, as well as the right to rename campus buildings or additions. No facility shall ordinarily be named after individuals who are members of the active faculty or staff of the University.

Deleted: The Board of Regents will formally approve t  
Deleted: approve or  
Deleted: ;  
Deleted: and n

7.7 — APPROVAL OF ALL FUNDRAISING ACTIVITY

Any fundraising activity, whether on behalf of students, faculty/staff, schools, or programs, must be approved by the Vice President for Development.

Deleted: The Vice President for Development has the authority in all policy matters regarding the raising of private funds at the University.  
Deleted: President

## SECTION 2-GENERAL POLICIES

The Board of Regents is constitutionally vested with the governance of the University. Within its authority is the governance of all faculty personnel matters, including without limitation, academic freedom and responsibility, appointments, evaluations, academic misconduct, and academic appeals. Specific provisions pertaining to faculty personnel policies and related matters may be set forth in the Faculty and Staff Handbooks, student handbooks such as the Student Code of Responsibilities and Conduct for the Norman Campus, and/or other official policy documents of the respective campuses. Any modifications to a Board of Regents' policy in the policy documents referred to above or elsewhere must be made through action of the Board of Regents.

### 2.1—FACULTY PERSONNEL POLICIES

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

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

#### 2.1.1—THE REGULAR FACULTY

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

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

#### 2.1.2—ACADEMIC FREEDOM AND RESPONSIBILITY

---

#### INSTITUTIONAL ACADEMIC FREEDOM

---

The accumulation and exchange of knowledge are among the preeminent purposes of the University, and the acknowledgement of individual academic freedom is one of the cornerstones to ensure such purposes are achieved. Equally important in meeting these goals is the recognition of the right inherent in the responsibility of the Board of Regents to govern the University. “[I]t is the business of a university to provide that atmosphere which is most conducive to speculation, experiment and creation. It is an

atmosphere in which there prevail ‘the four essential freedoms’ of a university—to determine for itself on academic grounds who may teach, what may be taught, how it shall be taught, and who may be admitted to study.” *Sweezy v. New Hampshire*, 354 U.S. 234, 263; 77 S.Ct. 1203; 1 L.Ed.2d 1311 (1957).

---

### ACADEMIC FREEDOM

---

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

- a) Faculty members are entitled to full freedom in research and publication, subject to any restrictions set by law or by applicable codes of professional ethics, and subject to adequate performance of their other academic duties and to stated University policy on outside employment; but, except under conditions of national emergency, a faculty member should not undertake to do research on University time or using University facilities or funds under any agreement which would (except for a definitely and reasonably limited time) prohibit open communication of the results.
- b) Faculty members are entitled to freedom in the classroom in discussing their subject, but it is inappropriate for a teacher persistently to intrude material which has no relation to the subject of instruction.
- c) As members of the community, university teachers have the rights and obligations of any citizen. They measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. In speaking or acting as private persons, faculty members avoid creating the impression of speaking or acting for their college or university. As a citizen engaged in a profession that depends upon freedom for its health and integrity, the university teacher has a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom. More extended or intensive activity may require that the faculty member should come under the normal rules and practices respecting leaves of absence; and it should not affect the tenure status of a faculty member, except that time spent on such leave does not count as probationary service.
- d) As citizens, university teachers should be free to engage in political activities consistent with their obligations as teachers and scholars. Subject to University policy, some activities, such as seeking election to an office for which extensive campaigning is not required, or service in a part-time political office, may be consistent with effective service as a member of the faculty.



- e) Freedom of access to recorded knowledge being essential to learning and research in a democracy, the right and the obligation of the university to provide a full range of materials on any subject, even though some views might be currently unpopular or controversial, or appear incorrect, shall not be infringed. The principles of academic freedom shall apply to the presence of materials and also to those who provide and those who use them.

The University endorses the 1957 declaration of the American Association of University Professors which "...asserts the right of college and university students to listen to anyone whom they wish to hear...affirms its own belief that it is educationally desirable that students be confronted with diverse opinions of all kinds, (and) therefore, holds that any person who is presented by a recognized student or faculty organization should be allowed to speak on a college or university campus." Duly constituted organizations at the University may invite speakers without fear of sanctions. However, in the exercise of these rights, it is clearly recognized that: "Membership in the academic community imposes on students, faculty members, administrators, and trustees an obligation to respect the dignity of others, to acknowledge their right to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off the campus. The expression of dissent and the attempt to produce change, therefore, may not be carried out in ways which injure individuals or damage institutional facilities or disrupt the classes of one's teachers or colleagues. Speakers on campus must not only be protected from violence but must be given an opportunity to be heard. Those who seek to call attention to grievances must not do so in ways that significantly impede the functions of the institution." (1970 declaration of the AAUP Council).

---

#### STATEMENT ON PROFESSIONAL ETHICS

---

1. Faculty members, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end faculty members devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending and transmitting knowledge. They practice intellectual honesty. Although faculty members may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
2. As teachers, faculty members encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Faculty members demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Faculty members make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between faculty member and student. They avoid any exploitation, harassment or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.
3. As colleagues, faculty members have obligations that derive from common membership in the community of scholars. They do not discriminate against or harass colleagues. They

respect and defend the free inquiry of associates. In the exchange of criticism and ideas, faculty members show due respect for the opinions of others. They acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Faculty members accept their share of faculty responsibilities for the governance of their institution.

4. As members of an academic institution, faculty members seek above all to be effective teachers and scholars. Although faculty members observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. They give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, faculty members recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
5. As members of their community, faculty members have the rights and obligations of other citizens. They measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, faculty members have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

---

#### ACADEMIC RESPONSIBILITY

---

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

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 students as individuals, and adhere to their proper role as intellectual guides and counselors. They shall endeavor to define the objectives of their courses and to devote their teaching to the realization of those objectives. This requires judicious use of controversial material and an avoidance of material which has no relationship to the objectives of a course.

Faculty members shall make every reasonable effort to foster honest academic conduct and to assure that their evaluations reflect, as nearly as possible, the true merit of the performance of their students, regardless of their race, color, sex, national origin, age, religion, disability, political beliefs or veteran's status. Faculty members shall avoid any exploitation of students for private advantage and acknowledge significant assistance from them.

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

colleagues. Although service must be voluntary, faculty members should accept a reasonable share of the responsibility for the governance of their institution. If driven by his or her conscience into dissent, the faculty member shall take care that this dissent does not interfere with the rights of colleagues and students to study, research, and teach.

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

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

### 2.1.3—FACULTY ACCOUNTABILITY

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

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

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

shall have consulted fully with the appropriate academic administrative officers including the appropriate chair or director, dean, and Senior Vice President and Provost.

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

#### 2.1.4—ATTENDANCE AT SUMMER INSTITUTES

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

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

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

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

#### 2.1.5—FISCAL RESPONSIBILITY

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

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

#### 2.1.6—PROFESSIONAL ACTIVITIES OF THE FACULTY

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

an assessment of the faculty member's performance and contributions to the total mission of the University.

---

### TEACHING

---

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

---

### RESEARCH AND CREATIVE/SCHOLARLY ACTIVITY

---

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

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

---

### PROFESSIONAL AND UNIVERSITY SERVICE AND PUBLIC OUTREACH

---

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

capabilities of University colleagues in their teaching; research and creative/scholarly activity; and professional and University service and public outreach.

### 2.1.7—SABBATICAL LEAVES POLICY

---

#### PURPOSE

---

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

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

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

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

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

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

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

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

(a) Conditions of Award

Approval of a sabbatical leave of absence with full or partial pay depends on the ability of the faculty

member's college to absorb the financial obligation and on the college's ability to provide teaching without loss of quality.

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

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

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

(b) Benefits Payable

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

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

(c) Eligibility

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

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

A faculty member's eligibility to apply for subsequent sabbatical leaves is established by length of service following return from the previous sabbatical leave in accord with the schedule referred to above.

Occasional exceptions to the rule may occur when a faculty member who is otherwise formally

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

(d) Procedures

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

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

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



## 2.2—FACULTY APPOINTMENTS

### 2.2.1—APPOINTMENTS

(The text below appears in the Norman Campus Faculty Handbook)

Policies on faculty appointments; appointments of new faculty; appointment periods; tenure-track, consecutive term, and temporary appointments; joint and secondary appointments; and part-time appointments may be found in the Faculty Handbook of the Norman and Health Sciences Center campuses. Regular faculty appointment(s) to an academic position must be (a) tenure-track appointment (beginning and terminating at a specified date), (b) a tenured appointment (beginning with and following the granting of tenure) or (c) renewable term appointment (renewable annually for a fixed term); and must be at the rank of assistant professor, associate professor, or professor. Temporary appointments with remuneration are also for specified periods.

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

(a) Formal Offer - The formal offer of appointment must come from the Senior Vice President and Provost or the President. The offer will include the statement that the appointment is contingent upon the approval of the Board of Regents. Enclosed with the formal offer of rank and salary will be a copy of the faculty handbook, together with supplementary information on such matters as retirement, group insurance, and patents.

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

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

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

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

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

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

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

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

At no time may the number of renewable term faculty exceed ten percent of the number of tenure-track and tenured faculty on the Norman Campus.

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

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

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

Part-Time Faculty Appointments - A part-time faculty appointment is one at less than 1.0 FTE. At the time of any part-time faculty appointment, the appointee and the University must reach a clear understanding of the terms of the appointment. This understanding shall be in writing and signed by the parties, and the appointee shall be given a copy. A non-regular appointee shall have no voice or vote in faculty or department meetings and is not entitled to achievement of academic tenure within the department in which the appointee holds such appointment. The term of appointment shall be temporary.

(RM, 12-6-60, pp. 6704-05, edited; 3-29-00, p. 26909; 1-27-2004, p. 28924)

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

- (a) Full-time faculty appointments with unmodified academic titles (assistant professor, associate professor, and professor) shall be limited to those faculty who devote their full-time professional effort to direct University activities and who are compensated by the University or University-approved sources.
- (b) When service to the University is used as a basis for full-time academic appointment, teaching, research, clinical activities, and/or administration of academic units must constitute a major part of the faculty member's assigned duties. Exemption from this provision may be made with the consent of the academic unit, the Dean and the Senior Vice President and Provost.
- (c) Faculty who devote less than their full-time professional effort to direct University activities as defined above shall be eligible for faculty appointment with a modified academic title (visiting, adjunct, clinical, etc.).
- (d) Volunteer faculty appointments have a modified academic title, and are without remuneration.

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

### **Appointment of New Faculty**

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

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

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

- (a) **Contract** – If the appointment is approved by the Board of Regents, faculty with regular (tenure-track, tenured, or consecutive term) appointments will be furnished a Contract of Employment for signature. Included in this contract will be the approved rank and salary. The Contract will contain a statement indicating that the applicant has read the Faculty Handbook and accepts appointment in accord with the policies specified, with the understanding that policies of the University are subject to change by the Board of Regents. Any exceptions to these policies must be described in the Contract.
- (b) In addition to the Contract for Employment, the appointee will receive a written statement provided by the department chair defining the appointee's initial teaching research, professional/clinical service and administrative responsibilities and other special conditions pertaining to the appointment. The department chair will also provide tenured, tenure-track and consecutive term appointees with copies of the department and college tenure and promotion criteria.

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

(RM, 7-15-96, p. 25019; 12-3-02, p. 28355; 01-27-04, p. 28924)

### **Appointment Period**

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

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

(RM, 7-15-96, p. 25019; 01-27-04, p. 28924)

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

- (a) Full-time tenure-track or tenured appointments are regular appointments.
- (b) Consecutive term appointments are regular appointments. All consecutive term appointments are non-tenure-track. There are no restrictions placed on the number of renewable consecutive terms that may be served.

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

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

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

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

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

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

### **Joint and Secondary Appointments**

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

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

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

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

### **Part-Time Appointments**

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

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

## **2.2.2—NON-ACADEMIC PERSONNEL**

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

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

## **2.2.3—RESERVE OFFICERS' TRAINING CORPS PERSONNEL, NORMAN CAMPUS**

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

academic rank higher than Instructor; non-commissioned officers and petty officers shall be given the title of Instructor.

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

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

#### 2.2.4—RESEARCH FACULTY – NORMAN CAMPUS

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

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

Since this policy covers a position devoted primarily to research, with some related teaching and service public outreach responsibility, it is expected that both the Vice President for Research and the Senior Vice President and Provost will have a determining role in the approval of personnel covered by this policy.

A University research group is eligible for a research faculty position when it can document that the group has a research program that can bring in sufficient funds to pay all costs of the program plus those of the proposed position for at least three years without additional Educational & General University funding.

In addition, the academic unit with which the research faculty is most closely allied shall have policies in place for recruiting, evaluating, and promoting research faculty at the ranks of assistant, associate, and full research professor. These policies shall be determined by the academic unit in conjunction with the director of the research program and Committee A and approved by the dean, Vice President for Research, and Senior Vice President and Provost.

Candidates for research faculty positions are to be recruited and appointed through a process similar to that used for hiring other temporary faculty, except as provided in this policy. The director of the research group will request from the Senior Vice President and Provost, in consultation with the Vice President for Research, permission to recruit for the position. The positions may be advertised in appropriate national publications, and applications shall be reviewed by a search committee chaired by the director of the research group funding the position. The search committee shall also consist of tenure-track or tenured faculty within the academic unit and at least one tenure-track or tenured faculty member from outside the academic unit. Applicants for these positions shall be considered eligible if they meet

the required qualifications determined by the head of the research program and the other members of the search committee. The search committee shall recommend a candidate to the academic unit's Committee A and chair/director for approval. The Committee A and chair shall present the approved candidate, along with a recommendation for rank, to the tenured and tenure-track faculty for a vote.

Once the academic unit has made a recommendation and the academic dean has endorsed this recommendation, the credentials of the candidate and the final recommendation to hire the candidate for the research faculty position shall be reviewed by the Research Council, whose recommendation shall be forwarded to the Senior Vice President and Provost for review prior to presentation to the President and the Board of Regents. All subsequent practices currently in place for temporary faculty appointments would apply in these cases as well. Contractual documents shall state clearly these appointments will not become tenure-track.

Research faculty appointments are temporary, renewable appointments not subject to the seven-year probationary period applicable to tenure-track faculty. Should a tenure-track position become available in the academic unit, an individual in a research faculty position is eligible to apply. Standard external search procedures for tenure-track vacancies shall be rigorously followed.

#### Salary, Bridge Funding, Promotion, and Raises for Research Faculty

The salary awarded those appointed to these positions will be paid from the grant(s) and /or contract(s) funding the research program. Initial salary and rank will be commensurate with experience and national standards. Continued employment of a research faculty during the term of the contract will depend on the availability of external funding. In the event of a break in the continuity of funding during the period of a research faculty member's appointment, the individual may apply, with the approval of his or her research unit, for bridge funding only after three years of service, subject to two limitations: (1) the individual will be eligible for bridge funding in an amount equal to one-half the total indirect cost generated by the grants and contracts on which he or she has been appointed, up to a maximum of 12 months' salary, and (2) the University will provide no more than 12 months of salary, regardless of the amount of indirect cost generated. The University will establish budgetary procedures for bridge funding. Academic units will not be required to assume any obligations for funding of research faculty salaries. All bridge funds shall come from a percentage of indirect costs set aside in an escrow account.

The budgetary considerations of these positions will follow the same path as do regular faculty appointments.

Evaluation and promotion procedures for research faculty shall be those applicable to other temporary faculty, except that the nature of their non-tenure, renewable term appointments means that they will be evaluated and promoted primarily based on their research and funding productivity. Raises will be awarded in the same manner as they are for regular faculty.

#### Governance Issues for Research Faculty

Research faculty are not governing faculty, and shall not be eligible to vote regarding departmental affairs, policies and procedures, tenure, promotion, administrative searches, Committee A, the Faculty Senate, or other similar governance issues.

#### Caps on Research Faculty Appointments

An initial cap on research faculty appointments will be set at five percent of the number of all tenured/tenure-track faculty appointments on the Norman Campus. After a full evaluation of the program, the percentage may increase up to ten percent, but not beyond that point.

### Impact Evaluation

The impact of research faculty appointments will be reviewed at regular intervals. The first such review will occur within three years; then review will occur every five years. These periodic evaluations will be undertaken by the Senior Vice President and Provost, the Vice President for Research, the University Vice President for Technology Development, and the Faculty Senate or their designees.

(RM, 5-7-99, p. 26381; 1-27-2004, p. 28924)

## 2.2.5—ENDOWED CHAIRS AND PROFESSORSHIPS

Faculty may be appointed to endowed chairs and professorships.

---

### CRITERIA FOR SELECTION

---

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

---

### SEARCH COMMITTEE

---

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

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

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

---

### TERM OF THE AWARD

---

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

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



---

**FUNDING ENDOWED CHAIRS FROM PROFESSIONAL PRACTICE PLAN FUNDS**

---

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

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

**2.2.6—REAPPOINTMENT AND NON-REAPPOINTMENT**

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

The Norman Campus and Health Sciences Center Health Sciences Faculty Handbooks include policies on

---

**NOTIFICATION OF NON-REAPPOINTMENT OF TENURE-TRACK OR RENEWABLE TERM CONTRACT AND RESIGNATION.**

---

- a) A faculty member with a regular appointment who is not to be reappointed for a second year of service must be so notified no later than March 1; or, if the first year of appointment terminates at a time other than the end of the academic year, not less than three months before the end of the appointment period.
- b) A faculty member with a regular appointment who is not to be reappointed to a third year of service must be so notified no later than December 15 of the second year of appointment; or, if the second year of appointment terminates at a time other than the end of the academic year, not less than six months before the end of the appointment period.
- c) A faculty member with a regular appointment who is not to be reappointed to a fourth or subsequent year of service must be so notified no later than May 31 of the year preceding the final year of appointment; or, in the case of an appointment ending at a time other than the end of the academic year, not less than twelve months before the end of the appointment period.
- d) All notifications of non-reappointment shall be given in writing by the Senior Vice President and Provost.
- e) If the notification practices prescribed in the foregoing paragraphs of this section are not followed, the faculty member may appeal to the Faculty Appeals Board.

(The text below appears in the Health Sciences Center Faculty Handbook.)

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

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

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

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

---

#### RESIGNATION

---

A faculty member who elects to resign his or her appointment is obligated to give notice in writing at the earliest possible opportunity, but not later than May 15, or thirty days after receiving notification of the terms of his or her appointment for the coming year, whichever date is the later. A faculty member may request a waiver of this requirement.

## 2.3—FACULTY EVALUATION

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

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

The Norman Campus and Health Sciences Center Faculty Handbooks include policies on salary adjustments, advancement in rank, criteria for promotion and procedures for promotion decisions.

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

#### Salary Adjustments

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

### Procedures for Recommendations on Salary Adjustments

Procedural guidelines for salary recommendations are as follows:

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

### Adjustments of Salary Inequities

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

### Advancement in Rank

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

### Criteria for Promotion

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

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

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

Provost's approval of the revised criteria shall indicate a date on which they become effective. The revised criteria for promotion shall apply to all faculty in the unit beginning with the academic year following the effective date. These statements of criteria determine the emphasis placed on the various areas of faculty activity, subject to the following conditions:

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

#### Procedures for Promotion Decisions

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

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

(The text below appears in the Health Sciences Center Campus Faculty Handbook)

### SALARY ADJUSTMENTS

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

#### **Procedures for Recommendations on Salary Adjustments**

Procedural guidelines for salary recommendations are as follows:

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

#### **Adjustments of Salary Inequities**

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

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

## ADVANCEMENT IN RANK

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

### Criteria for Promotion

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

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

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

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

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

### Procedures for Promotion

- (a) The process regarding advancement in rank shall originate in the academic units, according to procedures determined by the Senior Vice President and Provost.
- (b) The college dean or the Senior Vice President and Provost may require the chair of an academic unit to initiate consideration of promotion for an individual faculty member. In such a case, the academic unit must forward a recommendation, to the dean or Senior Vice President and Provost whether or not it is favorable.
- (c) Primary responsibility for gathering complete information on professional activity rests with the individual faculty member. In general, documentation of the individual's academic accomplishments should include, but not be limited to the following:
  - 1) Complete and up-to-date vita, including a summary of college and university degrees earned, all professional employment, all professional honors and awards, and an up-to-date list of books and journal publications by author in sequence. Manuscripts in press or submitted for publication and abstracts should be listed separately.
  - 2) Letters of evaluation of academic performance in teaching, research/scholarly achievement, and service will be solicited by the chair after consulting with the candidate. Normally, there should be three (3) letters of evaluation from individuals outside The University of Oklahoma considered established authorities in the discipline who are in a position to evaluate the candidate's academic performance and suitability for promotion. These letters may be solicited from individuals who were not suggested by the candidate. There should be three (3) internal (or local) letters of evaluation particularly relevant to teaching and service.

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

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

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

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

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





### 2.3.2—INSTRUCTIONAL EVALUATION - NORMAN CAMPUS

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

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

### 2.3.3—FACULTY TENURE

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

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

The Health Sciences Center and Norman Campus Faculty Handbooks include policies on academic tenure, eligibility, probationary periods, criteria for the tenure decision and procedures for the tenure decision.

#### Academic Tenure

After the expiration of a probationary period and a positive tenure review, tenure-track faculty may be granted tenure, in which cases their services should be terminated only for adequate cause, except under extraordinary circumstances because of financial exigencies. In the interpretation of this principle, it is understood that the following represents acceptable academic practice.

(a) The terms and conditions of every appointment should be stated in writing and be in the possession of both the University and the faculty member before the appointment is effective.

(b) Beginning with appointment to the rank of tenure-track assistant professor or higher, the probationary period should typically be six years, including within this period full-time service in all institutions of higher education, but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a faculty member is called to another institution, it may be agreed in writing that his new appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession is extended beyond the normal period of six years.

(c) During the probationary period, a tenure-track faculty member should have the academic freedom that all other members of the faculty have.

#### Definitions

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

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

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

#### 3.7.2 Eligibility for Tenure

(a) All tenure-track faculty of the University of assistant professor or above are eligible for tenure.

(b) It is understood that a faculty member who has been granted tenure by the University, and thereafter accepts an administrative post within the University, retains tenured status as a member of the faculty.

(c) When an initial appointment is made to a position which is primarily administrative but carries with it academic rank of assistant professor or above, specific understanding should be reached at the time of offer with the individual concerned and agreed to in writing by the Senior Vice President and Provost, the dean, the chair/director, and the faculty of the appropriate academic unit as to whether the individual will be reviewed for tenure at the proper time and what conditions must be met before there is tenure eligibility.

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

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

#### 3.7.3 Probationary Periods

(a) The “Contract of Employment” furnished to a candidate for appointment to a tenure-track faculty position shall specify, in addition to the rank and salary, the length of the probationary period entailed in the appointment and any special conditions pertaining to the appointment. All such conditions must be set forth in writing by the Senior Vice President and Provost whenever any faculty appointment is offered.

(b) The probationary period for a faculty member whose effective date of appointment is later than the start of the academic year but no later than the first day of the second semester will be considered as dating from the beginning of the first semester, provided that the department or division in question and the Senior Vice President and Provost agree. If the effective date of appointment is later than the first day of the second semester, the probationary period shall begin with the first semester of the next academic year.

(c) For a faculty member being appointed to a tenure-track position, whose initial appointment is at the rank of assistant professor or associate professor, the probationary period shall be six academic years, or twelve regular semesters, except in cases noted below.

(d) Included in the probationary period is prior full-time service (up to a maximum of three years) in professorial ranks at other institutions of higher education unless the faculty member requests in writing at the time of the first regular appointment that such service should not be included and the academic unit, the dean, and the Senior Vice President and Provost approve. Included also is prior regular, full-time service (up to a maximum of three years) which the appointee may have performed in the past at the University in the rank of assistant professor or above unless the faculty member requests in writing at the time the faculty member is most recently appointed to a tenure-track position that such service should not be included and the academic unit, the dean, and the Senior Vice President and Provost approve.

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

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

(f) A new faculty member appointed at the rank of professor or associate professor may be given tenure from the date of appointment, or the probationary period may be set at two, three, or four years when prior service in a professorial rank at another institution is less than three years. Persons with three or more years of such prior service may have a probationary period of no more than three years. The probationary period's length shall be set by the tenured members of the appointee's academic unit, subject to agreement by the dean and Senior Vice President and Provost, at the time of the formal offer of appointment. If a majority of the unit's tenured faculty members favor tenure upon appointment, the determination of tenure shall be made in the regular fashion.

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

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

absence without pay counted as part of the probationary period must entail appropriate evaluation of professional activities carried out during the leave.

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

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

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

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

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

#### Criteria for the Tenure Decision

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

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

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

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

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

performance required for granting tenure, faculty already in the tenure-track shall remain subject to the previous criteria unless these faculty consent to the new criteria in writing.

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

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

#### Procedures for the Tenure Decision

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

(h) While primary responsibility for gathering complete information on professional activity rests with the individual faculty member, the chair or designated committee or mentor should assume a share of this responsibility to be certain that all tenure recommendations are initiated on the basis of full documentation, which must be considered by any person or group making a recommendation.

(i) All recommendations shall be in writing and, with the exception of the faculty recommendation resulting from the secret poll, reasons for the recommendations must be stated. At the time recommendations are made at any stage of the review process, notification of such recommendations must be provided to the chair and the individual candidate. It shall be the responsibility of the chair to inform the faculty of the unit about recommendations made at the various stages of the review process.

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

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

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

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

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

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

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

(q) At any stage of the tenure review process, the concerned faculty member may appeal in writing to the Faculty Appeals Board if it is believed that procedural violations have occurred in the case or that violations of academic freedom have occurred. If it is believed that there has been discrimination on the

basis of race, color, national origin, sex, age, religion, disability, political beliefs, or status as a veteran, the faculty member may file a written appeal with the University Equal Opportunity Officer. Such appeals must be made within 180 calendar days after discovery of the alleged violation, and the review process will be suspended until a resolution is effected. Such an appeal shall not have the effect of extending the faculty member's terminal year, should tenure be denied.

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

(The text below is in the Health Sciences Center Campus Faculty Handbook.)

## FACULTY TENURE

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

### Definitions

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

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

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

### Eligibility for Tenure

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

- (a) At the request of the faculty member and with the approval of the chair of the academic unit, the dean, and the Senior Vice President and Provost, faculty members receiving consecutive term



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

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

### **Pretenure Periods**

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

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

- (b) In certain circumstances, the chair of the academic unit and dean may request an extension of the pretenure period not to exceed three (3) years.
- (c) For assistant professors, the pretenure period may include up to a total of three years in prior full-time service in a consecutive term or tenure-track appointment at the OUHSC or in professorial ranks at another institution. For associate professors and professors up to a total of four years prior service may be included (see Section 3.2.5(c)). The faculty member may request in writing at the time of the first regular tenure-track appointment that prior service be included. Inclusion of prior service requires approval by the chair of the academic unit, the dean, and the Senior Vice President and Provost.
- (d) Prior full-time service as instructor or in a comparable non-professorial rank at other institutions of higher education may be counted as part of the pretenure period if requested by the applicant and approved in writing by the chair of the academic unit, dean, and Senior Vice President and Provost at the time of the first regular appointment.
- (e) Ordinarily, prior full-time service on temporary appointments at The University of Oklahoma is not counted in the pretenure period but may be if requested by the applicant and approved in writing by the chair of the academic unit, dean, and Senior Vice President and Provost.
- (f) A new faculty member appointed at the rank of professor or associate professor may be granted tenure from the date of appointment. The determination of tenure shall be made as specified in Section 3.9.5 (b) through (r).

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

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

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

### **Criteria for the Tenure Decision**

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

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

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

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

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

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

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

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

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

### **Procedures for Tenure Decision**

- (a) The chair of the academic unit shall notify a faculty member who is eligible for tenure consideration at least eight weeks before the initial vote by the faculty member's colleagues. (See (f) below)
- (b) The chair of the academic unit will request the candidate for tenure to submit material which will be helpful to an adequate consideration of the faculty member's performance or professional activities in relationship to the tenure criteria. It is the responsibility of the candidate to provide accurate, thorough, and clear evidence of achievements for review at the departmental college and university levels. The candidate is advised to consult with the chair and any other senior colleagues concerning the materials to include.
- (c) In general documentation of the individual's academic accomplishments should include, but not be limited to the following:

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

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

- (d) The chair is responsible for providing copies of the candidate's complete tenure file to each of the voting members of the academic unit at least two weeks prior to the vote.

- (e) All tenured faculty in the department who are available shall meet for a discussion of the candidate's qualifications for tenure. The candidate shall not be present during the discussion of his or her qualifications but shall be available to enter the meeting on invitation to answer questions or clarify circumstances relevant to the qualifications.

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

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

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

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

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

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

The tenure review process is suspended while an appeal to either the Faculty Appeals Board or University Equal Opportunity Officer is pending. Where the tenure appeal prevents the tenure process from being completed before the end of the terminal year (Section 3.9.3(1), the appeal shall not extend the faculty member's terminal year even if the appeals process is not completed. Should tenure ultimately be granted, the faculty member will be reinstated.

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

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

### 2.3.4—POST-TENURE REVIEW – NORMAN CAMPUS

Post-tenure review at the Norman Campus is a periodic peer-based evaluation of tenured faculty for the purpose of guiding career development and, when judged necessary, improving faculty performance. The post-tenure review process is based on and extends the annual evaluation of faculty described in the Norman Campus Faculty Handbook through two processes: (1) a retrospective review of faculty performance in teaching; research and creative/scholarly activity; and professional and University service and public outreach over the five years preceding the review, and (2) a formative evaluation for future professional growth.

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

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

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

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

Post-tenure reviews shall be initiated immediately following the completion of the annual faculty evaluation process.

#### Normal Review

Each faculty member shall undergo post-tenure review in the fifth year after the year in which the faculty member is awarded tenure or promotion, whichever is later, and every fifth year thereafter. Annually, the Office of the Senior Vice President and Provost will identify those faculty to undergo a normal post-tenure review, and establish and publish a time schedule for completing the required steps in the post-tenure review process.

#### Early Review

A post-tenure review shall be initiated earlier than the normal review cycle under the following circumstances:

(a) If the composite or overall rating of a tenured faculty member's performance on the annual evaluation is below expectations (2.00 or less on a 0-5 scale) for two consecutive years, an early post-tenure review will be initiated immediately as an extension of the annual evaluation. Candidates for early post-tenure review will be identified by Committee A as part of the annual faculty evaluation process and reported to the unit's budget dean. However, Committee A may request from the dean permission to postpone initiation of an early review for one year if, in their opinion, the early review is not justified due to

circumstances that Committee A enumerates in its request to the dean. With the approval of the dean, the initiation of an early review shall be postponed one year. If the review is postponed and the faculty member is judged to have performed to expectations in this third year, no early review will be required. If performance continues below expectations, the early review will be conducted immediately following the third year annual evaluation.

(b) A tenured faculty member may request an early review for the purpose of professional development. Such reviews are not subject to the mandatory professional development plan, nor to the sanctions provisions of this policy.

#### Level of the Review

The review will be conducted by a Post-Tenure Review Committee composed of the members of Committee A, the chair or director of the unit or units in which the faculty member holds an appointment, unless another arrangement has been approved in writing by the budget dean(s), and the Senior Vice President and Provost. Provided, in exceptional cases, as determined by the Senior Vice President and Provost, a senior faculty member outside such unit but within the college shall be added to the Post-Tenure Review Committee, such member being chosen by the tenured faculty member under review from a list of three candidates selected by the Senior Vice President and Provost.

The results of the review will be forwarded simultaneously to the budget dean(s) and the Senior Vice President and Provost. All recommendations for actions must be forwarded to the dean(s) for approval.

#### Components of the Review

Post-tenure review dossiers shall consist of the following elements:

(a) Annual evaluations and mini-vitae for the previous five years. The annual evaluations and the accompanying mini-vitae from the five years previous to the review will constitute the primary sources of information about the faculty member's performance. The post-tenure review will take into account the numerical evaluations (on a scale of 0-5) for: teaching; research, scholarship and creative activity; professional, university and administrative service; and the composite evaluation reflecting the relative weights of the three categories.

(b) A self-appraisal by the faculty member being reviewed. A written statement prepared by the faculty member will constitute a central element of the post-tenure review dossier. This statement is intended to serve two purposes: provide a formal opportunity for the faculty member to reflect on his or her professional career and contributions to the University; and serve as a source of information to the Post-Tenure Review Committee to assist in helping the faculty member develop professionally. In this statement, the faculty member should describe his or her past contributions to the unit(s) to which he/she is appointed and to the University, assess the current state and direction of his or her career, and discuss what he or she has planned professionally for the next five years. This self-appraisal should include an evaluation of his or her past performance in the areas of teaching; research and creative/scholarly activity; and professional and University service and public outreach; a statement of professional goals for the next five years; and an explicit discussion of how achieving those goals will advance his or her professional career and contribute to achieving the goals of the unit(s) to which he or she is appointed and the University as a whole. This document is not intended to be a contract but only a source of information to the Post-Tenure Review Committee to assist it in helping the faculty member to develop professionally.

(c) The faculty member's current complete curriculum vitae.



(d) Sabbatical leave reports. The report of activities and accomplishments of any sabbatical or other leaves that occurred during the interval being reviewed should also be included.

(e) Post-tenure Review Evaluations. A copy of the evaluations by the Post-Tenure Review Committee from the faculty member's previous post-tenure review(s), if any.

(f) Final Reports. A copy of previous professional development plans, if any.

#### Expectations

Faculty are expected to perform in all categories of the annual evaluation and achieve a composite evaluation of 2.01 or higher on a criterion-referenced scale of 0-5. The criteria should be specified in the approved evaluation criteria of the unit(s) to which the faculty member is appointed. As required under Section 3.1.1 of the Faculty Handbook, academic units should communicate carefully and clearly to their faculty the specific criteria for evaluation of the unit that are used for the basis of the annual evaluation.

When and only when a faculty member's five-year average composite evaluation is lower than 2.01, the faculty member shall be required to develop and participate in a professional development plan as described herein.

#### Feedback

All faculty members undergoing post-tenure review will be provided with written and verbal feedback about how they are developing as professionals and how the Post-Tenure Review Committee evaluates the professional goals of the faculty member in relation to the goals and mission of the unit and the University. Within thirty days of completing its review of the faculty member's dossier, the Post-Tenure Review Committee will provide the faculty member with a written evaluation of his or her past performance, current status, and future professional goals. In addition, within thirty days of providing the faculty member its written evaluation, the Post-Tenure Review Committee will meet with the faculty member to discuss the findings of the review.

#### Professional Development Plan

A professional development plan is intended to assist a faculty member whose performance is not meeting expectations to bring his or her performance up to the expected level. Participation in a professional development plan is mandatory for faculty members who, during post-tenure review, are found not to meet the expectations for faculty performance. Other faculty members may request from Committee A permission to participate in a professional development plan on a voluntary basis to assist in their professional development. Voluntary professional development plans are not subject to the sanctions described herein and shall not alter the cycles of the normal and/or early review or otherwise affect those processes.

#### Process

The professional development plan should be prepared cooperatively between the faculty member and the Post-Tenure Review Committee. The faculty member should prepare a draft of the plan and submit it to the Post-Tenure Review Committee within 30 calendar days after his or her initial meeting with the Post-Tenure Review Committee to discuss the results of the post-tenure review. The Post-Tenure Review Committee must prepare a final plan, in negotiation with the faculty member, and submit it to the budget dean(s) for approval within 60 calendar days after the initial meeting between the Post-Tenure Review Committee and the faculty member to discuss the results of the post-tenure review, and within 30 calendar days of its initial receipt of the draft plan from the faculty member. Should the faculty member disagree with the final plan prepared by the Post-Tenure Review Committee, he or she may write an appeal to be submitted to the budget dean(s) along with the plan, setting forth the reasons for disagreement.

The dean(s) must notify the faculty member and the Post-Tenure Review Committee, in writing, as to whether the final plan is approved. If the plan is not approved, the faculty member and the Post-Tenure Review Committee must be notified in writing of the reasons for non-approval and the process described in the previous paragraph should be repeated until approval is obtained.

Following approval of the plan, the Post-Tenure Review Committee must meet with the faculty member and explain both the contents of the plan, including the expected time line, and the consequences to the faculty member of failure to attain the goals of the plan. Reasonable University resources to support implementation of professional development plans will be provided by the Senior Vice President and Provost and the dean of the college. A faculty member shall have the two full annual evaluation cycles following the date the plan is approved to accomplish the goals of the plan and to bring his or her performance up to expected standards.

#### Content of the Plan

The professional development plan should include the following components:

- (a) Goals and expectations.
- (b) Proposed activities.
- (c) A time line for the plan.
- (d) Resources that will be made available to the faculty member to assist with completion of the plan.
- (e) An explanation of the consequences of failure to attain the goals of the plan. This provision is not applicable for a voluntary professional development plan.
- (f) Signatures of the faculty member, the members of the Post-Tenure Review Committee, and the budget dean(s) verifying an understanding of the plan.

#### Monitoring, Follow-up, and Final Report

Formal written evaluation of the faculty member's progress towards meeting the goals of the professional development plan will take place as part of the annual evaluations of the faculty member following the beginning of the plan. Since less than a year will have elapsed between the implementation of the plan and the next annual faculty evaluation, that evaluation and the subsequent annual evaluation shall be used by the Post-Tenure Evaluation Committee as an opportunity to provide written feedback to the faculty member on his or her progress in meeting the goals of the plan. The final assessment of the faculty members' progress in meeting the goals of the plan shall occur during the third annual faculty evaluation after implementation of the plan. Following this third annual evaluation, a written report will be issued by the Post-Tenure Review Committee to the faculty member, with copies to the dean(s), explaining the outcome of the plan.

#### Sanctions

Failure of the faculty member to meet the goals specified in the plan and to bring his or her performance up to the level expected may lead to the initiation of the Severe Sanctions process of the Faculty Handbook. The results of the professional development plan, including, without limitation, the final report, shall be relevant evidence in such a proceeding. In tenure abrogation proceedings, the University retains the burden of persuasion to show cause, as defined by the Faculty Handbook. Provided, nothing in this policy shall be construed to limit or restrict the University's authority to undertake the Severe Sanctions process set forth in the Faculty Handbook.

Alternative actions, such as resignation or retirement from the University, may be negotiated and implemented with approval of the budget dean(s), Senior Vice President and Provost, President, and Board of Regents.

#### Review of Post-Tenure Review Policy and Procedures

The above Post-Tenure Review Policy will be jointly reviewed by the Faculty Senate and administration at least every five years and, if continued, will be evaluated every five years thereafter with respect to its effectiveness in supporting faculty development and redressing problems of faculty performance, the time and cost of the effort required, and the degree to which in practice it has been effectively cordoned off from disciplinary procedures and sanctions.

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

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

The University strives to exercise great care in selecting its faculty appointees and to confer tenure upon only those faculty members who have demonstrated their merit for tenured appointment. For that reason, severe sanctions such as a dismissal proceeding involving a tenured faculty member (abrogation of tenure) or of a faculty member during a tenure-track appointment or of a renewable term faculty member should be an exceptional event. It is also recognized, however, that a few faculty members may, from time to time, engage in improper conduct which requires severe sanctions short of dismissal. Such sanctions may include but are not limited to loss of prospective privileges for a stated period (for instance, loss of eligibility for a sabbatical leave of absence, loss of remunerated consultative privileges, loss of remunerated private practice privileges); restitution (payment of damages due to individuals or to the University); a fine; a reduction in salary; or suspension from service for a stated period, without other prejudice. As in the case of dismissal, the imposition of severe sanctions short of dismissal should be viewed as a serious and infrequent step usually undertaken only after administrative remedies and minor sanctions have failed.

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

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

---

#### **TERMINATION OF TENURED APPOINTMENT ON GROUNDS OF FINANCIAL EMERGENCY**

---

See Financial Emergency Policy in Section 4 of Regents' Policy Manual.

---

**GROUNDINGS FOR ABROGATION OF TENURE, DISMISSAL, AND OTHER SEVERE SANCTIONS**

---

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

- a) Professional incompetence or dishonesty;
- b) Substantial, manifest, or repeated failure to fulfill professional duties or responsibilities;
- c) Personal behavior preventing the faculty member from satisfactory fulfillment of professional duties or responsibilities;
- d) Substantial, manifest, or repeated failure to adhere to University policies; including, for example, the University's Compliance Program.
- e) Serious violations of law which are admitted or proved before a court of competent jurisdiction or the administrative hearing body established to hear such matters, which prevent the faculty member from satisfactory fulfillment of professional duties or responsibilities, or violations of a court order, when such order relates to the faculty member's proper performance of professional responsibilities;
- f) Changes in the University's educational function through action of the Board of Regents and/or the Oklahoma State Regents for Higher Education which result in the elimination of an academic unit. In such instances, the University will make every reasonable effort to reassign affected faculty members to positions for which they are properly qualified before dismissal results from such elimination. Although not considered severe sanctions, (f) and (h) are proper reasons for dismissal of a faculty member who has tenure or whose tenure-track renewable term/consecutive term appointment has not expired.
- g) For any Health Sciences Center faculty member, being placed on the United States Department of Health and Human Services' list of excluded individuals and entities, in which case the University will take quick and decisive action by terminating the faculty member's employment. The faculty member may request a Faculty Appeals Board Hearing following termination.

---

**GROUNDINGS FOR SUMMARY SUSPENSION**

---

Suspension of a faculty member or assignment to other duties in lieu of suspension is justified only if immediate harm to the faculty member or to others is threatened by that person's continued performance of regular duties or if the faculty member has failed to adhere to the University's Compliance Program. The faculty member may, on written request and at the convenience and discretion of the department, be relieved of some professional duties if this is necessary to provide time for the preparation of a defense. Summary suspension does not remove from the University the obligation to provide due process within a reasonable period of time following action.

The Health Sciences Center's policy on abrogation of tenure, dismissal before expiration of a tenure-track or consecutive term appointment, severe sanctions, summary suspension, and failure to comply with the University compliance program is available in the [Health Sciences Center Faculty Handbook](#).

---

**INITIAL PROCEDURES FOR ABROGATION OF TENURE, DISMISSAL BEFORE EXPIRATION OF A TENURE-TRACK APPOINTMENT OR RENEWABLE TERM APPOINTMENT, AND OTHER SEVERE SANCTIONS.**

---

The Faculty Handbooks of the Health Sciences Center and Norman Campus include the policy on initial procedures for abrogation of tenure, dismissal before expiration of a tenure-track appointment or renewable term/consecutive term appointment, and other severe sanctions.

#### Initial Procedures

- (a) When reasons arise to question the fitness of a faculty member who has tenure, whose tenure-track appointment has not expired, or whose conduct may warrant the imposition of other severe sanctions, the appropriate administrative officer(s) ordinarily shall discuss the matter with the faculty member in personal conference, at which time the matter may be terminated by mutual consent. If a mutually acceptable result is not forthcoming, and if the President decides that there still is reason to question the faculty member's fitness or professional behavior, the President shall so inform the Chair of the Faculty Appeals Board. The Chair shall then, following consultation with the individual, academic unit(s), and administrators concerned, schedule a pre-hearing conducted by the Faculty Appeals Board Hearing Committee. The Hearing Committee shall informally and confidentially inquire into the situation to effect a possible adjustment (the principal is encouraged to seek the assistance of the University Ombudsperson). If it fails in this, the Hearing Committee shall advise the President whether in its view formal proceedings should be instituted.
- (b) If the Hearing Committee recommends formal proceedings, or if the President favors such proceedings despite a contrary recommendation from the Hearing Committee, the President or the President's designee shall frame, with reasonable particularity, a statement of charges. The President may ask the aid or advice of the Hearing Committee in framing the charges.
- (c) The faculty member in question shall then be informed in writing by the President of the commencement of formal severe sanction proceedings and of the alleged grounds for the proposed action. The hearing shall take place as described in this policy.

## 2.4—FACULTY APPEALS & GRIEVANCES

### 2.4.1—FACULTY APPEALS AND GRIEVANCES

#### NORMAN CAMPUS

---

#### PROCEDURES

---

##### WHO MAY USE PROCEDURE

The grievance procedures described herein shall be available to any aggrieved party who is a Norman Campus faculty member, academic unit, administrative unit, or other duly constituted faculty body within the Norman Campus University community, when the respondent is also a Norman Campus faculty member, academic unit, administrative unit, or other duly constituted faculty body within the Norman Campus University community. Violations covered by this procedure include but are not limited to academic freedom and academic due process violations. Such violations may occur in the course of performing professional duties or in the process of being considered or evaluated for salary increase, promotion, tenure, or other personnel decisions in which a party has reason to believe there has been unlawful discrimination, harassment, violation of due process or academic freedom, or other grievance.

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

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

##### (a) Filing of Complaint

Individuals or units having complaints are encouraged to raise them with their department head/chair, academic dean, administrative supervisor, or the University Equal Opportunity Officer. The University Ombudsperson serves as a resource on University grievance procedures/policies and provides an opportunity for neutral resolution and mediation. Persons having complaints are encouraged to seek informal resolution through regular administrative channels or through mediated resolution with the Ombudsperson.

Complaints unresolved administratively or through the ombuds service and which solely involve harassment based on race, ethnicity, or sex or discrimination because of race, national origin, sex, color, age, religion, disability, political beliefs, or status as a veteran must be filed with the University Equal Opportunity Officer. (See Section 3 for University Equal Opportunity policies and procedures.) Complaints solely involving due process or academic freedom must be filed with the Faculty Appeals Board (“FAB”) Chair.

Whenever an academic unit chair or director or college dean is relieved of administrative responsibilities before his or her term expires or is not reappointed for another term, the administrator and/or affected faculty member(s) can appeal the decision to the Senior Vice President and Provost. If a satisfactory resolution of the appeal is not obtained at the level of the Senior Vice President and Provost, the academic administrator may appeal to the President.

The complainant is responsible for stating in writing and in full particularity the grounds upon which the alleged grievance is based. The grounds for the alleged grievance may not be changed after the filing of the complaint with the FAB Chair or the University Equal Opportunity Officer. The Ombudsperson may assist the complainant in identifying and clarifying grounds for a complaint. Where more than one type of complaint is present (e.g., sexual harassment and violation of due process), the complainant must specify all of the grounds of the grievance of which the complainant should have reasonably known at the time of filing. A copy of the harassment or discrimination complaint must be sent to the University Equal Opportunity Officer for investigation. A grievance with multiple grounds is heard by one hearing committee, which hears all aspects of a particular grievance. The FAB Chair and University Equal Opportunity Officer will discuss and determine the appropriate appeals process under which such grievance will be heard. The respondent will have 30 calendar days from receipt of the complaint to respond in writing to the FAB Chair or University Equal Opportunity Officer, as appropriate.

(b) Timing of Complaint

If a complaint cannot be resolved administratively or through the ombuds service, it must be filed with the FAB Chair or University Equal Opportunity Officer within 180 calendar days from the date on which the faculty member, unit, or body knows or reasonably should know of the alleged violation or incident giving rise to a grievance. All other time periods may be extended by mutual agreement of the parties involved or by the FAB Chair, Hearing Chair, or University Equal opportunity Officer (as appropriate) for good cause.

(c) Withdrawal of Complaint

The complainant may withdraw the complaint at any point prior to the adjournment of the formal hearing by notifying in writing the party with whom the complaint was originally filed. Once withdrawn, the same complaint may not be resubmitted under any grievance procedure.

(d) Confidentiality of Proceedings and Records

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

Except for those cases in which grievances go to a hearing and as otherwise required by law, all records of administrative investigation with regard to discrimination, sexual harassment, and/or racial or ethnic harassment shall be transmitted to and maintained by the University Equal Opportunity Officer as confidential records. All records of administrative investigation for other grievances will be held by the administrator involved as confidential records, except as otherwise required by law.

(e) Faculty Appeals Board

(1) The FAB is a standing body that responds to matters of tenure abrogation, dismissal, other severe sanctions, alleged violations of academic freedom or academic due process, and other grievances unresolved through administrative procedures. Because of the extraordinary importance and the range of such issues, the FAB shall be empowered to appoint *ad hoc* hearing committees to assist in the conduct of its affairs. The FAB considers matters brought before it.

(2) The FAB on the Norman Campus shall consist of fifty (50) members elected to four-year staggered terms by the Faculty Senate from among all full-time tenured faculty whose duties are primarily non-administrative.

(3) The FAB shall annually elect a chair-elect from among those who are in their third year of service. The chair-elect will serve as chair the following year. Membership on the FAB is not a disqualification for service on University Councils. All members of the FAB are eligible for re-election. Terms of

service shall begin September 1 and end August 31, except that if a hearing is in progress at this time, any retiring member of the FAB who is on the Hearing Committee shall be continued on the Hearing Committee until the case in process is closed. If a member of the FAB ceases to be a full-time member of the faculty, or if his or her duties become primarily administrative, the Faculty Senate shall elect a replacement to complete the term; but if the change in the Board member's status occurs during service on a Hearing Committee, the FAB member shall continue to serve on the Hearing Committee until the conclusion of the case unless either the complainant or respondent objects, in which case the FAB member shall be replaced by another member of the FAB chosen by the procedure prescribed for the original selection of the Hearing Committee.

(f) Pre-Hearing Process

The following procedure shall occur upon initiation by either party after an unresolved investigation of harassment, discrimination, or retaliation, after the filing of due process or academic freedom grievances, or after a request for a hearing by the President (see Faculty Handbook).

(1) Selection of Hearing Committee

The Chair of the FAB immediately will notify the respondent(s) of the grievance and will schedule a meeting of the parties within 5 classroom days to select the Hearing Committee. The Hearing Committee, which shall serve at the pre-hearing and at the formal hearing, if convened, will be selected as follows:

(a) The complainant and respondent alternately shall select three names from the FAB pool. The FAB Chair is responsible for ensuring that those selected choose within 5 classroom days a seventh name from the FAB pool to serve as chair.

(b) Any member of the FAB selected to serve on a Hearing Committee who is a member of the same academic unit or related within the third degree by consanguinity or affinity to the respondent or the complainant or who is biased or has a personal interest in the outcome of the case shall be disqualified from serving on the Hearing Committee.

(c) The complainant and the respondent in the case may each request to the Chair of the FAB that a member or members of the Hearing Committee be disqualified on grounds of bias or personal interest in the case. If, however, a challenge for cause is disputed by either party, the Hearing Committee shall decide by majority vote whether cause has been shown.

(d) Prior to the commencement of a hearing, members of a Hearing Committee who have been disqualified and any members who, by reason of illness or absence from campus, are unable to serve, shall be replaced immediately by the FAB Chair. The replacement shall be determined by the procedure herein, with replacements being selected by the party whose initial selection was eliminated, or by the Hearing Committee if the Chair is the member being replaced. After the commencement of the pre-hearing and/or hearing, a decision by the Hearing Committee Chair, or by the Chair of the FAB if the absent member is the Hearing Committee Chair, will determine whether the member should be replaced or if the pre-hearing and/or hearing shall continue without a replacement. No members of the FAB may be eligible for selection for a hearing committee if they currently are serving on another ongoing hearing.

(2) Pre-Hearing

Within 10 classroom days of the deadline for the respondent's written response to the complaint the Chair of the Hearing Committee will schedule an orientation/pre-hearing.

(a) The Chair of the FAB will orient the Hearing Committee. If the grievance specifies harassment because of race, ethnicity, or sex or discrimination because of race, national origin, sex, color, age, religion, disability, political beliefs, or status as a veteran, the University Equal Opportunity Officer also will orient the Hearing Committee.



(b) Immediately following the orientation of the Hearing Committee, the parties will present their case to the Hearing Committee. No witnesses or evidence will be heard at this pre-hearing. Although attorneys/advisers may be present in an advisory capacity to the parties at the pre-hearing, they may not directly address the Hearing Committee. If the Hearing Committee determines no further hearing is warranted, the matter is ended. The Chair of the Hearing Committee will report the determination in writing (vote only) to the complainant and respondent(s) within two classroom days. If the Hearing Committee determines that a formal hearing is warranted, the matter shall proceed as outlined below.

(g) Formal Hearing Process

All matters brought to a formal hearing shall be handled according to the following procedure:

(1) At least twenty classroom days before the hearing, the complainant shall present to the respondent and Chair of the Hearing Committee:

a. Relevant University rules or policies involved.

b. A summary of the evidence upon which the charges or complaints are based and an initial list of witnesses to be called.

(2) The respondent shall review these materials submitted by the complainant and present a written reply within 10 classroom days of delivery. The reply shall summarize the evidence to be used in refutation of the charges and shall include an initial list of witnesses to be called.

(3) The Hearing Committee shall set the date of its initial hearing within 30 calendar days after the deadline for the respondent's summary of evidence and list of witnesses.

(4) Any party, whether complainant or respondent, may select from among his or her colleagues a person to act as adviser, or may select an attorney for advice on legal matters. At his or her discretion, the party may be assisted by both an adviser and an attorney.

The faculty member shall inform the Chair of the Hearing Committee in writing of the identity of any adviser and/or attorney as soon as known but in no event later than 10 classroom days prior to the hearing. Should the faculty member elect to use an attorney, the University and/or its administrative representative(s) will be represented by the Office of Legal Counsel or its designee.

(5) Faculty members who serve on the Hearing Committee may call on the Office of Legal Counsel for procedural advice concerning the case in question, but the University's Legal Counsel, depending on the involvement of that office in the proceedings, must determine the most appropriate manner of providing the requested legal advice. The University will defend and be responsible for any money damages that might be awarded against one or all of the Hearing Committee members as individuals or as a Committee for actions taken in good faith, in their official capacity, and within the course and scope of their authority while acting as Hearing Committee members, as provided in the Oklahoma Governmental Tort Claims Act. (A copy of this Act is available from the Office of Legal Counsel.)

(6) Where the University's Legal Counsel deems its participation on behalf of the Hearing Committee to be inappropriate, the Chair of the FAB, at the request of the Chair of the Hearing Committee, may select by lot a legal adviser from a duly constituted panel of legal advisors. This panel, consisting of not more than six University faculty and staff who have law degrees, each serving a three-year terms with terms being staggered, is appointed by the President upon recommendation of the Faculty Senate.

(7) At this point, the complainant and the respondent, working with the Chair of the Hearing Committee, shall, as completely as possible, arrive at an agreement on procedures and the formulation of charges. The parties may refer to the current Book of Procedural Guidelines in formulating the agreement on procedures. Oral discussion shall be followed by an exchange of memoranda indicating the understanding which each party has of the conversation.

(8) If the respondent fails to cooperate with the Hearing Committee or defaults at the hearing stage but denies the charges or asserts that the charges do not support a finding of adequate cause, the Hearing Committee will evaluate all available evidence provided by the parties and base its recommendation upon the evidence in the record.

(h) Hearing Regulations

The FAB process is a lay process relying on peer review. The intent of this process is to avoid excessive legalism in deference to the common sense, sound judgment, good character, and sense of fairness of each Hearing Panel. The procedures should strive to diminish formality and rigidity and avoid emulation of a trial in a courtroom. The purpose for a system of internal review is to effect a just and fair disposition of a grievance.

The Hearing Committee may avail itself of the Book of Procedural Guidelines; however, since each instance of internal review is unique and procedures for resolving it must be tailored to satisfy specific objectives, the Hearing Committee should not deem itself bound by anything contained in these guidelines.

Notwithstanding, the following regulations shall apply to the hearing:

(1) Both complainant and respondent shall have the right to be present and be accompanied by a personal adviser or an attorney, or both, throughout the hearing. The Hearing Committee also shall have the right to have its legal adviser present throughout the hearing. Attorneys may be present to advise witnesses; however, in no case will the attorney representing a witness participate in the case. Attorneys should facilitate and not control the process.

(2) The hearing shall be closed unless all principals in the case agree that it be open.

(3) The Hearing Committee shall proceed by considering the statement of grounds for grievances already formulated and the response written before the time of the hearing. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter shall be received.

(4) Both parties or their advisers or attorneys shall have the right to present, examine, and cross-examine witnesses.

(5) The President's Office shall make available to the Hearing Committee Chair such authority as it possesses to require the presence of witnesses, and it shall bear any reasonable cost attendant upon the appearance of percipient witnesses at the hearing.

(6) The principle of confrontation shall apply throughout the hearing, and the complainant shall bear the burden of proof, which shall be by a preponderance of the evidence.

(7) An audio recording of the hearing will be made. The recording will be arranged by the Hearing Committee Chair. The full cost of the audio recording shall be borne by the University; transcripts may be requested and will be charged to the requesting party.

(8) The full text of the findings and the conclusions of the Hearing Committee shall be made available in identical form and at the same time to the President's Office and the principals in the case.

(9) The Hearing Committee may proceed to its findings, conclusions, and recommendations without having the record of the hearings transcribed, or it may request a transcript of the hearings if it feels its decision would be aided thereby.

(10) The President may attend the hearing or may designate a representative.

(i) Disposition of Charges

The Hearing Committee normally will communicate its findings, conclusions, and recommendations in writing to the parties involved and the President within 15 calendar days of the conclusion of the hearing. If the President concurs in the recommendation of the Hearing Committee, and action by the Board of Regents is not required by other policies or procedures, that recommendation shall be put into effect. The President must report to the parties and the Hearing Committee his/her decision within 15 calendar days of receipt of the Hearing Committee's recommendation.

If the case under consideration involves alleged violation of academic freedom or academic due process and if the Hearing Committee finds that academic freedom or academic due process has been violated, it must recommend that any professional or personnel decision affected by the violation be initiated anew from the point of violation. The Hearing Committee also may recommend necessary remedies appropriate to the case.

If the President does not concur and/or if action by the Board of Regents on the recommendation is required by other policies and procedures, the President shall transmit to the Board of Regents within 15 calendar days of receiving the recommendation of the Hearing Committee the full record of the hearing and the conclusions and the recommendations of the Hearing Committee, together with Presidential recommendations. The Board of Regents may adopt, modify, or reject the recommendations of the Hearing Committee or remand the matter.

If the Board of Regents chooses to remand the matter, it may return the proceedings to the Hearing Committee and specify its objections within 15 days after the next regularly scheduled Board of Regents' meeting. In this event, the Hearing Committee shall reconsider the complaint, taking account of the stated objections, receiving new evidence and testimony if necessary, and reporting its final conclusions to the President for transmittal to the Board of Regents as before. The work of the Hearing Committee is finished when the President communicates the final decision of the Board of Regents to the parties in the case, the Hearing Committee, and any necessary parties.

(j) Disposition of Records

Upon conclusion of any hearing, the Chair of the Hearing Committee shall remove all identifying characteristics from the agreement on procedures and shall forward this document to the Office of the Senior Vice President and Provost. Agreements on procedures will be maintained in a file in the Office of the Senior Vice President and Provost and will be available to panel members and participants in future cases upon request. All other text, transcripts, and documents of the procedures will be held in the Faculty Senate Office and released only with the consent of the Hearing Committee. Tapes of the hearing will be stored in the Office of Legal Counsel for five years. In the case of hearings involving discrimination, harassment, or retaliation, copies of all transcripts and documents will be filed with the University Equal Opportunity Office.

**(k) Policy Maintenance**

The Rights Assurance Committee will meet annually to review the grievances that have transpired. The committee--composed of the University Ombudsperson; University Equal Opportunity Officer; FAB Chair, Chair-elect, and former Chair; University Legal Counsel; Faculty Senate Chair; and Senior Vice President and Provost or their designated representatives--will formulate recommendations to revise these procedures, as necessary. The FAB Chair will chair the committee and report recommended changes to the Faculty Senate for consideration.

(The text below appears in the Health Sciences Center Faculty Handbook.)

### **APPEALS AND GRIEVANCES**

All faculty, whether tenured or not, are entitled to academic freedom as set forth in Section 3.1 and academic due process.

The following procedures cover alleged prohibited discrimination, including sexual, racial, or ethnic harassment, and alleged violations of academic freedom, academic due process, and University policy. The faculty member may seek redress through the appropriate grievance procedures if such violations occur in the course of performing professional duties or in the process of being considered or evaluated for recommendations regarding reappointment, salary increase, promotion, or tenure. Grounds for appeal may also include other personnel decisions in which a faculty member has reason to believe there has been discrimination, sexual, racial, or ethnic harassment, violation of due process or academic freedom, or if there are other grievances which have not been resolved administratively.

Faculty members serving as chairs, directors, deans, or other administrative positions, who are relieved of their administrative responsibilities, may not file a grievance or appeal when the grievance or appeal is based upon actions related to their administrative performance.

There are two appeal processes; the Faculty Appeals Board (Section 3.14) and the Committee on Discrimination and Harassment (Section 3.17).

- (a) **Faculty Appeals Board** - The Faculty Appeals Board is the appropriate appeal process for alleged violations of due process, academic freedom, or other grievances other than alleged prohibited discrimination which have not been resolved administratively. It is also the appropriate appeal process for abrogation of tenure, dismissal of tenure-track or consecutive term appointment, or severe sanctions (Section 3.14).
- (b) **Committee on Discrimination and Harassment** - The Committee on Discrimination and Harassment is the appropriate appeal process for complaints involving harassment based on race, ethnicity, or sex, or discrimination because of race, national origin, sex, color, age, religion, disability, or status as a veteran. Such appeals must be filed with the University Equal Opportunity Officer (Section 3.17).

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

**THE FACULTY APPEALS BOARD**

- (a) The Faculty Appeals Board is a standing body which responds to matters of tenure abrogation, dismissal, severe sanctions, alleged violations of academic freedom or academic due process, and other grievances concerning the alleged failure to follow University policy or alleged unfairness in the application of University policy unresolved through administrative procedures. The Faculty Appeals Board considers all such matters brought before it in a timely manner by individual faculty members. It is the responsibility of the Faculty Appeals Chair and Faculty Senate Chair to ensure that all matters are handled expeditiously.
  - 1) In cases related to alleged violation of academic freedom, academic due process or other grievances concerning the alleged failure to follow university policy or alleged unfairness in the application of university policy the faculty member will be considered the complainant and the administration the respondent. (See Section 3.16)
  - 2) In cases related to abrogation of tenure, dismissal of tenure-track or consecutive term appointment, or severe sanctions, the administration will be considered the complainant, the faculty member the respondent, and the letter from the President outlining the charges will serve as the complaint.
- (b) The Faculty Appeals Board of the Health Sciences Center shall consist of forty tenured faculty members representing fairly the existing colleges on the Health Sciences Center campus. The members shall be elected from among all full-time faculty whose duties are primarily non-administrative [i.e., not at the level of Assistant/Associate Dean, Dean, Assistant/Associate/Vice Provost or Provost]. All terms shall be four years. Membership on the Board is not a disqualification for service on other University councils or committees.
- (c) Each Faculty Appeals Board shall annually elect its own chair and vice chair from among those whose terms are nearest expiration. The chair and vice chair should be from separate colleges.
- (d) Responsibilities of Faculty Appeals Board chair:
  - 1) The chair shall determine if the complaint is appealable, for example, whether the initial deadline, as set in section 3.15.1. has been met or whether the complaint is concerned with the failure to follow University policy, or alleged unfairness in the application of University policy.
  - 2) The chair may, at any time, meet with the complainant and respondent, either together or separately, to discuss the points of the complaint. The intent will be to resolve differences where possible and to seek a resolution and/or dismissal of the appeal.
  - 3) Ordinarily the University Legal Counsel or a member of his/her staff not otherwise involved will serve as the legal advisor to the Faculty Appeals Board. If the Chair of the Faculty Appeals Board determines that some other course is desirable he/she may request a meeting with the President or his designee. In such instances when the Chair of the Faculty Appeals Board continues to desire outside counsel following a meeting with the President or his designee, the President may appoint other counsel with the concurrence of the Chair of the Faculty Appeals Board to advise the Hearing Committee.
  - 4) The chair, after consulting with the legal counsel assigned to the board, shall have the final decision on any procedural issues raised that are not addressed by the *Faculty Handbook* and in which there is an absence of agreement by the complainant and respondent.

- 5) All responsibilities of the chair will be relinquished and passed to the vice-chair if the appeal is from a faculty member of the same college as the chair.
- (e) All members of the Board are eligible for re-election. Terms of service shall begin July 1 and end June 30 except that, if a hearing is in progress at this time, any retiring member of the Board who is on the Hearing Committee shall be continued on the committee until the case in process is closed.
- (f) If a member of the Board, not serving on a hearing committee, ceases to be a full-time member of the faculty, or if his or her duties become primarily administrative, the Senate shall elect a replacement to complete the term.
- (g) Members on the Board who have an appeal pending before the Board shall be suspended from all Board activities until the appeal is resolved.

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

### **FACULTY APPEALS BOARD PROCESS**

#### **ALLEGED VIOLATION OF ACADEMIC FREEDOM, ACADEMIC DUE PROCESS, OR OTHER GRIEVANCES CONCERNING THE ALLEGED FAILURE TO FOLLOW UNIVERSITY POLICY OR ALLEGED UNFAIRNESS IN THE APPLICATION OF UNIVERSITY POLICY, ABROGATION OF TENURE, DISMISSAL OF A TENURE-TRACK OR CONSECUTIVE TERM APPOINTMENT, SEVERE SANCTIONS, SUMMARY SUSPENSION, FAILURE TO COMPLY WITH THE UNIVERSITY COMPLIANCE PROGRAM**

##### **Initiation of Appeal and Request for a Hearing**

(a) Request for Hearing - Academic freedom, academic due process or other grievances concerning the alleged failure to follow University policy or alleged unfairness in the application of University policy:

Any faculty member who believes that either academic freedom or academic due process has been violated or alleges other grievances concerning the alleged failure to follow University policy or alleged unfairness in the application of University policy should first seek prompt redress through regular administrative channels, which would include the chair, dean and Senior Vice President and Provost.

If the administrative review does not provide a satisfactory result, and if the faculty member wishes to continue the appeal he/she may submit, as the complainant, a written complaint outlining the specific points of appeal and requesting a formal hearing to the Chair of the Faculty Appeals Board no later than 45 calendar days after he/she has become or should have become aware of the alleged violation. Seeking redress through regular administrative channels does not extend the 45-day time allowed for filing an appeal.

(b) Request for Hearing - Abrogation of tenure, dismissal of tenure-track or consecutive term appointment, or severe sanctions:

Any faculty member who chooses to appeal the decision by the President to recommend abrogation of tenure, dismissal of a tenure-track or consecutive term appointment or other severe sanctions to the Board of Regents must submit, as the respondent, a written request for hearing to the Chair of the Faculty Appeals Board within 15 calendar days of the date of the President's letter. (See (e) below).

(c) The time intervals specified in the preceding and following sections are guidelines and should be maintained unless waived by the Chair of the Faculty Appeals Board for unusual circumstances or in order to allow continuing progress towards informal resolution of the complaint.

(d) The Faculty Appeals Board process is a lay process which relies on peer review and the common sense, sound judgment, good character, and sense of fairness of each Hearing Committee. The Faculty Appeals Board procedures should strive to diminish formality and rigidity. The process is not to be considered a trial but is a system of internal review to effect a just and fair disposition of a grievance.

(e) Pre-Hearing Procedure:

- 1) Upon receipt of the written complaint as set out in (a) and (b) of this section and prior to initiating the formal hearing process, the Chair of the Faculty Appeals board shall ask the respondent to submit, within 15 working days, a statement in writing outlining the specific points of defense. Upon receipt of this statement, the Chair of the Faculty Appeals Board shall, convene the complainant, the respondent, and two members of the Faculty Appeals Board within 30 working days. The two members shall be selected by the Chair in the same manner as members and alternates (Section 3.15.2(c)(2)) and shall be ineligible to serve on the Hearing Committee for that particular case. The purpose of the meeting is to discuss the points of the complaint, to resolve differences, where possible, and to seek resolution of the matter at issue. Formal minutes of these discussions will not be taken, and no data, findings or recommendations from these discussions will be forwarded to the Hearing Committee except as provided in Section 3.15.3.
- 2) If a satisfactory resolution is reached, the Chair of the Faculty Appeals Board will summarize and forward the facts of the case in writing to the complainant and the respondent.
- 3) If a satisfactory resolution is not reached within 45 working days from receipt of the formal request for hearing (3.15.1(a)(b)), the Chair of the Faculty Appeals Board will notify the parties that no resolution was reached and initiate hearing procedures.

### **Formal Hearing Procedure**

All matters brought to the Faculty Appeals Board shall be handled according to the following procedures, which are designed to ensure fairness and due process.

- (a) If the pre-hearing conference described in section 3.15.1 (e)(1) does not produce a satisfactory result, the Chair of the Faculty Appeals Board will request the complainant to submit to both the chair and the respondent, within 20 working days of the pre-hearing conference, a written statement embodying:
  - 1) Relevant policies of the administrative or academic unit, the College, the Provost's Office, President's Office, and the Board of Regents.
  - 2) The written complaint (3.15.1(a)(b)).

- 3) A summary of the evidence upon which the complaint is based.
  - 4) A list of witnesses to be called, a brief summary of their testimony, and a list of exhibits to be presented.
- (b) The Chair of the Faculty Appeals Board will upon receipt of the complainant's statement, request the respondent to submit to both the chair and the complainant, within 20 working days, a written statement including:
- 1) Relevant policies of the administrative or academic unit, the College, the Provost's Office, President's Office and the Board of Regents.
  - 2) The written response outlining the specific points of defense.
  - 3) A summary of the evidence to be used in refuting the charges.
  - 4) A list of witnesses to be called, a brief summary of their testimony, and a list of exhibits to be presented.
- (c) Selection of Hearing Committee:
- 1) Within 5 working days after the pre-hearing conference (3.15.1 (e)(1)) the Chair of the Faculty Appeals Board will proceed with the selection of the hearing committee by submitting the list of names of the eligible Board members to both parties. The list shall not include a member of the same academic unit or one who is related by consanguinity or affinity to the respondent or complainant. Members and alternates currently serving on another hearing shall also be ineligible. A member or alternate of the Hearing Committee may disqualify himself or herself on personal initiative or in response to such challenge for cause as is provided for in this section. The Chair of the Faculty Appeals Board shall also determine that no one on the list has a bias related to the person(s) or issue at hand.
  - 2) Within 5 working days after submitting the list of eligible board members to both parties, the Chair of the Faculty Appeals Board, will select seven members of the Board to constitute the Hearing Committee, three additional members to serve as alternates, and ten members to be available for maintaining the alternate pool should replacements become necessary through personal disqualification or challenge of individuals initially selected. The selection of members and alternate members of the Hearing Committee shall be made by lot and it shall be made in the presence of the chair of the Faculty Senate or a designated representative. The complainant and the respondent in the hearing shall be invited to be present or to send a representative. The Chair of the Faculty Appeals Board shall notify members in writing of their selection to the Hearing Committee and of the parties involved, and provide a brief description of the general nature of the issue.
  - 3) Within 10 working days of the initial selection of the Hearing Committee, the complainant or the respondent in the case may submit a written request to the Chair of the Faculty Appeals Board asking that members or alternates of the Hearing Committee be disqualified on grounds of bias or personal interest in the case. If, however, a challenge for cause is disputed by either of the parties, the Faculty Appeals Board Chair shall decide whether cause has been shown, and if so disqualify the member or alternate.
  - 4) After challenges for cause have been acted on, the complainant and the respondent, additionally, each may make a maximum of two peremptory challenges of members or



alternates selected for the Hearing Committee within 5 working days of the date such challenges for cause are resolved.

All decisions regarding initial disqualifications shall be made prior to the first meeting of the Committee. Within 20 working days after the Hearing Committee and the alternates have been finalized the Hearing Committee shall elect its own chair and set the date of the hearing. Every reasonable effort should be made by the Hearing Committee and both parties to hold the hearing as soon as possible.

- 5) Members of the Hearing Committee who are disqualified, ill, or otherwise unable to serve, shall be replaced from among alternate members by the Chair of the Faculty Appeals Board. Alternates who are disqualified, ill or otherwise unable to serve, or who become members of the Hearing Committee will be replaced from among the reserve pool (3.15.2(c)(2)) by the Chair of the Faculty Appeals Board.
- 6) A finalized list of Hearing Committee members and alternates will be given to all parties within 10 working days of resolving any challenges of the membership of the hearing committee or alternates by the complainant or the respondent. If no challenges are offered the finalized list must be completed within 20 working days of the initial selection of the Hearing Committee and alternates by the Chair of the Faculty Appeals Board.
- 7) If a member of a Hearing Committee ceases to be a tenured, full-time member of the faculty, he or she shall be replaced from among the alternates.
- 8) If the duties of a Hearing Committee member become primarily administrative, the member shall inform the Chair of the Faculty Appeals Board. The Chair of the Faculty Appeals Board will inform all parties. The member will continue to serve unless either party objects in writing to the Chair of the Faculty Appeals Board within five working days of receipt of notice.
- 9) The pool of three alternate members shall be maintained according to selection procedures in Section 3.15.2(c)(2). Alternate members shall attend all meetings of the Hearing Committee.

### **Handling of Charges**

- (a) Within 20 working days after the respondent has submitted the written response outlined in section 3.15.2(b), the Chair of the Faculty Appeals Board shall meet for a second pre-hearing conference with the parties involved, as appropriate, and attempt to solicit an agreement which can be put into writing in an effort to resolve the matter at this point.
- (b) If the issues cannot be resolved at this point, the complainant and respondent, with the Chair of the Faculty Appeals Board shall attempt to agree in writing upon the hearing procedures and other matters concerning the handling of the case including which issues are to be heard. In the absence of an agreement on procedures, the Chair of the Faculty Appeals Board shall determine the hearing procedures. In either case, the procedures should be finalized within 30 working days.
- (c) The parties may agree to waive a hearing and submit the case to the Hearing Committee on agreed stipulation. The Hearing Committee will then make its findings and recommendations upon evidence contained in or referred to in the stipulation within 30 working days.

### Hearing Regulations

The following regulations shall apply:

- (a) The parties shall have the right to attend the hearing and to be accompanied by a colleague or counsel, or by both, to advise them. The names of such advisors and/or counsel shall be provided to the Chair of the Hearing Committee at least 15 days prior to the hearing. Should the faculty member elect to use an attorney, the University and/or its administrative representative(s) will be represented by the office of Legal Counsel or its designee. Costs for such representation are borne by the respective parties. All hearings will be closed.
- (b) The President or his designee may attend the hearing and may have a representative or counsel, or both.
- (c) The Chair of the Hearing Committee shall serve as liaison for communication to and from the complainant or respondent and the Hearing Committee. Communications related to evidence and hearing procedures should be directed to the Chair of the Hearing Committee. Neither party shall communicate orally or in writing with individual Hearing Committee members during the hearing procedure. To ensure that information provided to the Hearing Committee by either party is part of the official documentation of the proceeding, each party is provided with a copy.
- (d) The Chair of the Hearing Committee is responsible for maintaining a full and accurate record of the proceedings. This shall consist of a tape recording, or, at the option of either party, and at that party's expense, a written transcript taken by a certified court reporter, and shall include copies of all exhibits, or other materials distributed at the hearing.
- (e) Either party may request a copy of the recording of the proceedings. The recording will be maintained in the Office of the Legal Counsel for a period of five years. The full cost of the audio recording the proceedings shall be borne by the University.
- (f) The written statements of both parties, as provided in Section 3.15.2 (a) and (b) and evidence taken or considered beyond the written statements shall be heard by the entire Committee at the hearing and not beforehand.
- (g) Both parties shall have the right to present, examine, and cross-examine witnesses.
- (h) The principles of confrontation shall apply throughout the hearing.
- (i) The President's Office shall make available to the Hearing Committee Chair such authority as it possesses to require the presence of witnesses.
- (j) The Board of Regents shall not be liable for any costs whatsoever incurred by the faculty member except as set forth in this section.
- (k) The report of the Hearing Committee will be submitted to the Senior Vice President and Provost within 10 working days of the conclusion of the hearing

### **Disposition of Charges**

The President shall transmit to the Board of Regents the full record of the hearing and the findings and recommendations of the Hearing Committee, together with presidential recommendations. The Board of Regents shall come to a decision in the case based upon the materials submitted plus any additional information which it wishes to consider, or return the matter to the Hearing Committee with written directions as to how to proceed.

- (a) When the Board of Regents reviews the matter the principals shall have the opportunity to present written argument. Oral arguments will be presented only upon request by the Board of Regents.
- (b) If the Board of Regents chooses to return the matter to the Hearing Committee, the committee shall review the matter in light of the Regents' directions and receive new evidence or information, if necessary, and submit a final report of its findings and recommendations to the President for transmittal to the Board of Regents, as before. The work of the Hearing Committee is finished when the President communicates in writing the final decision of the Regents to the Chair of the Hearing Committee and the principals in the case.
- (c) The full record shall be deposited in the office of the Vice President for University Governance and Secretary of the University. Parties to the case may request copies or excerpts from the full record after the completion of the Committee's work.
- (d) The costs shall be borne by the requesting party.

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

### **DISCRIMINATION AND HARASSMENT POLICIES AND PROCEDURES**

The University has a policy of internal adjudication in matters relating to alleged discrimination. Any faculty member, staff member, or student, including those on temporary or part-time status, who believes that he or she has been discriminated or retaliated against should file a complaint under the Grievance Procedure for Complaints Based Upon Discrimination, Sexual Harassment, Sexual Assault, Consensual Sexual Relationships, Retaliation or Racial and Ethnic Harassment.

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

(RM, 7-22-81, 9-17-81, 9-9-82, 9-27-95, 1-14-97)

It is the also the policy of the University not to discriminate on the basis of sexual orientation. (President, 1-7-93, 9-29-94)

#### **Policies Governing Sexual Harassment, Sexual Assault, Consensual Sexual Relationships, Retaliation, or Racial and Ethnic Harassment**

These policies, in their entirety, are contained in Appendices H through J.

#### **Grievance Procedure for Complaints Based Upon Discrimination, Sexual Harassment, Sexual Assault, Consensual Sexual Relationships, Retaliation, or Racial and Ethnic Harassment**

##### A. Who May Use Procedure

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

#### B. Filing Of Complaint

Persons who have complaints alleging discrimination based upon race, color, national origin, sex, age 40 or above, religion, disability or status as a veteran or complaints alleging sexual harassment, consensual sexual relationships, retaliation, or racial and ethnic harassment may file them in writing with the University Equal Opportunity Officer.

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

#### C. Timing of Complaint

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

#### D. Administrative Action

- 1) The University recognizes its obligation to address incidents of discrimination and harassment on campus when it becomes aware of their existence even if no complaints are filed, therefore, the University reserves the right to take appropriate action unilaterally under this procedure.
- 2) With respect to students, the University Vice President for Student Affairs and Dean of Students or other appropriate persons in authority may take immediate administrative or disciplinary action which is deemed necessary for the welfare or safety of the University Community. Any Norman Campus student so affected must be granted due process appropriate to the circumstance. A campus disciplinary council, in accordance with Title 13, Section 1.2. of the Student Code shall conduct any hearing involving disciplinary suspension or expulsion. Lesser administrative or disciplinary action may be appealed to the University Vice President for Student Affairs and Dean of Students. Such requests must be in writing and filed within seven calendar days following the summary action. The University Vice President for Student Affairs and Dean of Students will issue a written determination to the student within three working days following the date the request is received.
- 3) With respect to employees, upon a determination at any stage in the investigation or grievance procedure that the continued performance of either party's regular duties or University responsibilities would be inappropriate, the proper executive officer may suspend or reassign said duties or responsibilities or place the individual on leave of absence pending the completion of the investigation or grievance procedure.

#### E. Withdrawal of Complaint

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

## F. Confidentiality of Proceedings and Records

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

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

## G. Proceedings

### 1) Investigation

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

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

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

#### (a) Satisfactory Resolution

Resolve the matter to the satisfaction of the University and both the complainant and the respondent. If a resolution satisfactory to the University and both parties is reached through the efforts of the University Equal Opportunity Officer, he or she shall prepare a written statement indicating the resolution. At that time the investigation and the record thereof shall be closed.

#### (b) Dismissal

Find that no policy violation occurred and dismiss the complaint, giving written notice of said dismissal to each party involved. Within 15 calendar days of the date of the notice of dismissal, the complainant may appeal said dismissal in writing to the University Equal Opportunity Officer by requesting a hearing according to the provisions of Section G.2. If no appeal is filed within the 15 calendar day period, the case is considered closed.

#### (c) Determination of Impropriety

- (1) Make a finding of impropriety and notify the parties of the action to be taken. Either party has the right to appeal said determination in writing within 15 calendar days of the date of notice of determination to the University Equal Opportunity Officer by requesting a hearing according to the provisions of Section G.2. If no appeal is filed within the 15 calendar day period, the case is considered closed.

- (2) In the case of a complaint against a faculty member, the administrative investigator may determine that the evidence is sufficiently clear and serious so as to warrant the immediate commencement of formal proceedings as provided in the Abrogation of Tenure, Dismissal Before Expiration of a Tenure-Track or Consecutive Term Appointment, and Severe Sanctions section of the *Faculty Handbook*. If the President concurs with the administrator's finding, the case may be removed at the option of the accused from the grievance proceedings contained herein and further action in the case shall be governed by the Abrogation of Tenure, Dismissal Before Expiration of a Tenure-Track or Consecutive Term Appointment, and Severe Sanctions section in the Faculty Handbook. Otherwise, this policy and procedure shall apply.

## 2) Hearing

### (a) Request for a Hearing

- (1) Appeals and complaints unresolved following an investigation may result in a hearing before a hearing panel selected from the membership of the Committee on Discrimination and Harassment as described below. For the Norman Campus, faculty versus faculty grievances with multiple issues are heard by the Faculty Appeals Board. The request for a hearing is to be addressed to the University Equal Opportunity Officer.
- (2) The request for a hearing must contain the particular facts upon which the policy violation allegation is based as well as the identity of the appropriate respondent(s). A copy of the request shall be given to the proper respondent(s) by the University Equal Opportunity Officer.
- (3) Written response to the request for a formal hearing must be sent to the University Equal Opportunity Officer within 10 calendar days of receiving notice that a formal hearing has been requested. A copy of the response shall be given to the party requesting the hearing.

### (b) Selection of a Hearing Panel

Within 10 calendar days following receipt of the written request for a hearing, the University Equal Opportunity Officer shall initiate the process to determine the members of the Hearing Panel.

A five-member hearing panel will be chosen by the parties to the complaint from: on the Health Sciences Center (including Tulsa), the twenty-four member Committee on Discrimination and Harassment; and on the Norman Campus, from the sixteen member Committee on Discrimination and/or the fifty member Faculty Appeals Board.

A Committee on Discrimination and Harassment shall be established on each campus and composed of: on the Health Sciences Center, eight staff members, eight students, and eight faculty members; and on the Norman Campus, eight staff members and eight student members, with faculty representation being selected from the Faculty Appeals Board. On the Norman Campus, five staff will be appointed by the Staff Senate and five students will be appointed by UOSA; the President will appoint three staff and three students. At the Health Sciences Center, eight faculty will be appointed by the Faculty Senate, eight staff

members appointed by the Staff Senate, and eight students by the Student Government Association. The terms of appointment shall be for three years with initial terms of 1, 2, and 3 years in each category to provide the staggered membership, except that each student shall be appointed for a one year term.

The selection process shall be in the following manner: the complainant and the respondent alternately select two names each from the pool. Those selected choose a fifth name from the pool to serve as chair. If the four panelists cannot agree on the fifth, the names of five additional Committee members will be drawn by lottery. Each panelist will strike one name off the list of five names. The remaining person shall be the fifth panelist. Either party to the complaint may ask the University Equal Opportunity Officer to disqualify any member of the Hearing Panel upon a showing of cause. Furthermore, no panelist shall be expected to serve if he/she feels that a conflict of interest exists. Replacements shall be selected in the same manner as the original panel.

(c) Pre-Hearing Conference

Within ten calendar days of receiving notification, or as soon as practical, the Chair shall convene the Hearing Panel for an informal discussion of the grievance and a decision as to whether there exist adequate grounds for a hearing. The parties involved and the University Equal Opportunity Officer shall be present during the informal discussion. Prior to the informal discussion, the University Equal Opportunity Officer shall conduct an orientation. Each panel member shall be given a copy of the written complaint, the request for a hearing, and the written response. No witnesses or evidence will be heard.

At all meetings, each party may be accompanied by an adviser. In the event that a party chooses to be advised by an attorney he/she may do so at his/her expense. If an adviser is used, the name of the person so assisting must be furnished to the Panel and the other party 10 calendar days in advance of the pre-hearing conference. Advisers may advise their clients at the pre-hearing conference but may not directly address the Hearing Panel.

If the Panel decides at its pre-hearing conference that there is no basis for a hearing, it shall report the determination in writing to the proper executive officer with a copy to the President and the University Equal Opportunity Officer. The Executive Officer shall render his or her decision on the matter in writing to each of the parties involved in the informal proceedings.

(d) Hearing Guidelines

The panel shall be convened by the University Equal Opportunity Officer for further orientation prior to the formal hearing. Each panel member shall be given a copy of the Hearing Guidelines.

The hearing panel procedures in conducting a hearing shall be established with reference to the Hearing Guidelines and shall provide that the parties may present all of the evidence that they consider germane to the determination. Further, the parties may call witnesses to testify and may cross-examine witnesses called by the other party.

The hearing shall be closed unless all principals in the case agree to an open hearing. Audio tape recordings of the proceedings shall be arranged by the Chair of the Hearing Panel and paid for by the University. Transcripts may be charged to the requesting party. In cases of alleged sexual assault on students, the accuser and the accused are entitled to the

same opportunities to have others present during a campus disciplinary proceeding and both shall be informed of the outcome of the proceeding.

After the pre-hearing conference, if a party wishes to have an adviser present at any stage of the hearing he/she must notify the Hearing Panel Chair and other party(ies) that an adviser has been retained at least 10 calendar days in advance of the scheduled hearing. Advisers may advise their clients at the hearing but may not directly address the Hearing Panel or witnesses, except as required for student disciplinary hearings leading to suspension or expulsion.

The Chair of the Hearing Panel shall notify the parties of the date, time and location of the hearing. Parties are responsible for giving such notice to their witnesses. The hearing shall be scheduled to reasonably ensure that the complainant, respondent, and essential witnesses are able to participate.

Upon request Legal Counsel may serve as an adviser to the Hearing Panel.

(e) Satisfactory Resolution Prior to Hearing Completion

In the event the matter is resolved to the satisfaction of all parties prior to completion of the hearing, a written statement shall indicate the agreement recommended by the parties and shall be signed and dated by each party and by the Chair of the Hearing Panel. The recommendation will be referred to the appropriate Executive Officer for final determination.

(f) Panel's Findings and Recommendations

In the event that no solution satisfactory to the parties is reached prior to the completion of the hearing, the Panel shall make its findings and recommendations known to the proper executive officer, with copies to the President of the University and the University Equal Opportunity Officer. The Panel's report, with its findings and recommendations, shall be prepared and properly transmitted within seven (7) calendar days after conclusion of the hearing.

(g) Executive Officer's Decision

Within 15 calendar days of receipt of the Hearing Panel's findings and recommendations, the proper executive officer shall inform the complainant and the respondent of the findings of the Hearing Panel and the officer's decision. A copy of the officer's decision shall be transmitted to the Chair of the Hearing Panel, with copies to the President of the University and the University Equal Opportunity Officer. In a case investigated initially by an administrator, the administrator also shall be informed of the officer's decision. In the event the allegations are not substantiated, reasonable steps in consultation with the accused may be taken to restore that person's reputation.

(h) Appeal to the President

The Executive Officer's decision may be appealed to the President within 15 calendar days of being notified of prospective action or of action taken, whichever is earlier. If the President does not act to change the decision of the Executive Officer within 15 calendar days of receiving the appeal, the decision of the Executive Officer shall become final under the executive authority of the President.



To contact the University Office of Equal Opportunity:

NORMAN CAMPUS  
ROOM 102, EVANS HALL  
325-3546

HEALTH SCIENCES CENTER CAMPUS  
ROOM 113, SERVICE CENTER BUILDING  
271-2110

(RM, 9-27-95, p. 24633; 1-14-97, p. 25260; 1-26-99, p. 26204)

---

### POST-DOCTORAL FELLOW GRIEVANCE PROCEDURE

---

Although post-doctoral fellows are University employees, they are at the University primarily to receive additional education. Therefore, even though they are generally appointed for one year at a time, the University, through its designated officials, retains the right to evaluate the academic qualifications, performance, professional conduct, and suitability for promotion, continued education and certification of post-doctoral fellows receiving education at the University.

Because of the post-doctoral fellows positions as employees who are also receiving education, any grievance brought by a fellow regarding his or her rights as a fellow or any allegation of wrongful administrative action resulting in probation, suspension, or dismissal and termination of post-doctoral education shall be brought under this policy. All grievances must be started within thirty days of the time the fellow knew or should have known of the decision or situation that is the subject of the grievance.

In the event a fellow has a grievance, the following steps shall be followed:

- 1) The fellow shall discuss the grievance with his or her supervisor or program director and attempt to resolve the issue within the program.
- 2) If the fellow is not satisfied with the program's decision on the issue, he may request a meeting with the Assistant or Associate Dean in charge of post-doctoral fellows in the College in which the fellow is assigned through submission of a written grievance within ten days of beginning the attempt to resolve the issue with the supervisor or program director.
- 3) The Assistant/Associate Dean shall investigate the written grievance.
- 4) The Assistant/Associate Dean shall attempt to arbitrate the grievance. If the matter cannot be resolved, the fellow may within seven days of receipt of the notification that the Assistant/Associate Dean was unable to resolve the issue request a hearing before the Post-Doctoral Fellow Appeals Committee. This request shall be written and submitted to the Dean of the College in which the fellow is assigned.
- 5) The Dean shall convene an *ad hoc* Post-Doctoral Fellow Appeals Committee to consider the fellow's grievance.
- 6) The Post-Doctoral Fellow Appeals Committee shall consist of six members: three selected from the faculty and three selected from among the fellows in the College where the fellow is assigned. The Dean of the College shall appoint the membership. The Assistant/Associate Dean shall serve *ex officio*.\*

\*Legal Counsel recommends the committee be made up of an odd number of voting members to avoid tie votes.

**Charge:** The Committee may hear an appeal by a fellow who, (1) thinks he or she has been unfairly evaluated by a program or that his or her rights as a fellow have been infringed, and (2) has been unable to resolve the matter in conference with the program director and the Assistant/Associate Dean. While the responsibility for evaluations rests with the program, the primary responsibility of the Committee is to mediate or adjudicate disputes which have not been satisfactorily resolved at the program level in order to protect both fellows and faculty from arbitrary and capricious decisions.

- 7) The Post-Doctoral Fellows Appeals Committee shall hear the grievance. The fellow may bring any person(s) whom he or she thinks will be able to contribute to his or her presentation to the Committee. The Post-Doctoral Fellow Appeals Committee hearing will be recorded. The fellow may be advised at his or her own expense by legal counsel, if desired. The fellow must notify the Committee Chairman at least seven days before the hearing if legal counsel will be present. If the fellow is accompanied by legal counsel at the hearing or at any steps where the resident and a University official meet, University Legal Counsel shall also be present. Neither counsel for the fellow nor for the University may directly address the Committee in any hearing except in answer to a specific question by a committee member. The Committee shall determine the procedure and conduct of the hearing incorporating the basic principles of due process.
- 8) If after the Committee hearing the parties fail to achieve a mutually satisfactory settlement, the Committee will render a written report containing findings of fact and recommendations regarding the dispute in question to the Dean for his consideration.
- 9) The Dean of the College shall review the hearing proceedings and the report of the appeals committee and render a final decision regarding the grievance and take appropriate action. Any fellow about whom the Committee makes an adverse recommendation to the Dean will have the opportunity to talk with the Dean before the Dean makes a final decision.
- 10) There is no appeal beyond the Dean.

(RM, 12-4-92, p. 23178; 12-3-02, p. 28355)

## 2.5—FACULTY HONORS

### 2.5.1—DISTINGUISHED PROFESSORSHIPS

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

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

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

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

#### DAVID ROSS BOYD PROFESSORSHIPS

##### Criteria for Selection

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

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

##### Nomination Procedure

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

**Recommendations** - Any academic unit may submit to the college dean the name of one tenured faculty member with the rank of professor. The recommending unit will be responsible for assembling the supporting documentation. The dean of the college will review the recommendations and add his or her comments to the recommendation(s) considered to be most worthy. The dean will submit all the recommendations and supporting documentation to the Senior Vice President and Provost. The Senior Vice President and Provosts will forward these materials to the University Council on Faculty Awards and Honors.

**Supporting Documentation** - Recommendations are to be accompanied by specific evidence that the nominee meets the criteria for selection. Whenever possible, surveys of representative groups of present and former students should be made and reported.

#### Selection Procedure

**Review** - The Council on Faculty Awards and Honors shall recommend to the President, through the Senior Vice President and Provosts, only those nominated faculty considered by the Council to be most highly qualified and most deserving of being awarded the David Ross Boyd Professorship. The Council also shall transmit all substantiating materials pertaining to all nominees.

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

#### Prerequisites

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

#### Term of the Award

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

(RM, 5-11-78, pp. 14955-6; 3-15-89, p. 20938; 6-27-95, p. 24480; 9-26-95, p. 24594; 1-27-2004, p. 28924)

### GEORGE LYNN CROSS RESEARCH PROFESSORSHIPS

#### Criteria for Selection

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

#### Nomination Procedure

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

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

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

### Research Council.

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

### Selection Procedure

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

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

### Perquisites

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

### Term of the Award

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

(RM, 5-11-78, pp. 14956-7; 3-15-89, p. 20938; 6-27-95, p. 24481; 9-26-95, p. 24589; 1-27-2004, p. 28924)

## PRESIDENTIAL PROFESSORSHIPS

### Criteria for Selection

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

To support this charge, nomination materials will include:

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Selection Committee

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

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

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

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

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

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

#### Selection Procedure

Initiation - The President's Office -- in conjunction with the Senior Vice President and Provost of the Norman Campus and the Senior Vice President and Provost of the Health Sciences Center -- (a) will review the number of vacant Presidential Professorships, (b) will hold three vacancies each year for recruitment leverage, and (c) will issue a call for nominations by September 30. Separate selection committees will be constituted on the Norman and Health Sciences Center campuses.

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

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

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

#### Prerequisites

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

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

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

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

#### Term of Award

The Professorship is granted for a four-year term with the faculty member receiving the funding each year based on faculty rank. (RM, 9-26-95, p. 24589; 1-27-2004, p. 28924)

### REGENTS' PROFESSORSHIPS

#### Criteria for Selection

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

#### Nomination and Selection Procedures

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

#### Perquisites

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

#### Term of the Award

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

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

### 2.5.2—FACULTY AWARDS

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



### 2.5.3—REGENTS' AWARDS

The Regents' Award is an annual University-funded award that may be given for superior accomplishment in any of the following: teaching; research and creative/scholarly activity; and professional and University service and public outreach.

---

#### CRITERIA FOR SELECTION

---

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

---

#### NOMINATION PROCEDURE

---

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

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

---

#### SELECTION PROCEDURE

---

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

The Council shall recommend to the President, through the Senior Vice President and Provosts, as many as nine faculty members for the awards, with the understanding the majority of the awards will be given for Superior Teaching. The Council also shall transmit all substantiating materials pertaining to all nominees. The Senior Vice President and Provosts will review the nominees and forward their recommendations, along with all substantiating materials, to the President, who will make recommendations to the Board of Regents for consideration.

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

---

**ANNOUNCEMENT**

---

The recipients of the Regents' Award for Superior Teaching, Regents' Award for Superior Research and Creative/Scholarly Activity, and Regents' Award for Superior Professional and University Service and Public Outreach will be announced by the Board of Regents at spring meetings of the faculty.

---

**PREREQUISITES**

---

Each award will consist of affixing the recipient's name to a permanent plaque in a prominent and suitable location and a cash award of \$2,000. A certificate suitable for framing will be presented to the recipient.

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

**2.5.4—COLLEGE AWARDS FOR FACULTY AND STAFF**

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

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

## 2.6—GENERAL ACADEMIC ISSUES

### 2.6.1—DENIAL OF ADMISSION

Any person who is otherwise academically qualified, meets all University admissions requirements and is denied admission for any reason may appeal that denial by requesting a hearing before the Committee on Academic Regulations within 15 University business days of postmark. The Committee shall proceed as quickly as possible to hear the matter so that one who has been wrongfully denied admission will not be prejudiced in his or her ability to perform the academic work required of him or her in that semester. (RM, 4-12-73, pp. 12125-26; 1-27-2004, p. 28924)

### 2.6.2—ACADEMIC APPEALS BOARDS

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

The responsibility for academic evaluations of students rests with the faculty. If a student feels wrongfully and unfairly treated by an instructor and if he or she is unable to resolve the matter in conference with the instructor or the departmental chair/director of the academic unit, an appeal may be made with the Academic Appeals Board of the college offering the course. Any thesis and dissertation appeals shall be heard by the Graduate College appeals board.

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

Each Academic Appeals Board will hear cases in which the issue to be resolved is that of prejudiced or capricious evaluation, or alleged inability to speak the English language to the extent necessary to adequately instruct students.

Except for those cases which arise in the College of Law, the following procedures shall apply. (For the procedures in the College of Law, refer to the College of Law Code of Academic Responsibility).

An Academic Appeals Board will hear a case only after the student has notified an instructor of a dispute over an academic evaluation and after the student has made an unsuccessful attempt to resolve differences with the instructor, if necessary in consultation with the department chair. In cases of end-of-term evaluations, a student must notify an instructor of a dispute over an academic evaluation and must attempt to resolve differences no later than February 15 for the previous fall semester or winter intersession, and no later than September 15 in cases of end-of-term evaluations for the previous spring semester, spring intersession, or summer term. In cases of an evaluation made known to a student during the term, the student must notify an instructor of a dispute over an academic evaluation and must attempt to resolve differences no later than 15 calendar days (excluding Saturdays, Sundays, and University holidays from classes) after the results of evaluation are made known to the student. If a student fails to notify an instructor or fails to attempt resolution within the appropriate time limit, the Academic Appeals Board shall deny any request for a hearing on the claim unless, in the view of the Academic Appeals Board, the

student has been prevented from complying with the appropriate time limit (as, for example, in the case of a student being called into military service).

The filing of a written request for a hearing on a claim before the appropriate Academic Appeals Board shall be within 10 calendar days (excluding Saturdays, Sundays, and University holidays from classes) following the day when the attempts at resolution in paragraph (1) above are completed. The Academic Appeals Board shall deny any request for a hearing on a claim which does not meet this deadline unless, in the view of the Academic Appeals Board, exceptional circumstances exist whereby the student is prevented from filing the claim. Furthermore, if in the judgment of the Academic Appeals Board, the case is deemed to be without merit or has already been satisfactorily resolved in the department, the Academic Appeals Board may refuse to hear the matter.

To avoid a jurisdictional impasse, the appeal shall be heard by the Academic Appeals Board in the undergraduate college in which both the course and the instructor are located. Any thesis and dissertation appeals shall be heard by the Graduate College Appeals Board.

It shall be the primary function of the Academic Appeals Board to adjudicate disputes which have not been satisfactorily resolved on the department level.

Each Academic Appeals Board shall be given the responsibility of establishing its own rules of procedure. Such rules as it establishes must be consistent with the full protection of the rights of all parties involved.

Meetings of the Academic Appeals Board shall be confidential and closed to the public except as otherwise permitted by law and agreed to by all parties.

Decisions of the Academic Appeals Board shall be communicated in writing to the Academic Appeals Board's dean, the student's dean, the student, and the instructor. The Academic Appeals Board's decisions shall be final and shall be implemented unless either the student or the instructor makes written appeal to the Executive Committee (or comparable body) of the degree-recommending college within 10 calendar days (excluding Saturdays, Sundays, or University holidays from classes) after being notified of the Academic Appeals Board's decision. The decision of the Executive Committee (or comparable body) shall be final and shall be implemented unless either the student or the instructor makes written appeal to the faculty of the degree-recommending college within 10 calendar days (excluding Saturdays, Sundays, or University holidays from classes) after being notified of the Executive Committee's decision. In the case of an appeal to the faculty of the degree-recommending college, the faculty's decision shall be final and shall be implemented. The faculty of a degree-recommending college, however, may delegate its authority to consider appeals under this policy to the Executive Committee (or equivalent body) of the degree-recommending college, in which case the decisions of the Executive Committee shall be final and shall be implemented without appeal to the faculty. Revisions to this policy shall be reviewed by the Faculty Senates and the Student Code Revision Committee. (RM, 7-23-87, pp. 19840-43; 1-27-2004, p. 28924)

(The text below appears in the Health Sciences Center Faculty Handbook.)

### **ACADEMIC APPEALS BOARDS**

All academic appeals must be handled according to the following process:

The responsibility for academic evaluations of students rests with the faculty. If a student feels he or she has received a prejudiced or capricious evaluation by an instructor, and if he or she is unable to resolve the matter in conference with the instructor or the departmental chair, an appeal may be made to the

appeals Board of the college offering the course. Any thesis and dissertation appeals shall be heard by the Graduate College Appeals Board.

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

- (a) It shall be the primary function of a Board to adjudicate disputes which have not been satisfactorily resolved at the department level.
- (b) A Board will hear a case only after a student has notified an instructor of a dispute over an academic evaluation and after the student has made an unsuccessful attempt to resolve differences with the instructor, if necessary in consultation with the departmental chair. In cases of end-of-term evaluations, a student must notify an instructor of a dispute over an academic evaluation and must attempt to resolve differences no later than February 15 for the previous fall semester or winter intersession; and no later than September 15 in cases of end-of-term evaluations for the previous spring semester, spring intersession, or summer term.

In cases of an evaluation made known to a student during the term, the student must notify the instructor of a dispute over an academic evaluation and must attempt to resolve differences no later than 15 calendar days (excluding Saturdays, Sundays, and University holidays from classes) after the results of the evaluation are made known to the student. If a student fails to notify an instructor or fails to attempt resolution within the appropriate time limit, the Board shall deny any request for a hearing on the claim unless, in the view of the Board, the student has been prevented from complying with the appropriate time limit (as, for example, in the case of a student being called into military service).

- (c) The filing of a written request for a hearing on a claim before the appropriate Academic Appeals Board shall be within 10 calendar days (excluding Saturdays, Sundays, and University holidays from classes) following the day when the attempts at resolution in paragraph (b) above are completed. The Board shall deny any request for a hearing on a claim that does not meet this deadline unless, in the view of the Board, exceptional circumstances exist whereby the student is prevented from filing the claim. Furthermore, if in the judgment of the Board, the case is deemed to be without merit or already has been satisfactorily resolved in the department, the Board may refuse the student a hearing.
- (d) Each Board shall be given the responsibility of establishing its own rules of procedure. Such rules as it establishes must be consistent with the full protection of the rights of all parties involved.
- (e) Meetings of a Board may be closed to the public.
- (f) If a Board fails to achieve a settlement mutually satisfactory to the parties involved, it will recommend a means of settling the dispute to the executive committee (or comparable body) of the college, where final disposition of the case will be made.

(RM, 6-19-96, p. 24929; 1-26-99, p. 26204; 12-3-02, p. 28355)

### 2.6.3—STUDENT ACADEMIC INTEGRITY

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

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

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

---

#### ACADEMIC MISCONDUCT CODE

---

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

#### GENERAL PROVISIONS

##### BASIC PRINCIPLE OF HONESTY

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

#### DEFINITIONS

##### ACADEMIC MISCONDUCT

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

- a) Cheating: the use of unauthorized materials, methods, or information in any academic exercise, including improper collaboration;
- b) Plagiarism: the representation of the words or ideas of another as one's own, including:

- 1) Direct quotation without both attribution and indication that the material is being directly quoted, e.g. quotation marks;
  - 2) Paraphrase without attribution;
  - 3) Paraphrase with or without attribution where the wording of the original remains substantially intact and is represented as the author's own;
  - 4) Expression in one's own words, but without attribution, of ideas, arguments, lines of reasoning, facts, processes, or other products of the intellect where such material is learned from the work of another and is not part of the general fund of common academic knowledge;
- c) Fabrication: the falsification or invention of any information or citation in an academic exercise;
  - d) Fraud: the falsification, forgery, or misrepresentation of academic work, including the resubmission of work performed for one class for credit in another class without the informed permission of the second instructor; or the falsification, forgery or misrepresentation of other academic or medical records or documents, including admissions materials, transcripts and patient records; or the communication of false or misleading statements to obtain academic advantage or to avoid academic penalty;
  - e) Destruction, misappropriation or unauthorized possession of University property or the property of another;
  - f) Bribery or intimidation;
  - g) Assisting others in any act proscribed by this Code; or
  - h) Attempting to engage in such acts.

#### **RESPONSIBILITY FOR KNOWING THE CODE**

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

---

#### **ACADEMIC MISCONDUCT BOARDS**

---

Each college shall establish an Academic Misconduct Board (AMB) consisting of two students and three members of that college's faculty to hear each case. Membership of the Board shall be drawn from a pool of faculty and students. The faculty members of the AMB and the terms for all members shall be determined by the faculty of the college. Student members shall be appointed or selected from nominations submitted by appropriate student organizations. When an AMB cannot be constituted from the existing pool, the dean of the college may approve faculty and students from within or outside the college to serve as *ad hoc* AMB members. This includes forming *ad hoc* AMBs during the summer terms

in order to assure timely review of cases. An AMB may be assisted by a non-voting faculty or staff person appointed by the dean of the college who shall exercise responsibility for the AMB in administrative matters, such as scheduling cases, providing notification of hearings and decisions, and maintaining records.

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

## **1. GENERAL PROVISIONS**

### **1.1 BASIC PRINCIPLE OF HONESTY**

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

### **1.2 DEFINITIONS**

**1.2.1 Academic Misconduct.** Any act which improperly affects the evaluation of a student's academic performance or achievement. The following terms illustrate but do not delimit or define academic misconduct:

- (a) Cheating: the use of unauthorized materials, methods, or information in any academic exercise, including improper collaboration;
- (b) Plagiarism: the representation of the words or ideas of another as one's own, including:
  - (1) direct quotation without both attribution and indication that the material is being directly quoted, e.g. quotation marks;
  - (2) paraphrase without attribution;
  - (3) paraphrase with or without attribution where the wording of the original remains substantially intact and is represented as the author's own;
  - (4) expression in one's own words, but without attribution, of ideas, arguments, lines of reasoning, facts, processes, or other products of the intellect where such material is learned from the work of another and is not part of the general fund of common academic knowledge;
- (c) Fabrication: the falsification or invention of any information or citation in an academic exercise;
- (d) Fraud: the falsification, forgery, or misrepresentation of academic work, including the resubmission of work performed for one class for credit in another class without the informed permission of the second instructor; or the falsification, forgery or misrepresentation of other academic records or documents, including admissions materials and transcripts; or the communication of false or misleading statements to obtain academic advantage or to avoid academic penalty;



- (e) Destruction, misappropriation or unauthorized possession of University property or the property of another;
  - (f) Bribery or intimidation;
  - (g) Assisting others in any act proscribed by this Code; or
  - (h) Attempting to engage in such acts.
- 1.2.2 Budget Dean. The dean of the college in which the academic unit offering the course at issue is budgeted.
- 1.2.3 Code. The Academic Misconduct Code of the Norman Campus.
- 1.2.4 Date of Service.
- (a) When service is in person, the date the notice is actually delivered to the student, as noted on the return copy;
  - (b) When service is by mail, the date determined as follows:
    - (1) if notice is “signed for,” the date the notice was “signed for” as indicated on the return mail receipt; or
    - (2) if notice is not “signed for,” the date of return to the Campus Judicial Coordinator of the mail receipt, unless notice was sent to an address other than that last provided by the student to the Office of Admissions and Records as his or her current address.
- 1.2.5 Instructor. The faculty member or other person primarily responsible for instructing a particular course.
- 1.2.6 Regular Class Day. Any day, Monday through Friday, on which the University holds regularly scheduled classes, or regularly scheduled final examinations, except for Intersession classes.
- 1.2.7 Student’s Dean. The Dean of the College to which the student has been admitted.
- 1.3 **RESPONSIBILITY FOR KNOWING THE CODE**  
It is the responsibility of each instructor and each student to be familiar with the definitions, policies, and procedures concerning academic misconduct, and unfamiliarity with the Code shall not alter any rights or responsibilities provided herein.

## **2 REPORTING ACADEMIC MISCONDUCT**

### **2.1 WHO MAY FILE**

Any University administrative, faculty, or staff member may bring a complaint of academic misconduct by submitting a written report as provided hereafter. Students who identify an act of academic misconduct should report that act to an administrative, faculty, or staff member so that a complaint may be filed.

### **2.2 INVESTIGATION OF MISCONDUCT**

Before imposing a grade penalty or filing a complaint of academic misconduct, the faculty or staff member shall initiate a preliminary inquiry to determine whether misconduct has occurred. During the course of this inquiry the faculty or staff member may discuss the matter with the student suspected of misconduct and with others who may have relevant information.

### 2.3 ACTION BY INSTRUCTOR: ADMONITION

2.3.1 An instructor may conclude that an incident that meets the definition of misconduct under sec. 1.2.1 nevertheless merits an admonition rather than a disciplinary penalty as defined in Section 7 of this Code. In particular, an instructor might conclude (but is not required to conclude) that the incident is more appropriately treated as an instructional rather than a disciplinary matter. When the instructor concludes that an admonition is the more appropriate action, the instructor may elect to reduce a student's grade and/or require additional, remedial academic work without first filing a charge of academic misconduct, subject to the following limitations and conditions:

(A) The admonition option is intended for assignments and examinations that do not involve a semester-long activity and the incident in question is not of an egregious nature. The instructor may not use the admonition option for an incident of misconduct on a final examination, a term paper or project, an examination that determines the status of graduate students (e.g. qualifying, candidacy, general, comprehensive and certification examinations and defenses of theses and dissertations), a master's thesis, or a doctoral dissertation;

(B) An instructor who elects to use the admonition option may impose no grade reduction greater than loss of all credit for the assignment; and,

(C) An instructor who elects to use the admonition option must do the following before imposing the grade reduction or other requirement: (1) inform the student of the nature of and basis for the misconduct; (2) give the student an opportunity to explain; (3) admonish the student and explain the grade reduction or other requirement to be imposed; (4) where appropriate, instruct the student to resolve any confusion the student may have had regarding what constitutes proper academic conduct; and (5) inform the student how to appeal the decision. Notice of procedures for appeal shall be provided in writing; such notice shall be presumed adequate if provided in the course syllabus with a reference to the information published by the Provost on the consequences of accepting the admonition and the procedures for appeal.

2.3.2 Unless the Provost imposes a disciplinary penalty as described below, a student who accepts an admonition and resulting grade reduction under this subsection shall not be deemed to have admitted guilt for an act of academic misconduct; provided, the record of the admonition may be used in any subsequent academic misconduct proceeding, as appropriate, to establish the student's prior familiarity with the fundamental rules of academic integrity.

2.3.3 The instructor shall notify the Campus Judicial Coordinator of the incident, ordinarily within 15 regular class days of discovery. The Campus Judicial Coordinator shall forward notice of the incident to the budget dean, the student's dean, and the Provost, ordinarily within 15 class days of receipt of notice from the instructor.

2.3.4 In cases of repeated offenses or otherwise as appropriate, the Provost may announce a disciplinary penalty as provided in section 7. Prior to imposing such a sanction the Provost shall send notice to the student via the Campus Judicial Coordinator, ordinarily within 15 class days of receipt of notice from the budget dean but in no case more than 45 regular class days after discovery of the incident. Notice of the Provost's intent to impose a sanction shall be treated as a "complaint" for purposes of notice and hearing as provided in Sections 3 and 4 of this Code, and the disciplinary penalty shall not be imposed until the student is permitted the opportunity to respond as provided in sections 4 and 5 of this Code.

2.3.5 The student may contest the admonition by contacting the Campus Judicial Coordinator within fifteen (15) regular class days from the date of the instructor's notice to the student and scheduling a meeting as provided below in Section 3. Provided, where the Provost announces a

disciplinary penalty, the student may contest the complaint and any fact alleged therein by contacting the Campus Judicial Coordinator within fifteen (15) regular class days of receiving notice of the proposed disciplinary penalty, notwithstanding the student's prior acceptance of the admonition. If the admonition or complaint is contested, the student retains all rights afforded

under this Code to any student against whom a complaint is filed, including without limitation the right to representation, hearing, appeal, and the assignment of a neutral grade while the matter is pending.

## 2.4 NOTIFICATION OF THE CAMPUS JUDICIAL COORDINATOR

All complaints shall be made in writing, ordinarily within fifteen regular class days of discovery, to the Campus Judicial Coordinator. Complaints shall include the name of the student, the class in which the misconduct occurred if applicable, the date on which the incident was discovered, a brief description of the incident, and the grade penalty to be imposed if applicable.

## 3 NOTICE TO THE STUDENT

### 3.1 NOTIFYING THE STUDENT

Ordinarily within fifteen (15) regular class days of receipt from the complaining party, but in no event more than thirty (30) regular class days from discovery of the incident, the Campus Judicial Coordinator shall notify the student of the complaint in writing which shall be served on the student in person or by mail.

#### 3.1.1 CONTENTS OF NOTICE

The notice shall include a summary of the allegations, notification of the mandatory meeting described in Section 4.1, and a description of the student's right

- (a) to a hearing with adequate notice; and
- (b) to have counsel by an attorney at the student's expense or to seek counsel at no cost from The University of Oklahoma Student Association (UOSA); and to refrain from further discussing the matter or from making any further statement regarding the matter.

#### 3.1.2 RECEIPT OF NOTICE BY MAIL

When service is by mail, the Campus Judicial Coordinator shall enclose the notice of charges in an envelope, postage prepaid, and mail the letter by certified mail, return receipt requested, to the student at the student's permanent or local address (as appropriate) on file in Admissions and Records. When the above steps have been taken, the return receipt, whether signed or not, shall be deemed sufficient evidence that the student has been properly served and it shall be presumed that the student has received and read the notice.

### 3.3 SCHEDULING OF CONFERENCE WITH CAMPUS JUDICIAL COORDINATOR

Within two (2) regular class days of the date of service, the student shall contact the Campus Judicial Coordinator and schedule a conference to discuss the matter as provided in § 5.1.

### 3.4 DEFAULT

If the student fails to respond within the prescribed time or fails to meet as directed, the student shall be in default and thereby waives the right to all University hearings, appeals, and challenges. In the event of a default at this point, the Campus Judicial Coordinator shall notify the student's dean, who shall confirm imposition of grade sanctions and make recommendations for disciplinary sanctions.

### 3.5 CONTINUED ENROLLMENT PENDING RESOLUTION

A student may continue his or her regular enrollment in the University pending administrative resolution of misconduct allegations. However, while a question of academic misconduct exists, a student may not graduate or receive a transcript without approval of the Senior Vice President and Provost or his or her designee, and any transcript released during such period shall bear a notation that academic misconduct proceedings are ongoing.

## 4 RESPONSE BY STUDENT

### 4.1 CONFERENCE BETWEEN STUDENT AND THE CAMPUS JUDICIAL COORDINATOR

A student charged with academic misconduct shall meet with the Campus Judicial Coordinator or his or her designee. The Campus Judicial Coordinator shall describe the academic misconduct process, possible sanctions, and the student's rights and responsibilities under this Code. At the conclusion of the conference, the student may:

- (a) deny the charges--If the student denies the charges and wishes a hearing to contest them, the student must submit a written request for such a hearing to the Campus Judicial Coordinator within fifteen (15) regular class days of the conference with the Coordinator. The Campus Judicial Coordinator shall forward the request to the appropriate college within fifteen (15) regular class days. Failure to request a hearing within the prescribed time shall waive the student's right to any University hearings, appeals, or challenges of the charges or of any sanctions imposed as a result of the academic misconduct.
- (b) admit the charges--If the student admits to the charges, the Campus Judicial Coordinator will inform the student's dean, the budget dean, and the instructor; also, the chair of the instructor's academic unit, where applicable. The instructor shall thereafter impose grade sanctions, and the student's dean shall make his or her recommendation for further sanctions, if any. Provided, however, that if the student admits to the charges but wants to confer with the dean or to submit written statement concerning extenuating circumstances affecting disciplinary sanctions, the student may do so only if done within five (5) regular class days of the date of admission of the charge. Failure to do so within the five (5) regular class days will result in the dean making his or her recommendation without such information.

### 4.2 OPTIONAL MEETING BETWEEN STUDENT AND PERSON INITIATING THE CHARGE

Nothing herein is intended to preclude the student from discussing the incident with the person initiating the charge, if that person agrees; in fact, such a discussion is encouraged. However, once a charge is filed, such a meeting should be scheduled only after conferring with the Campus Judicial Coordinator, who will arrange the meeting if agreeable to the parties involved. It should be understood that any such meeting shall not extend the period of time for requesting a hearing.

If, after the student meets with the charging party, the student wishes:

- (a) To contest the charges and has not already done so, the student must comply with the requirements for submitting the written request to the Campus Judicial Coordinator, as set forth in Section 4.1(a) above.
- (b) To admit to the charges and has not already done so, the student may do so by so informing the Campus Judicial Coordinator, who will then initiate the action as outlined in Section 4.1.b above.

#### 4.3 WITHDRAWAL OF CHARGE

It should be understood that the person initiating the charge of academic misconduct may withdraw the charge at any time prior to commencement of a hearing by the AMB or, if no hearing is held, imposition of a final sanction. This is effected by sending written notice to the dean who notified the Campus Judicial Coordinator of the charge in the first place. That dean shall then inform, in writing, the Campus Judicial Coordinator and any others who need to know that the charge has been withdrawn.

### 5 ACADEMIC MISCONDUCT HEARINGS

#### 5.1 ACADEMIC MISCONDUCT BOARDS

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

#### 5.2 WHICH BOARD SHALL HEAR THE CASE

In a case in which a hearing has been requested, the facts of the case shall be determined by the Academic Misconduct Board (AMB) of the college in which the department offering the course is budgeted. If no particular course is involved, the case shall be heard by the AMB of the college in which the student is enrolled or the AMB chosen by the student's dean when the student is not enrolled in a degree-recommending college. Cases involving graduate-level theses, dissertations, or qualifying comprehensive examinations shall be heard by the AMB of the Graduate College.

#### 5.3 SCOPE OF HEARING

The focus of inquiry shall be the guilt or innocence of those accused of academic misconduct. The board will consider the information and arguments presented, make findings of facts of matters in dispute, and determine whether the student did engage in academic misconduct. The board will also hear all evidence and argument concerning extenuating circumstances that may affect decisions about what disciplinary sanctions, if any, might be imposed.

#### 5.4 HEARING PROCEDURES

- (a) Once a request for a hearing has been received by the College, the AMB shall convene within twenty (20) regular class days, excluding Intersession, except that the Senior Vice President and Provost or his or her designee may grant extensions of this time upon receipt of a request from the student, the complainant, or the college responsible for holding the hearing. No faculty member shall be obligated to participate in a hearing scheduled outside the faculty member's appointment period.
- (c) If the Provost grants the request, release of transcripts during the extension shall be permitted as follows:
  - (1) If the request was made by the student, the provisions of section 3.5 regarding graduation and the release of transcripts shall remain in effect.

- (2) If the request was made by the complainant or the college, notwithstanding the provisions of section 3.5, during the extension period the student may receive transcripts without notation of the pending case.
- (c) Written notification of a hearing must be distributed at least five (5) regular class days in advance of the hearing date, and should include:
  - (1) The authority for the hearing and the hearing body;
  - (2) Reference to the specific rule or rules involved;
  - (3) Date, time, nature, and place of the hearing;
  - (4) A brief factual statement of the charges and issues involved.
- (d) Students who fail to appear after proper notice will be deemed to have pled guilty to the charges against them.
- (e) Parties must provide, upon request by College, the Board or the opposing party, the name of any counsel who will be present at the hearing and a list of witnesses to be called in the hearing, along with the nature of their expected testimony, and must allow examination of any documents to be submitted in the hearing. Failure to disclose such information in a reasonable and timely manner may be grounds for delaying the hearing, suspending the provisions of this section concerning transcripts and graduation, and, in the case of repeated or egregious noncompliance, dismissing the case or declaring guilt by default. The college holding the hearing may adopt such other procedural rules as it deems necessary and proper to expedite hearings and promote fairness.
- (f) Hearings will be closed to the public and shall be confidential, although an open hearing may be held at the discretion of the AMB, if agreed by all parties.
- (g) The presiding officer of each board shall exercise control over the hearing to avoid needless consumption of time and to prevent harassment or intimidation.
- (h) Hearings shall be tape recorded.
- (i) At the beginning of the hearing, any party may challenge any board member, one at a time, on the grounds that he or she is unable to give the student a fair and impartial hearing. The remaining members of the hearing body shall decide the challenge by secret ballot. However, if the entire board is challenged, the entire board shall rule on the challenge. The hearing will continue if at least two faculty members and one student remain.
- (j) Witnesses shall be asked to affirm that their testimony is truthful.
- (k) Prospective witnesses other than the complainant and the student may be excluded from the hearing during the testimony of other witnesses. All parties, the witnesses, and the public shall be excluded during board deliberations.
- (l) The burden of proof shall be upon the complainant, who must establish the guilt of the respondent by a preponderance of the evidence.
- (m) Formal rules of evidence shall not be applicable in these proceedings. The presiding officer of each board shall give effect to the rules of confidentiality and privilege.

- (n) The board shall not receive or consider arguments about the legality of any provision under which a charge has been brought or the legality of the procedures under which the hearing is proceeding. Such questions should be presented in writing to the Senior Vice President and Provost.
- (o) All parties shall have reasonable opportunity to question witnesses and present information and argument deemed relevant by the board.
- (p) Final decisions of all AMBs shall be by majority vote of the members present and voting. The final decisions shall contain a written statement setting forth with
- (q) reasonable particularity, findings of fact, the decision on each of the charges, its recommendations for disciplinary sanctions, and the reasoning behind these decisions. These materials shall be transmitted as described in section 5.5, together with the AMB's record of the proceedings and a summary.
- (r) Depending upon the gravity of the case, the board, at its discretion, may require the parties to submit written briefs and responses, including supporting documents, setting forth the respective positions dealing with all issues.

## 5.5 RESULTS OF THE HEARING

### 5.5.1 DISMISSAL OF CHARGES BY THE AMB

If the AMB finds that the facts do not support the allegation, the charges will be dismissed. The chair of the AMB shall transmit the decision in writing to the appropriate deans and the Campus Judicial Coordinator within fifteen (15) regular class days of the conclusion of the hearing. All other AMB records of the case shall be destroyed after twenty (20) regular class days of such transmittal. The Campus Judicial Coordinator shall then notify the student in writing of the decision of the AMB. The matter is then ENDED.

### 5.5.2 WHEN FACTS SUPPORT ALLEGATIONS AGAINST THE STUDENT

#### 5.5.2.1 AMB ACTION

If the AMB finds that the facts support the allegations against the student, the student shall be found guilty. After a finding of guilt, it is the duty of the AMB to recommend appropriate disciplinary sanctions. Some relevant factors the AMB may consider in determining a sanction recommendation include, but are not limited to:

- (a) The facts that have been presented to the AMB at the hearing;
- (b) Any mitigating or extenuating circumstances that have been presented by any party during the hearing;
- (c) Prior academic misconduct on the part of the student.

After weighing all factors it considers relevant, the AMB shall recommend disciplinary sanctions to the student's dean. The AMB's findings and recommendations shall be made in writing within fifteen (15) regular class days of the conclusion of the hearing.

**5.5.2.2 DEAN'S ACTION**

- (a) Based upon the facts of the case and any relevant factors, the student's dean shall determine if any disciplinary sanction is to be recommended to the Senior Vice President and Provost. If the recommendation of the student's dean differs from that of the AMB, the dean shall provide in writing the reasoning for his or her recommendation.
- (b) The student's dean shall, within fifteen regular class days of receipt of the AMB's report, send to the Senior Vice President and Provost in writing:
  - (1) the AMB's record of proceedings, including a summary if a hearing was held;
  - (2) the written decision and recommendation of the AMB holding such a hearing; and
  - (3) the dean's recommended sanction.
- (c) Within fifteen regular class days of receipt of the AMB's report, the student's dean shall also notify the appropriate parties of the AMB's findings and recommendations. These parties may include the student, the counsel for the student (if any), the budget dean, (if different from the student's dean), the faculty or staff member who notified the budget dean of the incident, the counsel for the University, and the Campus Judicial Coordinator.

**6 GRADE PENALTIES****6.1 IMPOSITION OF GRADE PENALTIES**

An instructor has an obligation to impose grade penalties once the charge is upheld. These penalties may include, but are not limited to:

- (a) Requiring the student to complete a substitute assignment or examination.
- (b) Awarding the student a failing grade on the examination or paper or on those portions of it on which he or she was engaged in academic misconduct.
- (c) Lowering the student's final grade in the course or award a failing grade of "F".

The weight of the grade penalty as calculated in the final grade may exceed the weight of the work in which the misconduct occurred.

**6.2 APPEAL**

Grade sanctions may not be appealed except under Title 14 of the Student Code, "Academic Appeals."

**7 DISCIPLINARY SANCTIONS**

The disciplinary sanctions noted below may be recommended by the AMB and/or the student's dean to the Senior Vice President and Provost. The examples are illustrative of each category of disciplinary sanctions, are not intended to be totally inclusive, and omission of a particular act shall not be construed as indicating that such an act is acceptable or appropriate. Furthermore, the acts described do not need to result in the disciplinary sanctions noted if judgments suggest otherwise.



### 7.1 CENSURE

A written reprimand for violation of acceptable standards of academic conduct. This action takes formal notice of the student's act of academic misconduct and provides a formal warning that a further act of academic misconduct will result in far more severe action. Censure shall not be noted on a student's transcript, but will be noted in the Student Affairs Office. Records of censures shall not be released outside the University except as required by law. Copies of the letter of censure shall be provided to the student, the Student Affairs Office, the student's dean, the budget dean (if different than the student's dean), and, if applicable, the chair of the department in which the course is taught, and the instructor.

The sort of academic misconduct which might result in censure might be a case in which a student has copied on an examination and in which it seems that the cheating was the result of momentary panic. There would be no reason to suppose that the student had planned to cheat and there would be no prior record of academic misconduct.

### 7.2 COMMUNITY SERVICE ALTERNATIVE

In appropriate cases, a student may be allowed to perform voluntary community service in lieu of suspension and may, upon satisfactory completion, receive a lesser sanction. No student may be compelled to perform community service as part of any sanction imposed under this Code. In the event that a student accepts a community service alternative, the terms and duration of such service shall be approved by the Senior Vice President and Provost.

The sort of academic misconduct which would result in the offer of the community service option would be a case in which mitigating factors counsel against the imposition of a limited notation suspension.

### 7.3 LIMITED NOTATION SUSPENSION

Suspension from classes and other privileges for a period of not less than one full session. During this period, the student will not be allowed to earn credits for transfer to The University of Oklahoma from any other institution. Any credits earned at another institution during a period of suspension shall not be recorded in the student's OU transcript and shall not count in any manner. A notation of suspension for academic misconduct shall be made on the student's transcript. However, in the case of limited notation, such transcript notation shall be removed upon the student's graduation from the University or four years from the date of the suspension, whichever comes first.

The sort of academic misconduct that might result in limited notation suspension might be a case of classroom cheating involving some prior planning, or some cases of plagiarism in which it seems that the plagiarism may have occurred partially because of mitigating circumstances.

### 7.4 PERMANENT NOTATION SUSPENSION

Suspension from classes and other privileges for a period of not less than one full session. During this period the student will not be allowed to earn credits for transfer to The University of Oklahoma at any other institution. Any credits earned at another institution during a period of suspension shall not be recorded in the student's O.U. transcript and shall not count in any manner. A notation of suspension for academic misconduct shall be made on the student's transcript. In the case of permanent notation, there will be no time limit to such transcript notation.

The sort of academic misconduct which might result in permanent notation suspension might be a case in which knowing and substantial plagiarism has occurred, or a case of classroom cheating in which it is determined that extensive collaboration or planning was involved, or other cases substantially involving one or more aggravating factors such as planning, collaboration, or concealment.

#### 7.5 EXPULSION

Termination of student status for an indefinite period, usually intended to be permanent. A notation of expulsion for academic misconduct shall be made on the student's transcript. Such notation shall be a permanent notation. If a student is reinstated after an expulsion, it is only after a complete reconsideration of his or her case.

The sort of academic misconduct which might result in expulsion might be a case in which: the student has been involved in a prior incident of academic misconduct; the student has submitted to the University forged documents such as transcripts; a student has taken someone else's examinations or arranged for someone else to take his or hers; commercial term papers have been submitted; examinations, grade books, grade sheets, or other instructor possessions have been stolen, copied, or otherwise utilized; or destruction of the academic work of others or intimidation has been used in an attempt to influence the academic process.

#### 7.6 RECORDS OF SANCTIONS AND ADMONITIONS

Records shall be maintained as follows:

- (a) Records admonitions and the sanction of Censure shall be maintained for four years, subject to review as provided in part (c) of this section. Records of grade penalties shall be maintained permanently.
- (b) Records of disciplinary sanctions other than Censure shall be maintained permanently, subject to review as provided in part (c) of this section.
- (c) Students and former students who have received a disciplinary sanction for academic misconduct may at any time request that the record be removed from their student file. This is an extraordinary step requiring a showing of good cause by the student. The request, along with the reasons therefore, must be submitted in writing to the Senior Vice President and Provost.

#### 7.7 DETERMINATION OF DISCIPLINARY SANCTION AND ITS IMPLEMENTATION

It shall be the responsibility of the Senior Vice President and Provost to review the materials sent by the student's dean and to determine and implement the appropriate action and disciplinary sanctions.

Implementation of the appropriate action or disciplinary sanctions by the Senior Vice President and Provost shall end the process. The Senior Vice President and Provost shall attempt to inform the student in writing of the action being taken. A letter to the student at the address last provided the University by the student shall be sufficient to meet this requirement. Copies of the letter may also be provided other parties who have a legitimate need to know of the action.

### 8 POST-SANCTION PROCEDURES

#### 8.1 GROUNDS FOR APPEAL

The decision of the AMB as to the facts shall be final and not appealable within the University; unless

- (a) it can be established that specified procedural irregularities were so substantial as to effectively deny the student a fair hearing; or
- (b) new and significant evidence becomes available which could not have been discovered by a reasonably diligent student before or during the original hearing.

## 8.2 APPEAL PROCEDURES

Appeals based on procedural irregularities or new evidence shall be made in writing to the Senior Vice President and Provost. Consideration of such appeals may be made by the Senior Vice President and Provost upon the basis of written statements and such other evidence as the Senior Vice President and Provost may require. Harmless deviations from prescribed procedures may not be used to invalidate the decision or proceeding.

Technical departures from these procedures and errors in their applications shall not be grounds to withhold disciplinary action unless, in the opinion of the Senior Vice President and Provost, the technical departure or errors were such as to have prevented a fair determination of the issues.

## 8.3 REHEARING AND PETITION FOR REVIEW

In all cases, the President and the Board of Regents of the University reserve the right to review, at their discretion, any decision of a hearing body for manifest error or inequity.

## 9 ACADEMIC MISCONDUCT IN OFF-CAMPUS COURSES

The principles of academic integrity, due process, and confidentiality apply fully in all courses offered by any Norman Campus academic unit. When an allegation of academic misconduct arises in a course in which instruction is primarily given or received in a place other than the Norman Campus, procedures shall be employed which protect the rights of all parties as provided by law, the Faculty Handbook, and the Student Bill of Rights. The definition of academic misconduct in such classes and the procedure for filing a charge shall be the same as those for the Norman Campus. Procedures for notification, hearing, appeal, and sanction shall be determined and published by the Senior Vice President and Provost. Such procedures shall provide a charged student with a reasonable opportunity to employ the Norman Campus procedures on the Norman Campus, provided that all travel and related costs shall be borne by the student.

(RM, 11-8-79, p. 15763; 6-18-81, p. 16490; 6-9-98, p. 25912; 6-24-2003, p. 28616)

(The text below should appear in both the HSC Campus Faculty Handbook and the Student Handbook of the HSC.)

### NOTIFICATION OF CHARGE

#### Notification of Dean

Notification of the dean shall be in writing with a brief description of the evidence and shall be made within ten University business days after discovery of the incident, exclusive of University breaks or academic intersessions.

If the incident is discovered in a particular course, the faculty member must fail the student on the examination or paper and notify his or her dean of the incident as well as the student's dean if different.

For other incidents including discovery of the misconduct by other personnel (e.g., academic records) or reported to those personnel by a student or other person or if no particular class is involved (e.g., submission of falsified records), the student's dean shall be notified.

### Notification of the Student

The student's dean shall initiate academic misconduct code procedures against the student. The dean shall notify the student of the charge of academic misconduct, describing the alleged act, and the grade penalty determined by the instructor, if a course is involved, in writing by serving the student in person or by certified mail, return receipt requested. The dean shall simultaneously send notification to the Vice Provost for Academic Affairs

### CONFERENCE WITH VICE PROVOST FOR ACADEMIC AFFAIRS

Within five University business days of the date of service, the student shall contact the Vice Provost for Academic Affairs and schedule a conference to discuss the matter.

If the student fails to respond within the prescribed time or fails to meet as directed, the student shall be in default and thereby waives the right to all University hearings, appeals, and challenges. In the event of a default at this point, the Vice Provost shall notify the student's dean who shall confirm imposition of grade sanctions and implement disciplinary sanctions.

At the conference between the student and the Vice Provost for Academic Affairs, the Vice Provost shall describe the academic misconduct process, possible sanctions, and the student's right (a) to a hearing with adequate notice; (b) to be represented by an attorney at the student's expense, in which case the University reserves the right to be represented by University Legal Counsel; and (c) to refrain from discussing the matter or from making any statement regarding the matter. At the conclusion of the conference, the student may:

**Deny the Charges** — If the student denies the charges and wishes a hearing to contest them, the student must submit a written request for such a hearing to the Vice Provost within five University business days of the conference. Failure to do so within the prescribed time shall waive the student's right to any University hearings, appeals, or challenges of the charges or of any sanctions imposed as a result of the academic misconduct.

**Admit the Charges** — If the student admits to the charges at this time or denies the charges but fails to submit a request for a hearing, the Vice Provost will inform the student's dean and the dean of the college offering the course. The grade penalty shall be confirmed, and the student's dean shall make his or her decision regarding further sanctions, if any. Provided, however, that if the student admits to the charges but wants to confer with the dean or to submit a written statement concerning extenuating circumstances affecting disciplinary sanctions, the student may do so only within five days of the date of admission of the charge. Failure to do so within the five days will result in the dean making his or her decision without such information.

Nothing in this policy is intended to preclude the student from discussing the incident with the person initiating the charge, if that person agrees. Such a meeting should be scheduled after the conference between the student and Vice Provost for Academic Affairs. Any such meeting shall not extend the period of time for requesting a hearing.

The person initiating the charge of academic misconduct may withdraw the charge at any time by sending written notice to the student's dean. The dean shall inform, in writing, the Vice Provost and others involved that the charge has been withdrawn and, at his or her discretion, may terminate the case.

### HEARING

#### Academic Misconduct Boards

Each college shall establish an Academic Misconduct Board (AMB) consisting of two students and three members of that college's faculty to hear each case.

Membership of the AMB shall be determined by the dean on an *ad hoc* basis from a pool of ten faculty and ten students. The faculty members for the pool shall be determined by the faculty of the college. Student members shall be appointed or selected from nominations submitted by appropriate student organizations. Terms of service shall begin September 1 and end August 31 except that, if a hearing is in progress at this time, any retiring member shall be continued on the board until the case in progress is closed.

The dean of the college shall appoint an additional faculty member who shall be nonvoting to chair the AMB and to be responsible for the board's administrative matters, including scheduling of cases, notification of hearings and decisions, and maintenance of records.

#### Selection of AMB to Hear the Appeal

In a case in which a hearing has been requested, the facts of the case shall be determined by the AMB of the student's college.

#### Scope of Hearing

The Board will consider the information and arguments presented, make findings of facts of matters in dispute, and determine whether the student did engage in the alleged act.

The Board will also hear any evidence and argument by the parties concerning extenuating circumstances that may affect decisions about what disciplinary actions might be imposed and may make recommendations to the dean concerning disciplinary sanctions. (See section on Disciplinary Actions.)

#### Hearing Procedures

- (a) Each AMB shall establish the procedures to be followed for the hearing.
- (b) Prior to the hearing each party shall furnish to the other party a list of witnesses to be called at the hearing.
- (c) Students who elect to have legal counsel representation at the hearing shall furnish the name of such counsel, when identified, to the Dean and the chair of the AMB.
- (d) Written notification of a hearing must be distributed to the parties involved at least five University business days in advance of the hearing date, and shall include:
  - (1) The authority for the hearing and the hearing body;
  - (2) Reference to the specific rule or rules involved;
  - (3) Date, time, nature, and place of hearing;
  - (4) A brief factual statement of the charges and issues involved.
  - (5) Names of AMB members and a statement that parties have a right to challenge any member no later than 5 days prior to the hearing.

- (e) Students who fail to appear after proper notice will be deemed to have plead guilty to the charges against them.
- (f) Hearings shall be closed to the public and shall be confidential
- (g) Hearings shall be tape recorded or transcribed.
- (h) Witnesses shall be asked to affirm that their testimony is truthful.
- (i) The burden of proof shall be upon the complainant, which must establish the guilt of the respondent by a preponderance of the evidence.
- (j) Prospective witnesses other than the complainant and the student are excluded from the hearing during the testimony of other witnesses. All parties, witnesses, and the public shall be excluded during AMB deliberations.
- (k) Formal rules of evidence shall not be applicable in these proceedings. The presiding officer of each board shall give effect to the privileges recognized by law.
- (l) The AMB shall not receive or consider arguments about the legality of any provision under which a charge has been brought or the legality of the procedures under which the hearing is proceeding. Such questions should be presented in writing to the Senior Vice President and Provost.
- (m) Principals in the case shall have reasonable opportunity to question witnesses and present information and argument deemed relevant by the board.
- (n) Final decisions of all AMB's concerning guilt or innocence and recommendations to the dean regarding sanctions shall be by majority vote of the members present and voting. The final report shall contain a written statement setting forth findings of fact, the decision on each of the charges, and may contain recommendations for disciplinary sanctions with the reasoning behind these recommendations. A minority report may be filed.

#### Findings of AMB

If the AMB finds that the facts do not support the allegations, the charges will be dismissed. The chair of the AMB shall transmit the decision in writing to the student's dean, the dean of the college offering the course, if different, and the Vice Provost for Academic Affairs within five University business days of the conclusion of the hearing. The dean shall notify the student in writing of the decision of the AMB within ten University business days after receiving the AMB decision. The matter is then ended, and the grade is changed appropriately. The AMB record of the case shall be destroyed by the chair of the AMB 20 days after transmittal of the decision.

If the AMB finds that the facts support the allegations against the student, the student shall be found guilty, and the AMB may recommend disciplinary sanctions. The AMB's decision and recommendations must be transmitted to the appropriate deans and the Vice Provost for Academic Affairs in writing within five University business days of the conclusion of the hearing. The record of the hearing will be forwarded to the student's dean by the chair of the AMB within ten University business days after receiving them, excluding University breaks and academic intersessions. The student's dean shall notify the student in writing of the findings and recommendations of the AMB and of the dean's decision. A letter to the student at the address last provided the University by the student shall be sufficient to meet this requirement. Copies of the letter may also be provided to other parties who have a legitimate need to know of the action. Implementation of the appropriate action or disciplinary sanction by the dean shall end the process.

## DISCIPLINARY ACTIONS

### Grade Penalties

An instructor who concludes that a student has engaged in, or is engaging in, academic misconduct must fail the student on the examination or paper and may set additional penalties to the extent of denying credit in the course. The instructor's grade sanctions will not become final until the student is found guilty by the AMB, defaults, or admits the charges. The dean has the responsibility to confirm that the appropriate grade is recorded on official student records.

### Additional Disciplinary Sanctions

The AMB may recommend disciplinary sanctions including but not limited to those noted below:

- (a) Censure - A written reprimand for violation of acceptable standards of academic conduct. This action takes formal notice of the student's act of academic misconduct and provides a formal warning that a further act of academic misconduct will result in far more severe action. Censure shall not be noted on a student's transcript, but will be noted in the Office of the Vice Provost for Academic Affairs. Copies of the letter of censure shall be provided to the student, the Vice Provost, for Academic Affairs, the appropriate deans, and the instructor.
- (b) Limited Notation Suspension - Suspension from classes and other privileges for a period of not less than one semester or more than one calendar year. During this period, the student will not be allowed to earn credits for transfer to The University of Oklahoma at any other institution. Any credits earned at another institution during a period of suspension shall not be recorded in the student's University of Oklahoma transcript and shall not be acceptable transfer credit at The University of Oklahoma. A notation of suspension for academic misconduct shall be made on the student's transcript. Such transcript notation shall be removed upon the student's graduation from the University or four years from the date of the suspension, whichever comes first. The student's college is responsible for notifying the Registrar to remove the notation.
- (c) Permanent Notation Suspension - Suspension from classes and other privileges for a period of not less than one semester or more than one calendar year. During this period, the student will not be allowed to earn credits for transfer to The University of Oklahoma at any other institution. Any credits earned at another institution during a period of suspension shall not be recorded in the student's University of Oklahoma transcript and shall not be accepted as transfer credit at The University of Oklahoma. A permanent notation of suspension for academic misconduct shall be made on the student's transcript.
- (d) Expulsion - Termination of student status for an indefinite period, intended to be permanent. A notation of expulsion for academic misconduct shall be made on the student's transcript. Such notation shall be permanent. A student may be reinstated after expulsion, if recommended by the student's dean after a complete reconsideration of the student's case.

## DETERMINATION OF DISCIPLINARY SANCTION

The student's dean shall determine the appropriate disciplinary sanction. The dean may consider the evidence in the record regarding extenuating circumstances and may request additional information prior to making his or her decision.

## APPEALS

Decisions regarding the facts and the disciplinary action shall be final and not appealable within the University, unless (1) manifest procedural irregularities effectively denied the student a fair hearing; (2)

new and significant evidence becomes available which could not have been discovered by a reasonably diligent student before or during the original hearing; or (3) probable inequity exists in the disposition of the matter. Such appeals must be made within ten days of the time such grounds for the appeal are discovered or should have been discovered.

Appeals shall be made in writing to the Senior Vice President and Provost. Consideration of such appeals may be made by the Senior Vice President and Provost upon the basis of written statements and such other evidence as the Senior Vice President and Provost may require according to procedures he deems appropriate.

Harmless deviations from prescribed procedures may not be used to invalidate the decision or proceeding. Technical departures from these procedures and errors in their application shall not be grounds to withhold disciplinary action unless, in the opinion of the Senior Vice President and Provost, the technical departure or errors were such as to have prevented a fair determination of the issues.

In all cases, the President and the Board of Regents of the University reserve the right to review, at their discretion, any decision of a hearing body for manifest error or inequity.

(RM, 4-12-84, pp. 17883-89; 6-9-98, p. 25912; 1-26-99, pp. 26236, 26244)



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

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

---

#### CERTIFICATES AND DIPLOMAS

---

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

#### DIPLOMAS

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

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

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

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

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

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

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

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

#### Posthumous Degrees

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

### **CERTIFICATES**

Certificates bearing the name and the Seal or Coat of Arms of the University may be issued only by the University, pursuant to the applicable legislation in each instance, as created by the President and Board of Regents and/or the State as represented by the Oklahoma State Regents for Higher Education or the Governor or Legislature of the State of Oklahoma. Academic colleges, schools, departments, and other subdivisions of the University do not have such authority. (Oklahoma State Regents for Higher Education policy, II-2-41,6)

### **CREDIT CERTIFICATES**

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

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

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

Certificates for forms of professional proficiency other than those described above may be issued only if programs for the achievement of such proficiency have been approved by the Board of Regents and/or the Oklahoma State Regents for Higher Education and are incorporated in the official publications of the University describing its curricular requirements. Nothing in this section shall be construed to contravene the provisions of Section 4 hereof.

**NONCREDIT CERTIFICATES**

Noncredit certificates (e.g. certificates of participation, certificates of completion, certificates of achievement) may be issued through the College of Continuing Education recognizing achievement of proficiency in some designated area through successful completion of either single or multiple course, credit-free, University-sponsored continuing education activities (e.g. short courses, conferences, workshops, professional development, and training). Such activities may be conducted in association with recognized professional associations, business groups, government agencies, and/or other academic units of the University and the certificate may so state, although certificates may be issued only in the name of The University of Oklahoma. Certificates shall designate their issuing authority as “The University of Oklahoma, Continuing Education and Public Service,” or if applicable, “The University of Oklahoma, College of Continuing Education, in association with (name of appropriate professional association or academic unit).”

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

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

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

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

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

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

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

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

---

**AWARDING HONORARY DEGREES**

---

The University is authorized to confer honorary degrees. (Oklahoma State Regents for Higher Education Policy II-2-39 (I-4).)

The University will award honorary degrees only in recognition of extraordinary achievement or in recognition of outstanding contributions to the welfare and/or enrichment of the University, State, nation, or world. A recipient may be any individual who has made outstanding contributions to a field or profession represented at the University.

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

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

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

**SELECTION**

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

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

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

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

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

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

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

### 2.6.5—PROGRAM DISCONTINUANCE

#### Program Discontinuance – Norman Campus

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

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

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

The program reviews on the Norman Campus are intended to occur every five years and are based on a document titled “Program Review,” which details the criteria and procedures of the review process. It is possible a program review might produce an evaluation which suggests considering the discontinuance of a program, it is important to establish the policy by which discontinuance be considered and implemented. This document is intended to supersede the policy on program discontinuance which was approved by the Board of Regents on November 10, 1977, as that policy had been written before formal program review procedures had been established.

#### Definition of “Program”

As the unit of evaluation for the purpose of program review, a program can include, but is not limited to, an academic department, school, division, or organized research unit.

#### Criteria for Evaluating a Program

Criteria for determining whether a program should be discontinued ought to place the greatest emphasis on factors of quality, centrality, and demand, consistent with the mission of the University.

The following questions should guide the deliberations of those responsible for reviewing programs:

How good is the program?

How central to the mission of the University is the program?

What is the demand for the program?

What would the savings be if the program were discontinued? Would the reallocation of these resources outweigh their current utility?

What would be the effect of phasing out the program?

What are the future prospects of the program?

A more detailed list of questions to be used in evaluating a program will be found in the document titled

## “Program Review.”

### Procedures

#### Initial Steps

Consideration of program discontinuance can occur as a result of a number of events. It may be suggested during the academic program review process. However, the Senior Vice President and Provost may call for consideration of program discontinuance because of other events such as a massive loss of faculty or the obsolescence of a field. In any case, when the question of possible program discontinuance is raised, the Senior Vice President and Provost will make a determination regarding the appropriateness and feasibility of the suggested discontinuance. The Senior Vice President and Provost then will either terminate the considerations at this point or proceed in accordance with the following guidelines.

#### *Ad hoc* Program Discontinuance Committee Membership

If the Senior Vice President and Provost decides that discontinuance shall be considered, he or she will appoint the *ad hoc* Program Discontinuance Committee to study the evidence and to make a recommendation. The composition of the *ad hoc* Program Discontinuance Committee will be as follows: Six faculty members, at least two of whom must be from outside the affected college(s); one or two students, depending on whether both undergraduate and graduate programs are involved; one non-voting representative from the Senior Vice President and Provost's Office; and one non-voting member of the Campus Departmental Review Panel if its report initiated consideration of program discontinuance. No voting member of the *ad hoc* Program Discontinuance Committee shall be a member of that Campus Departmental Review Panel. Four of the six voting faculty members will be selected by the Faculty Senate and two will be appointed by the Senior Vice President and Provost, with faculty from the program being considered for discontinuance excluded from serving on the *ad hoc* Program Discontinuance Committee. The student(s) will be appointed by the Senior Vice President and Provost in consultation with the appropriate student organizations. The members of the Program Discontinuance Committee will elect the chair.

#### Evaluation Process

It is crucial that all persons connected with or affected by the program(s) being considered for discontinuance be kept fully informed (normally through the offices of the dean(s) and chair(s)/director(s)) at each stage of the review process, both as a matter of courtesy and to seek information from those most closely related to and most knowledgeable about the program(s). Every affected faculty member should be given the opportunity to bring any facts or considerations that he or she believes to be pertinent to the attention of the *ad hoc* Program Discontinuance Committee, and appropriate procedures should be provided to encourage these inputs, either by appearances before the committee or by alternate procedures. It is also important that the faculty and administrations of closely allied programs that may be affected by any changes in the specific program(s) being considered be kept fully informed of the progress of the review.

There are a number of sources of information which should be considered by the *ad hoc* Program Discontinuance Committee in its deliberations. Among these are:

- Recommendations from deans and chairs/directors.
- The departmental self-study report(s), including both external and internal survey data, accreditation reports, the departmental statistical profile, and the department's personnel policy. (Reference “Program Review,” January 11, 1993.)

- The most recent formal program review document by the Campus Departmental Review Panel, if available.
- Reports from the Internal Review Committee and/or the External Review Committee if the formal program review resulted in the formation of such committees.

In addition, the *ad hoc* Program Discontinuance Committee will arrange for an open discussion and hearing regarding any recommendations for or against discontinuance of any program(s). The dean(s), chair(s), and the faculty unit(s) and individual faculty members of the program(s) involved will be invited to submit written commentaries and recommendations at the time or within one week of this general hearing. Further, the dean(s), chair(s), and the faculty unit(s) and individual faculty members of the program(s) involved may arrange for other interested parties inside or outside of the University to present oral or written arguments at the hearing.

After reviewing and weighing the considerations and recommendations presented in the public hearing and in the various written commentaries and reports, the *ad hoc* Program Discontinuance Committee will make a recommendation to the Senior Vice President and Provost no later than three months after the appointment of the committee. A copy of this recommendation will also be sent to the program, unit, or department being considered for discontinuance. The program, unit, or department has the right to respond formally to the recommendation and may do so by attaching an addendum to the *ad hoc* Program Discontinuance Committee's report no later than one month after receipt of the report.

The Senior Vice President and Provost will then send his or her recommendation to the President along with copies of all reports/commentaries/data received and a summary of recommendations that were made in the open hearing.

The President will then submit his or her recommendation to the Board of Regents for final action.

#### Personnel Alternatives

If a decision is made to discontinue a program, the dean(s), chair(s), and every faculty member in the program shall be apprised in writing of that decision and, insofar as possible, of its probable effect on each. When personnel actions are involved, the University will be guided by the following considerations:

The following dates of notification will be followed:

- A faculty member with a regular appointment who is not to be reappointed for a second year of service must be so notified no later than March 1; or if the first year of appointment terminates at a time other than the end of the academic year, not less than three months before the end of the appointment period.
- A faculty member with a regular appointment who is not to be reappointed to a third year of service must be so notified no later than December 15 of the second year of appointment; or if the second year of appointment terminates at a time other than the end of the academic year, not less than six months before the end of the appointment period.
- A faculty member with a regular appointment who is not to be reappointed to a fourth or subsequent year of service must be so notified no later than May 31 of the year preceding the final year of appointment; or, in the case of an appointment ending at a time other than the end of the academic year, not less than twelve months before the end of the appointment period.



- A tenured faculty member who is not to be reappointed because of a program discontinuance must be so notified no later than May 31 of the year preceding the final year of appointment.

The University will make every reasonable effort to reassign tenured faculty members to positions for which they are properly qualified before dismissal results from the discontinuance of a program.

If the University adds positions during a three-year period following transfer or termination, such faculty members should be given priority for positions for which they are properly qualified.

In all cases of termination of tenured faculty because of the discontinuance of an academic program, the place of the tenured faculty member concerned will not be filled by a replacement within a period of three years, unless the released faculty member has been offered reinstatement and a reasonable time (not to exceed 45 days) in which to accept or decline it. The right of a faculty member to be employed in another position is subject to the rights of other faculty members who have also been terminated or transferred.

A faculty member whose salary or FTE has been reduced shall have the same priority for restoration to his or her former status over a new person.

Each terminated faculty member has the right to have his or her termination reviewed by the Faculty Appeals Board to determine if these guidelines have been followed, but the circumstances of the program discontinuance shall not be reviewed.

To the extent possible, alternatives other than termination should be explored. Examples of such alternatives are early retirement, fractional appointments, and reduction in salaries.

Unless a substantial and serious imbalance in the quality within a given program would result:

- Untenured faculty should be terminated before tenured faculty.
- Seniority should be respected.
- Equal Opportunity guidelines should be observed.

#### Student Alternatives

If a decision is made to discontinue a program(s), the students currently enrolled in the program shall be notified and every effort shall be made to allow them to finish their programs through continuous enrollment of not more than four years. If it is not possible for currently enrolled students to complete their program for reasons beyond their control, the University may make special allowances for such students. Such allowances might include, but are not limited to, the following: permitting the student to complete his or her program by taking work in related departments; accepting more than the usual number of transfer hours; and accepting major work taken by correspondence from the University and other schools.

(RM, 11-10-77, pp. 14708-12; 4-7-93, p.23301; 1-27-2004, p. 28924)

#### Program Discontinuance – Health Sciences Center Campus.

In the event that program discontinuance is proposed, the Review Committee will be convened by its chair to review and evaluate all matters relating to the proposed discontinuance and to make recommendations.

The dean of the affected college and all faculty members of the affected department will be given the opportunity to appear before the Review Committee and to present written statements and documents. This opportunity also may be extended to the faculty and administration of programs that might be indirectly affected. The Review Committee may call upon any University personnel who might have pertinent information or advice.

Prior to completing its deliberations, the Review Committee will conduct an open hearing. At the hearing, oral and written comments from all interested persons will be accepted.

The Review Committee will submit a final report to the Senior Vice President and Provost within one month of the time it is charged by the Senior Vice President and Provost to review discontinuance of a program. This report will summarize all pertinent information and all written documents will be attached. In addition, the report will contain the Committee's findings of fact and recommendations and the rationale underlying its findings and recommendations.

The Senior Vice President and Provost will distribute copies of the report to the dean of the affected college and to all directly affected faculty members. Copies of the report also will be made available to other faculty, staff members, and students upon request.

Any person may submit a written response to the Review Committee's report within ten days following its distribution. The Review Committee may modify its report after considering this material. Any modifications must be forwarded to the Senior Vice President and Provost within ten days following the distribution of the report.

After reviewing all relevant information, the Senior Vice President and Provost will forward his or her recommendation to the President. The report of the Review Committee, together with all attachments, also will be forwarded to the President. Copies of the Senior Vice President and Provost's recommendation will be distributed to the dean of the affected college and all directly affected faculty members. Items of disagreement between the Review Committee and the Senior Vice President and Provost will be resolved by the President. Final approval of the report will be by the President and the Board of Regents.

#### Terminations

(a) Faculty — If, after consideration of all possible ways of reducing expenditures, the general plan approved by the President necessitates the termination of faculty or staff, either selectively or as a result of program discontinuance, the dean of each college in consultation with the faculty of that college shall develop a specific plan for terminating employment of faculty in that college which shall be transmitted to the Senior Vice President and Provost. The Senior Vice President and Provost, in consultation with the deans, shall review the individual college plans and develop the overall plan for termination of faculty employment for the Health Sciences Center. Every termination of faculty employment must be justified on the basis that it will have an effect substantially less detrimental to the university's ability to fulfill its mission than would other terminations.

The plan for the termination of faculty employment shall be submitted to the Review Committee except that the representative of the Staff Senate shall no longer serve. The members of the Review Committee will elect a chair.

The Review Committee shall make recommendations to the Senior Vice President and Provost and the Health Sciences Center deans. When there are unresolved differences, all recommendations shall be submitted to the President.

The plan for terminating faculty employment shall be in accordance with the following guidelines:

- 1) To the extent possible, alternatives other than termination of employment should be explored. Examples of such alternatives are early retirement, fractional appointments, and reduction of salaries, including annual base salary.
- 2) Unless a substantial and serious imbalance in the quality within a given program would result:
  - a. Employment of untenured faculty should be terminated before that of tenured faculty.
  - b. Performance, promise, seniority, and affirmative action guidelines should be considered in decisions concerning termination of untenured faculty.
  - c. Equitable reinstatement procedures should be established if the program is reinstated.
- 3) Where termination of employment is required:
  - a. Where termination of employment of faculty with tenure-track or consecutive term appointments is required, procedures in regard to non-reappointment stated in the Faculty Handbook (See Faculty Handbook Section 3.2.7) should be observed, if possible. All notifications of non-reappointment shall be given in writing by the Senior Vice President and Provost.
  - b. Tenured faculty must be notified by the President of termination by May 31 of the year preceding the final year of appointment and at least 12 months before the end of the appointment period. The dismissal of tenured faculty must be approved by the Board of Regents (See Faculty Handbook Section 3.13).
- 4) Where employment of a tenured faculty member has been terminated or where he or she has accepted alternative employment with the University, the faculty member has a three-year priority to return to his or her original position or be employed in another position for which he or she is qualified. Qualification for employment in another position within the University shall be determined by the head of the academic unit with a position vacancy. Within the three-year period, someone else shall not be employed to fill the faculty member's position or any other position for which the faculty member is qualified until the faculty member has been offered reinstatement or re-employment and has been given a reasonable time (not to exceed 45 days) within which to accept. It is the responsibility of the faculty member to keep the University informed of his/her address and availability for re-employment. The right of a faculty member to be employed in another position is subject, in accordance with paragraph 2. a-c, to the rights of other faculty members who have also been terminated or transferred. A faculty member whose salary or FTE has been reduced shall have the same priority for restoration of his/her former status as the faculty member, described above, whose employment has been terminated.
- 5) Each faculty member whose employment has been terminated has the right to have his or her termination of employment reviewed by the Faculty Appeals Board to determine if these guidelines have been followed, but the circumstances of the financial emergency shall not be reviewed.

(b) Student — If a program is discontinued, students in the program shall be notified and every effort shall be made to allow them to finish their program. If it is not possible for students to complete their respective programs, the University may be obliged to make special allowances for such students. Special allowances might include, but are not limited to, the following: permitting the student to complete his/her program by taking work in related departments, accepting more than the usual number of transfer hours, and accepting major work taken by correspondence from the University or other schools.

(c) Staff — If the general plan approved by the President entails the termination of employment of staff, the Senior Vice President and Provost, in consultation with the Health Sciences Center deans, the vice presidents of the service areas, and representative(s) of the Staff Senate, shall suggest a more specific plan for termination of staff employment. Staff terminations will be handled in a manner which is consistent with the current Policy and Procedures for Reduction of Work Force at The University of Oklahoma.

(RM, 9-6-78, pp. 15190-95; 11-10-83, pp. 17724-31; 3-29-00, p. 26909; 1-27-2004, p. 28924)

## 2.7—UNIVERSITY LIBRARIES

### 2.7.1—DEFINITION OF RESOURCES

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

### 2.7.2—THE DEAN OF LIBRARIES

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

---

### APPOINTMENT OF THE DEAN OF LIBRARIES

---

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

### 2.7.3—THE UNIVERSITY LIBRARIES FACULTY AND STAFF

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

### 2.7.4—COMMITTEE ON UNIVERSITY LIBRARIES

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

### 2.7.5—HEALTH SCIENCES CENTER LIBRARY

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

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

## 2.7.6—COLLEGE OF LAW LIBRARY

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

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

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

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

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

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

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

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

## 2.9—UNIVERSITY OF OKLAHOMA PRESS

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

The University of Oklahoma Press shall consist of two divisions:

- Publishing Division
- Sales Division

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

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

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

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



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

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

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

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

## 2.10—NORMAN CAMPUS CHARTERS AND COLLEGE OF LAW POLICIES

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

The Norman Campus Faculty Handbook includes the Charter of the Regular Faculty and the Faculty Senate of the Norman Campus.

#### THE REGULAR FACULTY

##### Composition

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

##### Powers

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

##### Officers

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

##### Meetings

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

#### THE FACULTY SENATE

##### Composition

The Faculty Senate shall consist of 50 members of the Regular faculty. The senators shall be elected to three-year terms by written ballot in the degree-recommending divisions of the University. Members of the Regular Faculty who are not members of a degree-recommending division of the University shall be treated as a separate division. The electors shall consist of members of the Regular Faculty. Full-time administrative personnel above the department level shall be excluded from future elections of the Faculty Senate. In the Faculty Senate, seats shall be allocated as follows: one seat to each degree-recommending division and the balance of the seats according to a triennial apportionment proposed by the Faculty Senate and approved by the Regular Faculty. Five students, including both graduate and under-graduate, chosen by The University of Oklahoma Student Association, shall serve as official student representatives to the Faculty Senate. Without voting privileges, these representatives will observe, participate in discussion, and maintain communication with the Student Association in regard to Senate actions.

Six representatives of the Association of The University of Oklahoma Professional Employees, two representatives of the Association of Graduate Student Employees of The University of Oklahoma, and one representative of the Senior Vice President and Provost's Office also attend meetings and participate, without voting privileges, in Senate discussion.

#### Election Procedure

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

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

#### Powers

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

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

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

#### Liaison with the President

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

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

#### Liaison with Faculty Senate, Health Sciences Center

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

#### Amendment of this Charter

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

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

## 2.10.2—CHARTER OF THE GRADUATE COUNCIL - NORMAN CAMPUS

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

## ARTICLE I: NAME

The name of this organization shall be: “The Graduate Council of The University of Oklahoma-Norman Campus.”

## ARTICLE II: FUNCTION

The graduate faculty shall be the academic policy-making body within the University on all matters relating to graduate studies. The Graduate Council, as the instrument of the graduate faculty, shall exercise the general legislative and academic authority of the graduate faculty; establish policies and standards governing development and changes in graduate curricula, including new courses or degree programs; make recommendations on all new proposed graduate programs, or substantially modified graduate programs as well as proposed deletions of graduate programs, monitor graduate course offerings, determine the eligibility of students for admission, financial aid, and graduation, and advise the Dean of the Graduate College on other Graduate College matters. The Graduate Council also shall be responsible for the development and maintenance of a system for the equitable resolution of differences and issues which may arise between and among graduate students and members of the graduate faculty. The graduate faculty reserves the right to review, endorse, change or rescind any action of the Graduate Council as provided by Article VII of this Charter.

## ARTICLE III: MEMBERSHIP

A. The Graduate Council shall be composed of three groups of members:

## 1. Ex Officio Members:

a. The Dean of the Graduate College, who shall be Chairperson of the Council. The Chairperson of the Council may vote only in the event of a tie vote by the Council.

b. The Assistant and Associate Deans of the Graduate College, who shall serve without vote. In the absence of the Dean, the Associate or Assistant Dean will be the Acting Chairperson of the Council.

c. The Secretary of the Graduate Council, who shall be selected by the Graduate Dean and serve without vote. The secretary shall have the responsibility to:

- (1) Schedule meetings of the Graduate Council.
- (2) Prepare and circulate agendas of meetings.
- (3) Prepare and circulate minutes of the meetings of the Graduate faculty and Graduate Council.
- (4) Keep a record of all actions taken.
- (5) Perform other duties that may be necessary to accomplish faculty and Council business.

2. Members elected from the University graduate faculty according to the following criteria:
  - a. Each college offering one or more graduate programs shall be entitled to a minimum of at least one elected member. In a college with more than one representative, that college should develop election procedures to ensure broad representation of the areas within that college.
  - b. The maximum number of elected members from any college shall be one for each whole ten percent (10%) of the total University full-time equivalent graduate student population enrolled in the College. Graduate student enrollment percentages will be rounded to the nearest multiple of ten percent.
  - c. Official graduate student full-time equivalents in the various Colleges shall be determined from the records of the Graduate College for the Fall semester of the academic year in which the elections are held.
  - d. No faculty member shall be eligible for election to membership on the Graduate Council unless he/she is a member of the graduate faculty.
  - e. Each elected member shall serve for a three-year term, and, when possible, elections will be staggered to ensure approximately one-third new members each year. The term shall commence on September 1.
  - f. No faculty member can serve more than six consecutive years.
  - g. Vacancies caused by resignation, leave, illness, etc. shall be filled by election in the college with the vacancy. The member will serve for the remainder of the unexpired term.

### 3. Graduate Student Members

- a. Four graduate students shall be appointed by the Dean of the Graduate College from at least eight nominations made by the Graduate Student Association. Student members will serve with voting privileges for one-year terms and no two may be from the same college. Students may serve for more than one term.
- b. Any Council member who misses three or more Council meetings in a year (September through the following June) will be subject to dismissal from the Graduate Council. The Dean of the Graduate College will investigate the reasons for the absences and decide whether or not to declare the seat vacant.

## ARTICLE IV: ELECTION OF MEMBERS

- A. Elections shall be held in April or May of each year within each college for which there is an actual or impending vacancy in Graduate Council representation. Vacancies shall be filled only by election, regardless of cause. (That is, vacancies caused by resignation, leave, illness, etc., as well as those due to expiring terms, shall be filled by election.)
- B. When an election is necessary in a given college, the Dean of the Graduate College will notify the dean of the college.
- C. The dean of the college will then arrange for an election to be conducted. Only members of the University graduate faculty shall be eligible to vote.

## ARTICLE V: MEETINGS

- A. Meetings shall be held monthly during the academic year. Special meetings may be called at any time by the Dean of the Graduate College.

- B. A quorum shall consist of more than half of the voting members of the Council.
- C. Items of Council business and agenda shall be mailed to all members of the Council so as to be in their hands in advance of a meeting.
- D. Business of an emergency nature can be brought before Council at any meeting if a majority of the members present vote to consider the issue.
- E. Items of business shall be passed if a majority of members present vote favorably.
- F. The Chairperson of the Graduate Council shall appoint a faculty member to serve as parliamentarian.
- G. All meetings shall follow Robert's Rules of Order.

#### ARTICLE VI: COMMITTEES

A. There shall be the following standing committees of the Graduate Council:

1. Special Degree Programs
2. Faculty Membership
3. Courses and Program Changes
4. Inter-Council Liaison

B. Each standing committee shall have at least four members and generally be chaired by one of the deans in the Graduate College. A slate of membership for each Committee shall be prepared by the Dean of the Graduate College and presented to the Graduate Council for approval at the first Council meeting in the Fall semester. The term of duty is one calendar year.

C. Agenda items for these standing committees normally shall be directed to them by the Graduate Council or by the Dean of the Graduate College. These committees shall report and make recommendations to the Graduate Council.

D. *Ad hoc* Committees, whose membership may be drawn from the graduate faculty at large, shall be authorized and selected by the Dean of the Graduate College.

#### ARTICLE VII: COUNCIL ACTION

The dean of each college and chair/director of each department/school shall be sent copies of the Council's agenda before its meetings and copies of the Council's minutes afterward. Three additional copies of the agenda will be sent to each chair/director for duplication and distribution to each faculty member within the department/school. All members of the graduate faculty will be sent copies of the minutes of Graduate Council meetings unless they desire not to receive them. Each department is urged to post a copy of the minutes so they will be available to graduate students. Members of the graduate faculty and deans of each college (or their designated representatives) shall have the right to be present at meetings of the Council and may, with the permission of the Council's Chairperson or a majority of the Council, participate in a nonvoting capacity in discussion of business before the Council.

Course Changes and Petitions will be considered approved by the graduate faculty seven (7) days after the minutes are delivered if no written protest is received in the Graduate College office. When a written protest is made by one or more members of the graduate faculty, the course change or petition will be returned to Council for reconsideration. If the Council confirms its initial action, the matter will be considered final.

Actions of the Graduate Council other than Course Changes and Petitions will not be put into effect until at least 30 days after the notification of such actions has been circulated among the graduate faculty. If during the 30-day period a valid written protest to Council action is made, the matter will be returned to the Council for reconsideration. To be valid, the protest must be signed by 40 members of the graduate faculty or 80 currently enrolled graduate students. If the Council confirms its initial action, a meeting of the graduate faculty shall be called for its consideration of the contested action. Following the meeting, the graduate faculty will be polled by mail ballot.

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



## 2.10.3—CHARTER OF THE GRADUATE FACULTY - NORMAN CAMPUS

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

## ARTICLE I: NAME

The name of this organization shall be: “The Graduate Faculty of The University of Oklahoma-Norman Campus.”

## ARTICLE II: ORGANIZATION

A. There shall be a single University-wide Graduate College with a single University-wide graduate faculty.

B. Unless superseded by direct action of the graduate faculty acting as a whole, the legislative and academic authority of the graduate faculty shall be vested in the Graduate Council.

C. The Dean of the Graduate College shall be the chief University-wide officer for graduate studies and research. The Dean shall coordinate graduate programs among the respective program units. The Dean shall serve as the presiding officer of the University-wide graduate faculty and Graduate Council. The Office of the Dean of the Graduate College shall be the administrative center for all official communications between the Graduate Council and the faculty and administrators.

## ARTICLE III: PURPOSES

The purposes of this organization shall be to:

A. Promote excellence in graduate teaching, research and creative activity.

B. Assist the graduate faculty in its teaching research/creative activity and related functions.

C. Promote collaborative effort, exchange of information and mutual understanding among the graduate faculty.

## ARTICLE IV: MEMBERSHIP

## Section 1: Graduate Faculty Committees

A. Any academic unit offering courses or course work in any college awarding an undergraduate degree on the Norman Campus may appoint members of the Graduate Faculty. In order to make such an appointment, the academic unit must elect a Graduate Faculty Committee made up of members of the Graduate Faculty. The Graduate Faculty Committee shall have the following responsibilities:

1. Developing and publishing the criteria for membership on the Graduate Faculty which are appropriate for that academic unit. Such criteria must be consistent with Section 2 of this Article.

2. Providing the Graduate Dean with the unit's criteria for membership.

3. Providing the Graduate Dean with a list of members of the Graduate Faculty in accordance with Section 2.A.4 of this Article.

B. Faculty members may appeal to the Graduate Dean decisions of an academic unit regarding their Graduate Faculty status. Decisions of the Graduate Dean regarding Graduate Faculty status may be appealed to the Senior Vice President and Provost, whose decision will be final. The Graduate Dean, with the advice and consent of the Graduate Council, will publish procedures for the appeal of Graduate Faculty status.

## Section 2: Types of Membership

Only persons holding an appointment to the Graduate Faculty under the provisions in this section may participate in teaching graduate courses, serving on master's committees, chairing master's committees, serving on doctoral committees, or chairing doctoral committees.

### A. Member

1. Eligibility - Any faculty member holding a tenure-track or tenured appointment in any college awarding an undergraduate degree on the Norman Campus is eligible for membership on the Graduate Faculty. Only persons holding such appointments will be eligible for Member status on the Graduate Faculty.

2. Privileges - Members of the Graduate Faculty may have some or all of the following privileges:

- a. teaching graduate courses
- b. serving on master's committees
- c. serving on doctoral committees
- d. chairing master's committees
- e. chairing doctoral committees.

Endorsements (d) and (e) may be granted only by the academic unit in which the master's or doctoral degree program is offered. Only academic units offering the doctoral degree may appoint members with the endorsement for chairing doctoral committees.

3. Credentials - Each academic unit will publish a document that lists the credentials and, if appropriate, activities required to be a Member of the Graduate Faculty in that unit. Evidence of continuing scholarly activity is required of all faculty members who have the endorsement to chair doctoral committees. In order to be approved to serve on or chair master's committees, the Member must hold at least a master's degree. Only Members holding the terminal degree may be approved to serve on or chair doctoral committees.

4. Appointment - Each academic unit will provide the Dean of the Graduate College with a list of Members of the Graduate Faculty. This list must be provided to the Dean of the Graduate College at least annually according to a schedule to be established by the Dean. The unit will be responsible for determining what privileges are accorded to each Member approved by that unit. Units may appoint any faculty member B including those from other units, departments, or colleges B meeting the eligibility requirements of Section 2.A.1, Section 2.A.2, and Section 2.A.3 of this Article.

5. Term - Academic units are responsible for setting the appropriate term for Graduate Faculty appointments. Since evidence of continuing scholarly activity is expected for the endorsement to chair doctoral committees, Members with such an endorsement must be subject to periodic review. This review process must be specified in the unit's published criteria for Membership on the Graduate Faculty. A Member of the Graduate Faculty may at any time petition the appointing unit for consideration for reappointment with additional privileges.

B. Special Member - This status shall be assigned to persons whose participation in the graduate programs is recommended by their department(s) for a limited period or for a limited objective and whose appointment is approved by the Dean of the Graduate College. This status can be accorded to individuals within or outside the University. Normally this status would be assigned for one year so that a faculty member could teach a graduate course, serve on a graduate examination committee or serve on a thesis or dissertation committee in which the faculty member has recognized expertise. At the expiration of the appointment period, the Special Member may be reappointed with the recommendation and approval of the Dean of the Graduate College.

C. Ex Officio Members - The President, the Senior Vice President and Provost, all college deans, graduate department chairs/directors and the Director of the Library will be ex officio members of the graduate faculty. If appropriate, they may also be Members of the graduate faculty.

D. Member at Large - The Dean of the Graduate College may recommend to the Graduate Council, through its Graduate Faculty Membership Committee, individuals for Member at Large status on the graduate faculty. In doing so, the Dean must provide a record of appropriate credentials, reason for appointment, statement of duties and privileges of that person. Graduate Council approval is required.

### Section 3: Reduction in Status

A. Should a member no longer qualify for Member status under Article IV, Section 2.A.1 (for example, due to retirement or resignation), the Graduate Faculty Membership will be rescinded. The member may, with the approval of the Graduate Dean, be granted permission to continue teaching graduate courses and serving on student committees either as a Special Member, a Member at Large, or an Ex Officio Member.

B. If, at the end of the term of appointment, a Member no longer qualifies for the endorsement to chair doctoral committees, the academic unit will so notify the Member. Upon the written request of the Member, the academic unit will grant a one-year extension of the endorsement to chair doctoral committees, during which time the Member will have an opportunity to re-establish the appropriate credentials.

C. In certain cases, such as those of professional incompetence, dishonesty, or failure to fulfill professional duties related to Graduate Faculty membership, a Member may have some or all privileges on the Graduate Faculty rescinded prior to the end of the term of appointment. This is an exceptional event and should be undertaken only after other administrative remedies have failed. In accordance with Article IV, Section 1.B, the Graduate Dean, with the advice and consent of the Graduate Council, will publish procedures under which privileges may be rescinded prior to the end of the term of appointment and under which the member involved may appeal such rescission. If an appeal is filed, the member's privileges will continue until the appeal is resolved.

D. No officially constituted master's or doctoral committee will be affected by any change in the privileges or status of a member of the Graduate Faculty serving on that committee unless the change occurred under the authority of Section 3.A or Section 3.C of this Article. This section does not apply to Special Members, Members at Large, or Ex Officio Members of the Graduate Faculty.

#### Section 4: Continuation of Previous Appointments

A. Appointments that were made under the authority of Article IV of the Charter of the Graduate Faculty in force at the time of the enactment of this revised Article IV will continue until the end of the appointments. Such appointments remain subject to the eligibility requirements in force at the time of appointment. However, any appeals of revisions to such appointments will be processed according to the guidelines described in this Article. This Article will govern any reappointment or additional privileges granted to such individuals.

B. With the consent of the individual concerned, an academic unit may process a new Graduate Faculty appointment under the authority of this Article, in which case the previous appointment is without effect.

#### ARTICLE V: VOTING RIGHTS

Voting rights are restricted to Members of the graduate faculty. Ex officio Members, unless they are simultaneously Members of the graduate faculty, Special Members and Members at Large shall not be granted voting privileges. No votes shall be cast by proxy.

#### ARTICLE VI: MEETINGS

##### Section 1: Meetings

The Graduate Faculty shall meet as needed, usually at least once every academic year.

##### Section 2: Special Meetings

A. Special Meetings may be called by the Graduate Council-Norman Campus, by the Dean of the Graduate College, or upon written petition of a total of 40 Members of the graduate faculty.

B. The purpose of the meeting shall be stated in the call.

C. All graduate faculty shall be notified.

D. The Dean shall schedule a meeting of the graduate faculty no earlier than 7 days nor later than 45 days after receipt of the petition by the Dean of the Graduate College. In cases of emergencies, the Dean may call a meeting on shorter notice than 7 days. The Dean shall decide what constitutes an emergency.

##### Section 3: Quorum

Twenty members of the graduate faculty of the Norman Campus representing at least four different departments/schools constitute a quorum provided that no more than one-half of the members present are from any one department.

#### ARTICLE VII: RESPONSIBILITIES AND POWERS OF THE GRADUATE FACULTY

The graduate faculty, in conjunction with the Dean of the Graduate College, shall have the responsibility and power to determine requirements for the admission and retention of students in the graduate programs; to establish degree requirements; to recommend through the Senior Vice President and Provost and the President of the University to the Board of Regents the awarding of degrees earned; to formulate and implement policy related to all matters of graduate education; to set standards of research, creative and scholarly achievement; and to take steps necessary for safeguarding and upholding such policies and standards. Nothing in this Article shall be deemed to modify or limit the responsibilities and powers of either the Board of Regents or the Oklahoma State Regents for Higher Education to review any items described in this Article.

**ARTICLE VIII: THE GRADUATE COUNCIL**

The Graduate Council, as the instrument of the graduate faculty, shall exercise the general legislative and academic authority of the graduate faculty. The Graduate Council also shall be responsible for the development and maintenance of a system for the equitable resolution of differences and issues which may arise between and among graduate students and members of the graduate faculty. The graduate faculty reserves the right to review, endorse, change or rescind any action of the Graduate Council. The operation of the Graduate Council is contained in the Charter Of The Graduate Council.

**ARTICLE IX: AMENDMENT OF THE CHARTER****Section 1: Amending**

This Charter may be amended according to the following procedure:

- A. Amendment of this Charter will be considered for a debate at any regular or special meeting of the graduate faculty, if it is proposed by the majority of the Graduate Council or by 40 members of the graduate faculty.
- B. Voting on proposed amendments shall be by mail ballot. To be approved, a proposed amendment requires affirmation by two-thirds (2/3) of the graduate faculty voting.
- C. Amendments shall be submitted to each eligible graduate faculty member for vote at least fifteen (15) days prior to tabulation of ballots.

**Section 2: Effective Date**

Amendments shall be effective at the beginning of the academic term following the approval by The Board of Regents.

**ARTICLE X: ADOPTION**

This Charter shall become effective when it has been approved by a majority of the graduate faculty voting and by the Board of Regents.

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

## 2.10.4—LAW CENTER

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

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

Recommendations regarding appointment, tenure, and promotion of members of the faculty of the College of Law should be submitted by the faculty of the College to the Dean/Director, then to the President, who may seek appropriate advice prior to making his recommendation to the Board of Regents. In the event there is disagreement on a tenure recommendation, the matter will be referred to the Academic Personnel Council in accordance with the Board of Regents' regulations on tenure.

A Law Center Board serves in an advisory capacity to the Dean/Director, the President, and the Board of Regents. The Law Center Board will consist of no more than 30 members appointed by the President for staggered terms from nominations submitted by the Dean/Director and the Chair of the Board of Visitors, as follows:

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

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

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

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

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

---

## COLLEGE OF LAW ADMISSION PROCEDURE

---

### APPLICATION DATES

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

### ADMISSIONS COMMITTEE OF THE COLLEGE OF LAW

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

### MAXIMUM NUMBER OF APPLICANTS TO BE ADMITTED

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

### REQUIREMENTS FOR ADMISSION

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

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

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

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

(RM, 3-10-66, p. 8471, 11-11-71, pp. 11220-22; 1-27-2004, p. 28924)

## COLLEGE OF LAW - CODE OF ACADEMIC RESPONSIBILITY

### TITLE I - THE PURPOSE AND SCOPE OF THE CODE

#### SEC. 101 — PURPOSE OF CODE

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

#### SEC. 102 — SCOPE OF CODE

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

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

#### Sec. 201 — Accepted Principles of Honesty

- (a) It shall be a violation of this Code for a student to act in conscious disregard of accepted principles of honesty in any academic pursuit or prize competition.
- (b) **Conscious Disregard** — To establish a violation of this section, the Council must present proof of a student's conscious disregard of accepted principles of honesty. Conscious disregard is a mental state embracing either (i) intent to deceive, manipulate or defraud; (ii) guilty knowledge; or (iii) moral awareness that the alleged conduct violated known or accepted principles of honesty.
- (c) **Specific Intent** — Nothing in this Code shall be construed to require proof of specific intent in addition to proof of conscious disregard. Specific intent is the offender's active and conscious desire to achieve certain prohibited consequences by acting or failing to act.



- (d) Proof of Conscious Disregard — Nothing in this Code shall be construed to require a confession by the accused or any other direct evidence of conscious disregard, which may be inferred from the conduct of the accused and other circumstantial evidence.

#### Commentary to § 201

##### Definition of Principles of Honesty

Fraud and dishonest conduct appear in many forms. Legislatures and courts have avoided attempts to provide fixed and comprehensive definitions of fraudulent conduct, in part because the term “fraud” is not definable except in the most general terms and usually by reference to the state of mind of the person accused of dishonesty. In the words of the Supreme Court of Oklahoma, *Singleton v. LePak*, 425 P.2d 974 (Okla. 1967) fraud is a generic term, which embraces all the multifarious means which human ingenuity can devise and all resorted to by one individual to get an advantage over another. No definite and invariable rule can be laid down as a general proposition defining fraud, as it includes all surprise, trick, cunning, disassembling and unfair ways by which another is cheated...*Id.* at 978 (quoting *Bigpond v. Mutaloke*, 105 p.2d 408 (Okla. 1940)). *See also, e.g., Commonwealth v. Monumental Properties*, 329 A.2d 812 (Pa. 1974); *Barquis v. Merchants Collection Ass’n*, 496 P.2d 817, 830 (1972) (sweeping legislative ban on fraud and deception is designed “to enable judicial tribunals to deal with the innumerable ‘new schemes which the fertility of man’s invention would contrive’”(quoting *American Philatelic Soc’y v. Claibourne*, 45 P.2d 135, 140 (1935); *Kugler v. Romain*, 279 A.2d 640 (N.J. 1971)). As a result, no comprehensive list of such principles is possible. The following examples are designed to provide fair notice to the students of the College of Law of the breadth and scope of the Code’s prohibitions against dishonesty. A student is presumed to have guilty knowledge or moral awareness by engaging in the conduct listed below:

1. No student shall give, secure or exchange any information about the contents of or answers to an examination, in advance of or during such examination, except as authorized by the instructor.
2. No student shall consult books, papers, computer files, other electronic data or notes of any kind during an examination, except as authorized by the instructor.
3. A student who has taken an examination and a student who will take the same examination may not discuss its contents with each other.
4. A student may not retain a copy of any examination for the purpose of preserving questions for use by another student, except as expressly authorized by the instructor; nor may a student take notes during an examination on the contents of an essay or objective examination for the purpose of preserving questions for use by another student, except as expressly authorized by the instructor.
5. No student shall fail to stop writing an examination with knowledge that the time allotted for writing the examination has elapsed.
6. No student shall hide, steal or mutilate any materials belonging to the library, the University, another student, a faculty member or other member of the law school or University community.
7. No student shall submit plagiarized work in an academic pursuit or prize competition (plagiarism being the incorporation of written work, either word for word or in substance from any work of another, unless the student writer credits the original author and identifies the original author’s work with quotation marks, notes or other appropriate written designation).
8. No student shall make any material misrepresentation to faculty or administration respecting law school matters.

9. A student shall not falsely accuse another student of violating this Code, either with knowledge that the accusation is false or in reckless disregard of the accusation's truth.
10. A student may not offer for credit any work prepared by another.
11. A student may not offer for credit work that has been previously offered for credit, except as authorized by the instructor.
12. A student may not offer for credit work prepared in collaboration with another, except as authorized by the instructor.
13. A student may not take an examination for another student; nor may a student permit his or her own examination to be taken by another.
14. A student may not invade the security maintained for the preparation and storage of examinations.
15. A student who learns that he or she has come in contact with an examination subject to security must immediately inform the Dean or Associate Dean or the instructor.
16. A student shall not falsify attendance sheets.
17. A student shall not sign an attendance sheet for another student.
18. A student shall not use Lexis, Westlaw or other library services for unauthorized work or activities.

#### Conscious Disregard & Scienter

The requirement of conscious disregard is intended to be identical to the legal requirement of scienter as commonly defined. *See, e.g.,* DAVID WALKER, OXFORD COMPANION TO THE LAW 1107 (1980) (defining scienter as “knowingly”); *Aaron v. Securities and Exchange Comm’n*, 446 U.S. 680, 686 n.5 (1980) (scienter means “a mental state embracing intent to deceive, manipulate, or defraud”). The term “conscious” often has a similar meaning. RANDOM HOUSE DICTIONARY OF THE ENGLISH LANGUAGE (1968) defines “conscious” to mean “2. fully aware of or sensitive to something....4. known to oneself; felt; conscious guilt. 5. aware of what one is doing; a conscious liar.... 8. Obs. inwardly sensible of wrong doing.” In notes at the end of this definition, the authors of the RANDOM HOUSE DICTIONARY added that “knowing” was a synonym, along with the following commentary: “Conscious, aware, cognizant refer to an individual sense of recognition of something within or without oneself. CONSCIOUS implies to be awake or awakened to an inner realization of a fact, a truth, a condition, etc.”

#### Sec. 202 — Accepted Principles of Good Faith.

- (a) It shall be a violation of this Code for a student to act in conscious disregard of accepted principles of good faith.
- (b) Accepted principles of good faith include but are not limited to the following:
  - (i) No student shall harass any other member of the law school community on account of the member's race, color, religion, creed, gender, national origin, sexual preference or disability.

- (ii) No student shall harass or retaliate or threaten to harass retaliate against any other member of the law school community because the community member made a charge, testified, assisted or participated in any manner in an investigation, proceeding or hearing under this Code.
- (iii) For purposes of this subsection, harassment is:
  - (A) Personal insults or “fighting words” addressed to a specific individual or individuals, which are designed to and likely to provoke an immediate breach of the peace; or
  - (B) Severe and pervasive verbal or physical conduct which is directed at a specific member or members of the law school community and which is designed to inflict and is likely to inflict emotional or psychological distress on the targeted individual or individuals; or
  - (C) Severe and pervasive verbal or physical conduct directed at a specific member or members of the law school community that unreasonably interferes with the work or educational performances of the targeted individual or individuals; or
  - (D) Severe and pervasive verbal or physical conduct directed at a specific member or members of the law school community that creates an intimidating, hostile, or offensive environment for the targeted individual or individuals.
- (c) It is the intent of this section to ensure that each member of the law school community shall have the fair and equal opportunity to enjoy the benefits of association with the College without being hindered by invidious discrimination or prejudice.
- (d) Expressive Liberty — This section does not prohibit: (i) any person’s expression of views and opinions on matters of public interest unless it is proved that the expressive conduct is a sham or mere pretext for inflicting the harms or injuries identified by subsection (b); or (ii) expressive conduct protected from severe sanctions, punishment or other undue burdens by the Constitution of the United States or the Constitution of Oklahoma. The College reserves its rights to express views, including the right to post or publish reprimands, critical of expressive conduct believed to be unreasonable and discriminatory in character even if such conduct is otherwise protected by the Constitutions of the United States or of Oklahoma from severe sanctions, punishment and other undue burdens.

#### Sec. 203 — Misconduct Obstructing Administration of Examinations

A student taking an examination must not obstruct the administration of an examination. A student must comply with all reasonable instructions and regulations of the professor and the College respecting an examination.

#### Commentary to § 203

It is impossible to list all possible applications of the principles stated in Sec. 203. Each regulation or rule shall provide notice to the student of prohibited conduct. If a student is guilty of conscious disregard of a rule or regulation, the student may have violated § 201 of this Code. This section is designed to authorize sanctions in the absence of scienter or conscious disregard.

Compliance with the principles of § 203 includes but is not limited to the following:

1. A student shall not fail to turn in examination materials at the appointed time.

2. A student shall not talk in any room during an examination except to, or at the direction of, a faculty member or other individuals administering an examination.
3. A student shall not deliberately create an unreasonable distraction during an examination.
4. A student shall not eat or smoke during an examination, except in rooms or areas designated.
5. A student shall not remove an examination or examination answers from the College of Law, except with prior approval of the instructor.
6. A student shall not violate the rules designed to ensure that all grading of examinations is anonymous.
7. A student shall not bring into any examination room any materials, including books, papers or notes, or any other aid of any kind, except that expressly permitted by the instructor.
8. A student shall not violate the rules established by the administration and the faculty of the College of Law regarding the use of computers or memory typewriters during an examination.

Sec. 204 — Misconduct Obstructing Enforcement of the Code

- (a) Each student has an ethical responsibility to report any known or suspected violation of this Code to a member of the Council of Academic Responsibility or to another appropriate faculty member or administrator of the College of Law. Failure on the part of any student to satisfy this responsibility for enforcement of the Code is a violation of the Code.
- (b) No student shall improperly obstruct enforcement of this Code. Compliance with this principle includes but is not limited to the following:
  - (i) All students shall cooperate with the preliminary inquiry of the Associate Dean.
  - (ii) A summoned student other than a defendant may not, without a reasonable excuse, fail to appear and give testimony before the Council of Academic Responsibility or the Hearing Tribunal.
  - (iii) A student may not knowingly misrepresent material facts to the Associate Dean during a preliminary inquiry, or before the Council of Academic Responsibility or the Hearing Tribunal.
  - (iv) A student may not fail to comply with a final order of the Hearing Tribunal.
  - (v) No student shall request a person to refrain from voluntarily giving relevant testimony in an investigation, proceeding or hearing under this Code unless: (a) the student is acting as representative of an accused student pursuant to § 304(d)(ii) or §401; (b) the person is a relative or an employee or other agent of the accused student; and (c) the representative reasonably believes that person's interests will not be adversely affected by refraining from giving such information.
  - (vi) No student, whether or not acting as representative of an accused student pursuant to §304(d)(ii) or § 410(d), shall improperly obstruct access to evidence or unlawfully alter, destroy or conceal a document or other material having potential evidentiary value or counsel or assist another person to do any such act.

**Sec. 205 — Misconduct in Pursuit of Employment**

- (a) A student may not seek to obtain unfair advantage in pursuit of employment by means of misrepresentations respecting the student's academic or professional record.
- (b) Conscious disregard. To establish a violation of this section, the Council must present proof of conscious disregard of accepted principles of honesty. Conscious disregard is a mental state embracing either (i) intent to deceive, manipulate or defraud; (ii) guilty knowledge; or (iii) moral awareness that the alleged conduct violated known or accepted principles of honesty.
- (c) Specific intent. To establish a violation of this section, the Council must present proof that the offender actively and consciously desired to obtain unfair advantage.
- (d) Proof of conscious disregard and specific intent. Nothing in this Code shall be construed to require a confession by the accused or any other direct evidence of conscious disregard or specific intent. Conscious disregard and specific intent may be inferred from the proven conduct of the accused and other facts and circumstances.

**Sec. 206 — Attendance Records**

A student shall sign the attendance roll in a class only if present for the entire class period, except with the express permission of the professor. A student shall not sign the attendance roll for another student.

**Sec. 207 — Miscellaneous Principles**

- (a) A student may not possess, transfer or duplicate keys to the College of Law or to any office in the College of Law, including the law library, without proper authorization.
- (b) A student violates this Code when he or she attempts or conspires to violate the Code.

**Sec. 208 — Library**

No other violations of library rules shall be covered by this Code, but each student shall remain subject to the rule-making authority of the law librarian, the Dean, or such other authority at the University created or empowered to deal with violations of library rules.

**Title III - The COUNCIL OF ACADEMIC RESPONSIBILITY****Sec. 301 — Preliminary Inquiry.**

- (a) Upon receipt of an allegation of a Code violation or for other good cause, the Associate Dean may elect to conduct a preliminary inquiry. During the preliminary inquiry, the Associate Dean may proceed informally to gather information and to seek possible ways to resolve allegations prior to and in lieu of formal investigation.
- (b) The Associate Dean may also elect to present allegations to the Council of Academic Responsibility without preliminary inquiry.

- (c) The Associate Dean shall report any preliminary inquiry as well as the results of such inquiry to the Council of Academic Responsibility.
- (d) After receiving the report of the Associate Dean respecting a preliminary inquiry, the Council of Academic Responsibility may (i) issue a letter of admonition, (ii) decide to conduct a formal investigation, or (iii) dismiss the allegation without further action.

#### Sec. 302 — Duties of the Council of Academic Responsibility

The Council of Academic Responsibility shall take care that this Code is fully enforced. The Council's enforcement duties are to:

- (a) decide whether to issue a letter of admonition after preliminary inquiry of the Associate Dean;
- (b) conduct a formal investigation of alleged violations of this Code;
- (c) decide whether an allegation of a Code violation shall be presented to the Hearing Tribunal;
- (d) appoint a representative of the Council to prosecute a case before the Hearing Tribunal;
- (e) offer such recommendations as the Council believes appropriate to the Hearing Tribunal or to the faculty respecting the matters covered by this Code;
- (f) notify any faculty member who has reported an alleged violation of (i) the results of the Council's investigation, (ii) the Council's decision whether to present an allegation to the Hearing Tribunal, (iii) the Council's recommendations to the Hearing Tribunal, and (iv) any compromise or settlement proposed by or approved by the Council pursuant to § 309 of this Code; and
- (g) notify the appropriate faculty member (i) of any allegation of a Code violation in the faculty member's course, and (ii) of all other information required by subsection (f) of this section.

#### Sec. 303 — Membership of the Council of Academic Responsibility

- (a) The Council shall consist of three members. The members are:
  - (i) the Associate Dean of the College of Law or other faculty member to represent the Dean's office, except for the Dean;
  - (ii) a tenured or tenure-track member of the faculty elected by the faculty;
  - (iii) one second-year law student appointed by the Dean from among three nominees of the Student Bar Association to serve for one year from January of the student's second year through December of the student's third year.
- (b) The Associate Dean or other faculty member representative of the Dean's office shall serve as chair of the Council, unless the Dean elects to designate the faculty representative as chair.
- (c) Notwithstanding the expiration of his or her term, a member of the Council may continue to serve until final judgment is rendered in any proceeding in which that member has actively participated.

- (d) An alternate for each member of the Council shall be selected in the same manner as prescribed in § 303(a). If the Associate Dean cannot serve with the Council in a particular case, the Dean may appoint another faculty member to represent the Dean's office.

#### Sec. 304 — Formal Investigation

- (a) The Council shall meet in closed session. The members shall keep in confidence the content and nature of the meetings, except to the extent the Hearing Tribunal or another adjudicative body compels disclosure.
- (b) When the Dean, Associate Dean, faculty member or Council member receives an allegation of a Code violation, he or she has the ministerial duty to notify the chair of the Council on Academic Responsibility.
- (c) The chair has the ministerial duty to present any report of alleged violations to the Council. The Council shall decide by majority vote whether to conduct a formal investigation of allegations. The Council shall notify the accused student of its decision to conduct a formal investigation.
- (d) During the Council's formal investigation, an accused student has no right to appear in person or by representative at any meetings of the Council unless the Council determines that such appearance is useful to its deliberations. If the Council determines that the response of the student is useful or appropriate to complete a formal investigation, and upon the request of the Council, the accused student shall make a written response which contains a full and fair disclosure of all the facts and circumstances pertaining to the respondent student's alleged misconduct unless the respondent's refusal to do so is predicated upon expressed constitutional grounds. Deliberate misrepresentation in such response shall be grounds for discipline. The failure of an accused student to answer within twenty (20) days after service of the Council's notice or inquiries, or such further time as may be granted by the chair of the Council, shall be grounds for discipline. The Council shall make such further investigation as the Council may deem appropriate before taking any action. If and only if the Council orders a response or appearance, the accused student shall have the following rights:
  - (i) the right to a statement of the allegations.
  - (ii) if the Council decides to permit an appearance, the right to be represented by counsel or some other representative, though not the right to have counsel or a representative supplied by the College of Law;
  - (iii) the right to present evidence.
- (e) The Council, after formal investigation shall either (i) dismiss the case, (ii) decide to prosecute the case before the Hearing Tribunal; (iii) issue a letter of admonition; or (iv) after negotiations, enter into a settlement or compromise agreement. This decision shall be made at a formal meeting closed to the public with all members required to be present. A majority vote is required to prosecute an alleged violation before the Hearing Tribunal.
- (f) The Council must decide to prosecute, if at all, and give notice as hereinafter prescribed, within ninety days of receiving an allegation of a Code violation or specific information that identifies a specific student as an alleged violator, unless the student consents to an extension of time.
- (g) The Council, if decides to prosecute, shall give actual notice by delivering a formal complaint in writing to the alleged offender. This complaint shall include statement of the allegations, but need

not be in any particular form. A copy of this complaint shall also be forwarded to the chair of the Hearing Tribunal.

- (h) If the Council decides not to prosecute and to dismiss a case, the Council may post a notice of its decision, but shall not disclose the identity of any accused student or witness.
- (i) The Council may adopt rules of procedure to supplement this section.

#### Sec. 305 — Duties of the Chair

- (a) The chair shall call and preside over all meetings of the Council.
- (b) The chair shall also:
  - (i) present all reports of alleged violations to the Council;
  - (ii) serve written notice to alleged offenders of the time and place of appropriate hearings and of the alleged offenders' rights during a formal investigation and during proceedings before the Hearing Tribunal;
  - (iii) have the power to summon witnesses from among the University and to subpoena documents from members of the University community, subject to other applicable laws and policies governing the University.
  - (iv) do such other things as may, in his or her judgment, be needed to enforce this Code and to effectuate the spirit and intent of this Code; and
  - (v) notify the Council of all actions taken by the chair.
- (c) All orders, decisions and actions by the Chair shall be subject to review by the Council.

#### Sec. 306 — Disqualifications

No member of the Council shall participate in any case if that member is disqualified because of a conflict of interest or any other appropriate reason.

#### Sec. 307 — Vacancies

Vacancies on the Council shall be filled in the manner prescribed for the position which is vacant under the terms of sections 303(a) and 303(d).

#### Sec. 308 — Representative of the Council of Academic Responsibility

The Council of Academic Responsibility shall select an individual to represent the Council and to prosecute the case alleging Code violations before the Hearing Tribunal. The Council's representative may or may not be a member of the Council.

#### Sec. 309 — Compromise or Settlement of a Complaint

- (a) Nothing in this Code shall be construed to prohibit compromise or settlement of complaints alleging violations of this Code.



- (b) The Council shall have the power to approve or reject proposed compromises or settlements negotiated by the Council's representative and the representative of an accused student. If the Council's representative and the representative of an accused student agree to such a compromise or settlement, the agreement must be approved by a majority of the Council of Academic Responsibility. The Council's settlement authority exists at all stages of a case, but is subject to the following limitations: (i) after the Hearing Tribunal has rendered a judgment and prior to a decision by the Appeals Board, any compromise or settlement must be approved by the Hearing Tribunal; (ii) after the Appeals Board had rendered a judgment, any compromise or settlement must be approved by the Appeals Board.
- (c) Evidence of offering to compromise or settle a complaint is not admissible to prove or disprove a violation of this Code. Evidence of conduct or statements made in compromise or settlement negotiations is likewise not admissible.

#### Title IV – THE HEARING TRIBUNAL

##### Sec. 401 — Jurisdiction

The Hearing Tribunal shall have jurisdiction over all cases involving allegations of Code violations. Pursuant to this jurisdiction, the Hearing Tribunal shall hold a hearing to determine whether or not this Code has been violated and to prescribe penalties or remedies of any violations.

##### Sec. 402 — Membership

- (a) The Hearing Tribunal shall have six members. The members are:
  - (i) one member of the faculty appointed by the Dean to serve as chair for two academic years or until a replacement is appointed by the Dean;
  - (ii) two members of the faculty elected by the faculty to serve for two academic years or until replacements are elected by the faculty;
  - (iii) three students appointed by the Dean from among six second-year law students nominated by the Student Bar Association to serve for one year from January 1 of the student's second year until January 1 of the student's third year, or until replacements are appointed by the Dean.
- (b) The Dean shall arrange appointments and terms of service for faculty members other than the chair so that one member is appointed for a full two year term each academic year.
- (c) An alternate for each member of the Hearing Tribunal shall be selected in the manner prescribed by § 402(a).
- (d) Under no circumstances shall a member or alternate of the Hearing Tribunal also be a member or alternate of the Council or the Appeals Board.
- (e) Notwithstanding the expiration of his or her term, a member of the Hearing Tribunal may continue to serve until final judgment is rendered in any proceeding in which that member has actively participated.
- (f) Vacancies on the Hearing Tribunal shall be filled in the manner prescribed for the position which is vacant under the terms of this section.

## Sec. 403 — Disqualifications

- (a) No member of the Hearing Tribunal shall review any case if that member is disqualified because of conflicts of interest or other appropriate reasons.
- (b) Either the representative of the Council or the accused student may request disqualification of a member of the Hearing Tribunal.
- (c) Each member of the Hearing Tribunal must decide whether he or she can judge the case with fairness and objectivity.
- (d) The Hearing Tribunal may, by majority vote of all members of the Hearing Tribunal other than the challenged member, disqualify a member of the Hearing Tribunal for appropriate reasons.

## Sec. 404 Confidentiality of Tribunal Proceedings

The Hearing Tribunal shall meet in closed session unless the student charged with violating the Code requests an open hearing. The members shall keep in confidence the contents and nature of the meeting unless the Appeals Board or other adjudicative body compels disclosure.

## Sec. 405 — Scheduling of Hearing

The Hearing Tribunal shall hold its initial hearing on any formal written complaint within thirty calendar days of its receipt by the chair unless reasonable cause for delay is shown by the accused student or the Council's representative.

## Sec. 406 — Hearing Procedures

In conducting a hearing the Hearing Tribunal:

- (a) shall proceed informally and provide reasonable opportunities for witnesses to be heard;
- (b) shall receive all probative oral, documentary, and real evidence without regard to the legal rules of evidence, except that the Hearing Tribunal may exclude irrelevant, immaterial, and unduly repetitious evidence, and shall give effect to the rules of privilege recognized by law;
- (c) shall, on request of either the accused student or the Council's representative, exclude witnesses from the hearing when not testifying.
- (d) shall engage a court reporter to make a record of its hearings so as to enable review of its proceedings in the event of appeal;
- (e) shall presume an accused student innocent of the alleged violation until the Hearing Tribunal, four members concurring, is convinced that the student violated the Code by clear and convincing evidence;
- (f) shall decide the issue of guilt or innocence and an appropriate penalty solely on the basis of admitted evidence;
- (g) shall decide the issue of guilt before determining an appropriate penalty, and shall offer the student adjudged to be guilty, at a separate hearing after a decision on the issue of guilt, an opportunity to offer evidence or argument regarding an appropriate penalty;

- (h) shall not be bound to follow penalty recommendations made by the Council, and may impose any penalty authorized by this Code upon majority vote, taking into consideration the Council's recommendation, the facts of the case, the gravity of the offense, and any prior misconduct;
- (i) shall state in writing, signed by each concurring member of the Hearing Tribunal, each finding of guilt or innocence and the penalty determined, if any;
- (j) may write an opinion giving reasons for its decision in cases warranting an opinion; and
- (k) shall deliver a copy of the findings and opinions, if any, to the Dean, to the chair of the Council and to the accused student.

#### Sec. 407 — Clear and Convincing Evidence

To prove a fact by clear and convincing evidence means to demonstrate that the existence of a disputed fact is highly probable and free from serious doubt.

##### Commentary to § 407

The adoption of the clear and convincing evidence standard by the College of Law is recognition of the importance that is placed on high ethical standards by the legal profession. A law student's interest in maintaining a reputation of honesty and integrity and, therefore, not being found to have violated this Code of Academic Responsibility is an important and substantial interest. Therefore, the Council bears the burden of proving by "clear and convincing evidence" sufficient facts to persuade the Hearing Tribunal that a violation of this Code occurred. The definition of clear and convincing evidence is taken from Oklahoma Uniform Jury Instruction (OUJI)-Civil (2d) No. 3.2. clear and convincing evidence is more demanding than proof by the typical civil standard of preponderance of the evidence, which is proof that the fact is more probable than not. It is less demanding than proof by the standard of "beyond a reasonable doubt," which is the standard in criminal cases. *See Addington v. Texas*, 441 U.S. 418 (1979). When determining whether the Council has presented clear and convincing evidence of guilt, the Hearing Tribunal must have a greater degree of confidence in the correctness of its factual conclusions than under the preponderance of evidence standard, but the Hearing Tribunal may have less confidence than that confidence required for decision under the beyond reasonable doubt standard. Under Oklahoma law, clear and convincing evidence "is that measure or degree of proof which will produce in the mind of the trier of fact the firm belief or conviction as to the truth of the allegations sought to be established." *In re C.G.*, 637 P. 2d 66, 71 n.12 (Okla. 1981). This standard requires proof not only that the existence of a disputed fact is probable, but that it is highly probable. *See also* LEO H. WHINERY, 2 OKLAHOMA EVIDENCE: COMMENTARY ON LAW OF EVIDENCE, §§ 8.20, 8.23 (West 1994).

#### Sec. 408 — Finality of Tribunal Decisions

The Hearing Tribunal's decision is final in any case not appealed.

#### Sec. 409 — Default Judgments

The Hearing Tribunal may proceed with a hearing and render a default judgment in any case where a student defendant fails to appear after receiving reasonable notice of a hearing of allegations. Such a default judgment may be appealed as this Code provides, but is final if no appeal is taken.

#### Sec. 410 — Rights of the Student Before the Hearing Tribunal

A student accused of violating the Code has the following rights in all proceedings before the Hearing Tribunal:

- (a) the right to a statement of allegations;
- (b) the right to a fair hearing;
- (c) the right to appear personally before the Hearing Tribunal;
- (d) the right to counsel or a representative of the accused's choice (although not the right to be supplied with an attorney-at-law at the expense of the College of Law), or a representative chosen by the Hearing Tribunal from among the student body;
- (e) the right to present oral, documentary or real evidence;
- (f) the right to examine and cross-examine witnesses;
- (g) the right to choose whether the hearing shall be open to the public, or closed and confidential;
- (h) the right to be presumed innocent until the Hearing Tribunal has considered all evidence and is convinced that the student violated the Code by clear and convincing evidence;
- (i) the right to a copy of the Hearing Tribunal's written decision and opinion, if any, to be delivered or mailed as soon as practicable;
- (j) the right to waive any of these rights by notice of such waiver in writing to the Hearing Tribunal, or by failure to appear after being duly served.

#### Sec. 411 — Duties of the Chair

The chair of the Hearing Tribunal shall:

- (a) receive written complaints from the Council alleging violations of the Code;
- (b) set the date, time and place for hearings of the Hearing Tribunal;
- (c) notify the members of the Hearing Tribunal, the Council, the accused student and other appropriate individuals, such as witnesses known to the chair, of the date, time and place of hearings;
- (d) notify the accused student of all rights before the Hearing Tribunal as provided by Section 410;
- (e) appoint a representative from among the student body at the request of the accused student, if the accused student is not otherwise represented, as provided in Section 410(d);
- (f) have the power to summon witnesses from within the University community, and to subpoena relevant documents in the possession of members of the University community, subject to other applicable laws and policies governing the University;
- (g) have the power to order a pre-hearing conference, to be scheduled no later than five days prior to a scheduled hearing, at which the parties may be required to exchange a list of witnesses;
- (h) preside over Tribunal hearings;
- (i) direct the course of hearings;

- (j) instruct the members of the Hearing Tribunal on the principles of law to be applied to a particular case;
- (k) take care that a court reporter is employed to develop a written record of tribunal proceedings;
- (l) rule on challenges, motions, pleas, and admissibility of evidence and testimony;
- (m) assign the duty of preparing decisions and opinions and approve the final product;
- (n) notify the proper persons, including the Dean, the Associate Dean and the tenured and tenure-track faculty of the Hearing Tribunal's decisions and of any penalties imposed; and
- (o) take care that the final orders and decisions of the Hearing Tribunal are executed, including but not limited to directing the change of official records of a student adjudged to be guilty of a violation where such change is required by a final decision and penalty.

#### Sec. 412 — Ex Parte Communications

Ex parte communications with the members of the Hearing Tribunal by any party, by any member of the Council or alternate, by any student, by any witness or by any faculty member or administrative officer of the college concerning matters relevant to a case before the Hearing Tribunal are strictly prohibited. All such communications shall be disclosed by the Hearing Tribunal to the parties. Every pleading, motion or other paper filed with the Hearing Tribunal shall be served on all other parties.

### TITLE V – PENALTIES

#### Sec. 501 — Penalties.

The Hearing Tribunal may impose any of the following penalties in light of the facts, the severity of the offense, mitigating circumstances and the dictates of fairness.

- (a) a reprimand;
- (b) probation;
- (c) a monetary penalty not to exceed \$250 over and above the value of any property damage or value of any property destroyed or taken and not returned;
- (d) temporary or permanent suspension of rights or privileges deriving in whole or in part from the University;
- (e) temporary or permanent suspension of eligibility for official extracurricular activities;
- (f) temporary or permanent suspension of eligibility for any student office or honor;
- (g) cancellation of credit for scholastic work done;
- (h) reduction of the grade assigned in a course, unless the professor or instructor has exercised the right to specify a grade penalty pursuant to § 703;
- (i) suspension from the College of Law or the University;

- (j) prevention of an individual adjudged to be guilty of a violation from resuming student status in appropriate cases;
- (k) expulsion;
- (l) recommendation that the Board of Regents withdraw recognition of the student's degree, and that the Dean and the President take all actions appropriate upon official withdrawal of recognition;
- (m) such alternative penalties or remedies as are appropriate to a particular case, including but not limited to restitution and community service;
- (n) any combination of the foregoing penalties which, in the judgment of the Hearing Tribunal, is deemed appropriate to punish the student for the offense or offenses committed.

#### Sec. 502 — Penalties – Definitions and Miscellaneous Provisions

- (a) An admonition consists of a formal written warning by the Council of Academic Responsibility to be included in the student's file. The letter of admonition is a warning to the student. It is not a finding of probable cause, a finding of guilt, a penalty, or any other form of disciplinary action. Letters of admonition are not reported to bar associations or other similar entities.
- (b) A reprimand is a formal written censure to be included in the student's file. The reprimand is a penalty or remedy for a violation of this Code. A reprimand is reported to bar associations or other similar entities.
- (c) The College recognizes its legal duty to notify bar associations and other appropriate similar entities when a student has been found to have violated any provision of this Code.
- (d) Disciplinary probation is for a definite period and indicates that further violations may result in suspension or expulsion.
- (e) Cancellation of credit for scholastic work done and reduction of a grade assigned in a course are imposed only for courses in which the defendant was found guilty of academic dishonesty.
- (f) A money penalty is assessed in cases such as those involving misappropriation of University property, use of University property without authorization, or abuse of or destruction of University property or of the property of a member of the law school community.
- (g) Suspension from the University means that a suspended student may not receive credit at the University for work done at either this or any other educational institution during the period of suspension, except when allowed by the Hearing Tribunal;
- (h) Preventing an individual adjudged to be guilty of a violation of the Code from resuming student status is the minimum penalty that shall be imposed on a person subject to this Code who is not a student at the time disciplinary proceedings are instituted and who fails to appear before the Hearing Tribunal for the hearing of a complaint against that person. This penalty is the same as the penalty of suspension from the University except that the period of the penalty continues until the affected individual submits to the jurisdiction of the Hearing Tribunal. Submission to this jurisdiction involves either accepting the adjudication of violation made earlier or requesting a new hearing by the Hearing Tribunal for the purpose of contesting that adjudication of violation.
- (i) Expulsion from the University means permanent severance from the University.

**Sec. 503 — Removing Records of Minor Infractions from Student's File**

The Hearing Tribunal may specify that records of penalties imposed for infractions adjudged to be minor shall be removed from a student's file after a time specified by the Hearing Tribunal.

**TITLE VI – APPEALS BOARD****Sec. 601 — Right of Appeal**

- (a) A student adjudged to be guilty of a violation of the Code has the right to appeal to the Appeals Board of the College of Law. The Appeals Board may affirm, modify or set aside the judgment of the Hearing Tribunal.
- (b) If a student is found guilty of violating the Code, the Council of Academic Responsibility may appeal or cross-appeal the judgment of the Hearing Tribunal regarding remedies ordered or penalties imposed.

**Sec. 602 — Membership of Appeals Board**

- (a) The Appeals Board shall consist of five members.
- (b) The Dean shall appoint four members of the Appeals Board from the faculty of the College of Law. Each faculty member shall serve three years. The Dean shall arrange appointments and terms of service so that one or two members are appointed each academic year for full three-year terms. The Dean shall appoint replacements for additional vacancies for either the remainder of unexpired terms or for a particular case if faculty members are unable to serve or are recused.
- (c) The Student Bar Association shall designate fifteen second-year law students to serve as potential members of the Appeals Board for one year running from January 1 of the student's second year to January 1 of the student's third year. The Dean shall appoint the student representative on the Appeals Board for a particular case by random selection from among the potential members designated by the Student Bar Association.
- (d) The Dean shall appoint one person to serve as chair from among those faculty members who served on the Appeals Board during the immediately preceding academic year. The chair shall serve for one academic year or until a replacement is appointed by the Dean.
- (e) Notwithstanding the expiration of his or her term, a member of the Appeals Board may continue to serve in any case in which that member has actively participated until final judgment is rendered.

**Sec. 603 — Disqualifications on Appeal**

- (a) No person who is serving on the Council or the Hearing Tribunal shall be a member of the Appeals Board.
- (b) No person who participated in the proceedings of the Council or the Hearing Tribunal in a particular case may be a member or potential member of the Appeals Board in the same case.
- (c) No member of the Appeals Board shall review any case if that member is disqualified because of conflicts of interest or other appropriate reasons.

- (d) Either the representative of the Council or the accused student may request disqualification of a member of the Appeals Board.
- (e) Each member of the Appeals Board must decide whether he or she can judge the case with fairness and objectivity.
- (f) The Appeals Board may, by majority vote of all members of the Appeals Board, disqualify a member of the Appeals Board for appropriate reasons.

#### Sec. 604 — Notice of Appeal

Appeal is taken by giving written notice to the chair of the Appeals Board, the chair of the Hearing Tribunal and the chair of the Council within ten school days after the date on which the Hearing Tribunal issues its written decision under § 406(i). The written notice need not be in any particular form, but must identify the student's name and the grounds for appeal.

#### Sec. 605 — Effect of Timely Appeal

- (a) Notice of appeal timely given does not suspend the imposition of penalty until the appeal is finally decided, except as follows:
  - (i) A student may not be suspended or expelled while an appeal is pending;
  - (ii) A student may not be required to complete community service while an appeal is pending;
  - (iii) A student may not be prevented from continuing studies or assigned work while an appeal is pending.
- (b) The College shall delay graduation and other recognition of work of a student adjudged to be guilty of violating the Code despite a pending appeal, if the Hearing Tribunal has assessed a penalty delaying graduation or other recognition of work completed.

#### Sec. 606 — Preparation of Record on Appeal

If notice of appeal is timely, the chair of the Hearing Tribunal shall prepare the record of Tribunal proceedings and deliver copies of the record to the Dean, the student appellant, the chair of the Council of Academic Responsibility and the chair of the Appeals Board. If the decision is affirmed, the appellant shall pay the cost of preparing a transcript, unless the chair of the Appeals Board determines that the student is unable to pay.

#### Sec. 607 — Contents of Record on Appeal

The record on appeal is the record of all proceeding before the Hearing Tribunal. This record is confidential and consists of:

- (a) a copy of all notices to the accused student and to the Council's representative;
- (b) any transcription of the hearing record, and all documentary and other evidence offered and admitted in evidence;
- (c) written motions, pleas, and any other materials considered by the Hearing Tribunal;
- (d) the Hearing Tribunal's written decision; and



- (e) the Hearing Tribunal's opinion, if any.

#### Sec. 608 — Standard of Review

- (a) The Appeals Board shall consider an appeal on the basis of the record on appeal.
- (b) Factual Issues — The Appeals Board shall sustain the Hearing Tribunal's findings regarding disputed factual issues, unless the Appeals Board concludes that the findings were clearly erroneous. When reviewing factual determinations on the basis of the record on appeal, the Appeals Board shall consider all evidence in the light most favorable to the prevailing party and it shall not disturb the factual findings, unless the Appeals Board reaches the definite and firm conviction that a mistake has been committed. The Appeals Board may not conduct a trial de novo regarding factual issues in any case.
- (c) Review of sufficiency of evidence — When the Appeals Board reviews the sufficiency of evidence supporting the Hearing Tribunal's judgment that a student violated this Code, the Appeals Board shall determine whether it was clearly erroneous for the Hearing Tribunal to conclude that all essential allegations were proven by clear and convincing evidence. The critical inquiry required by this subsection is whether a reasonable trier of fact could have found that the facts constituting the essential elements of the offense were highly probable.
- (d) Legal Issues — The Appeals Board shall consider all issues of law, including interpretation of the Code, de novo.
- (e) Remedies or Penalties — The decision of the Hearing Tribunal regarding penalties or remedies shall be affirmed, unless the Appeals Board concludes that the penalties and remedies constituted an abuse of discretion.
- (f) Mixed questions of law and fact. If the Appeals Board reviews a mixed question of law and fact, the clearly erroneous standard of subsection (b) is appropriate, if the Appeals Board concludes that the question involves primarily a factual inquiry. If, however, the Appeals Board concludes the mixed question primarily involves the consideration of legal issues, then de novo review is appropriate.

#### Sec. 609 — Oral Argument on Appeal

The student appellant and the Council's representative may request in writing an opportunity to appear and present argument before the Appeals Board. Oral argument on appeal before the Appeals Board shall be scheduled no more than twenty school days following a timely notice of appeal, unless the chair of the Appeals Board grants an extension of time for good cause. The student appellant may appear by a representative consistent with §410(d). Ordinarily, oral argument for a party appearing before the Appeals Board should last no longer than one-half hour.

#### Sec. 610 — Finality

The decision of the Appeals Board shall be final within the College of Law. There is no appeal to the faculty of the College of Law or to the Dean of the College of Law.

#### Sec. 611 — Appeal to the President

A decision of the Appeals Board may be appealed to the President of The University of Oklahoma, if the Appeals Board's decision affirms or approves any penalty or remedy under §501 other than reprimand.

The President's decision shall be final. Pending appeal to the President, the decision of the Appeals Board may be stayed in whole or in part by the Dean.

#### Sec. 612 — Confidentiality of Appeals Board Proceedings

The Appeals Board shall meet in closed session unless the student charged with violating the Code requests an open hearing. The members shall keep in confidence the contents and nature of the meetings unless the President or other adjudicative body compels disclosure.

### TITLE VII – POWERS AND DUTIES OF THE COLLEGE OF LAW

#### Sec. 701 — Jurisdiction

- (a) The Associate Dean, the Council of Academic Responsibility, the Hearing Tribunal and the Appeals Board shall have subject matter and personal jurisdiction to investigate and resolve any and all allegations of Code violations brought against students and former students according to the provisions of this Code.
- (b) A student who is discovered to have made misrepresentations to law school officials during the process of applying for admission to law school shall not be subject to the provisions of this Code, but shall be subject to expulsion or other appropriate discipline by the Dean and Admissions Committee of the College of Law.

#### Sec. 702 — Academic Regulations

Nothing in this Code shall be construed to restrict the powers and duties of the faculty, the administration and the College of Law to adopt reasonable rules and regulations to protect the integrity and fairness of all examinations, academic programs, academic evaluations and competitions.

#### Sec. 703 — Faculty Duties

- (a) A professor or instructor who observes or is notified of an alleged violation of this Code in a particular course shall have the academic freedom to specify a grade penalty to be imposed after and only if the student involved is found guilty by the Hearing Tribunal, defaults in the responsibility to respond to allegations, or admits the allegations. The professor or instructor may specify a grade penalty by notifying the Associate Dean in writing at any appropriate time prior to the final decision of the Hearing Tribunal.
- (b) A professor or instructor shall assign a grade, to be effective after an accused student has been found not guilty of violating this Code, on the basis of legitimate and adequate academic grounds independent of any allegation or belief that a student violated the Code. Ordinarily and to the extent feasible, while a case involving allegations of Code violations is pending, a professor or instructor should complete grading of an accused student's examination or other academic work. Also, to the extent feasible, the College and professor should take care to attempt to preserve the anonymity of the student's examination in compliance with the College's grading policy. It is understood that the discovery of an alleged violation may compromise the anonymity of grading. The professor or instructor should assign a grade other than a specified grade penalty governed by subsection (a) of this section according to the College's schedule for reporting grades.
- (c) The College may implement any reasonable procedure for reporting and recording a grade for a student accused of violating this Code while proceedings are pending.

#### Sec. 704 — Notice to the Law School Community

Each academic year, the office of the Dean shall publish or post a list of cases occurring in the previous five academic years. The list shall include cases in which students were found guilty of violations of this Code, cases in which students were found not guilty of violations, and cases which were settled by negotiated agreement. This list shall include a summary description of penalties imposed or remedies ordered for violations. The office of the Dean shall take care to redact any information that would identify students accused or adjudged guilty, but the College assumes no responsibility for unintended identification of students beyond that imposed by law.

#### TITLE VIII – MISCELLANEOUS DEFINITIONS

Sec. 801 “Dean” means the Dean of the College of Law or the Dean’s delegate or representative.

Sec. 802. “Associate Dean” means the associate dean, or the associate dean’s delegate or representative.

Sec. 803. “Student” means a person enrolled at the College of Law of The University of Oklahoma, or a person who was enrolled at the College of Law, or a person accepted for admission at the College of Law at the time he or she is alleged to have violated this Code.

Sec. 804. “School days” are days Monday through Friday in which the College of Law is in session during the fall and spring semesters.

Sec. 805. “Prize Competition” includes any competition for an extracurricular award, honor or prize, including but not limited to competition for scholarships, intra-school moot court and trial competitions, competition for financial aid and competition in relation to law review.

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

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

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

#### ARTICLE I

##### PREAMBLE:

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

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

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

The name of this organization shall be: “The Regular Faculty of The University of Oklahoma Health Sciences Center.”

#### ARTICLE II

##### PURPOSE

The purpose of this organization shall be:

- A. To help define and protect the rights of faculty members;
- B. To support the faculty in implementing the University functions of teaching, research and creative/scholarly activity, and professional and University service and public outreach;
- C. To develop, recommend and implement policies for the Health Sciences Center and the University in matters relating to the instruction of students the conduct of research and creative/scholarly activity, and the provision of professional and University service and public outreach in any matters affecting the welfare of the Health Sciences Center;
- D. To promote collaborative effort within and among faculty, professions, and colleges; and
- E. To respect the rights and jurisdictions of the individual colleges in the Health Sciences Center.

## ARTICLE III

### MEMBERS

#### Section 1. Members.

The membership of the Regular Faculty of the Health Sciences Center shall be composed of all full-time faculty members with the unmodified rank of assistant professor or above who hold tenure-track, tenured, or consecutive term appointments. The Regular Faculty does not include individuals holding temporary appointments such as instructor, lecturer, or associate; or with modified ranks such as visiting, adjunct, special, acting, and/or clinical, or holding temporary research appointments such as assistant professor of research or higher.

#### Section 2. Voting Rights.

All members, with the unmodified rank of assistant professor above and who hold tenure-track, tenured or consecutive term appointments shall have full voting rights.

#### Section 3. Proxy.

No votes shall be cast by proxy.

## ARTICLE IV

### POWERS

#### Section 1. Governance Powers.

The governance of the faculty of the Health Sciences Center is vested in the Regular Faculty of the Health Sciences Center, subject to the provisions of Article III, section 1 above.

#### Section 2. Exercise of Powers.

These governance powers shall be exercised either by the Regular Faculty or by the Faculty Senate (see Article VII, section 5).

#### Section 3. Accountability of Senate.

The Faculty Senate shall be subject to the orders of the Regular Faculty, and none of the Senate's acts shall conflict with actions taken by the Regular Faculty.

## ARTICLE V

### OFFICERS

#### Section 1. Officers.

The Officers of the Regular Faculty shall be the Officers of the Faculty Senate: Chair, Chair-Elect, Secretary, and Secretary-Elect. These officers shall perform the duties prescribed by this Charter and by the parliamentary authority adopted by the Regular Faculty and any other activities necessary to achieve the purposes of the Regular Faculty of the Health Sciences Center.

### Section 2. Election of Officers.

The officers shall be elected yearly by and from among the representatives who compose the Faculty Senate.

### Section 3. Eligibility.

No member shall hold more than one office at a time. No member shall serve more than two consecutive terms in the same office.

## ARTICLE VI

### Section 1. Meetings.

The Regular Faculty shall meet at least twice yearly, usually in October and April.

### Section 2. Annual Meeting.

The meeting in April shall be known as the Annual Meeting and shall be for the purpose of receiving reports of Officers and Committees, for communicating a report of significant yearly Senate activities, and for any other business that may arise.

### Section 3. Special Meetings.

- a. Special meetings of the Regular Faculty may be called by the Chair of the Senate, by the Provost of the Health Sciences Center or by written petition of a total of thirty Regular Faculty of whom no more than fifteen belong to any one college.
- b. The purpose of the meeting shall be stated in the call.
- c. Every Regular Faculty member shall be notified.
- d. Except in cases of emergency at least seven days notice shall be given, and the meeting shall be called within thirty days of the presentation of a petition.

### Section 4. Quorum.

Sixty members of the Regular Faculty of the Health Sciences Center representing three or more colleges, provided no more than thirty of the quorum number is from any one college, constitute a quorum.

## ARTICLE VII

### THE FACULTY SENATE

#### Section 1. Members.

- a. The Faculty Senate shall be composed of at least three members of the Regular Faculty from each Health Sciences Center college except the Graduate College, which shall have one representative, and one member from each College on the Tulsa Campus. One additional representative shall be elected by each College for each additional one hundred

Regular Faculty over the first 100 whose primary appointment is in that College. No College, however, shall have more than forty percent of the total number of Senate representatives. The Provost of the Health Sciences Center or his designate shall be an ex-officio member of the Senate and shall serve without vote.

- b. Terms of office of members of the Faculty Senate shall be staggered. Specific methods of accomplishing this shall be determined by each college. No member shall serve more than two consecutive elected terms as a member of the Faculty Senate.

#### Section 2. Election.

- a. Representatives of the Faculty Senate shall be elected by and from each college of the Health Sciences Center. They shall be elected by written ballot for a three year term.
- b. Prior to June 1, each college shall elect new representatives to fill out-going Senate positions and inform the Chair of the Faculty Senate.
- c. Except for the Graduate College, Senators shall represent that college in which they hold their primary appointment. Members with joint or multiple appointments shall declare, at the beginning of each academic year, the college in which they will vote during that year.
- d. The Senate representatives shall assume their office on July 1.
- e. Each college shall elect one or more alternates to serve in case of the absence or disability of a Senator. The number of alternates elected from each College shall be one-half of the number of Senators to which that college is entitled rounded to the next highest whole number. They shall be elected by written ballot for a one-year term. If more than one alternate is elected, the alternates shall be numerically listed according to votes. The alternate for the Graduate College shall be elected to a one-year term from the membership of the Graduate Council.

#### Section 3. Replacement of Senate Members.

- a. The faculty of each college may establish procedures for the recall of any Senator of that College. However, in no case can a Senator be recalled without a majority vote of the Regular Faculty members of that college.
- b. Should a Senator be unable to fulfill the duties of that office for any reason, that name may be removed from the rolls upon written request to the Senate Secretary from that Senator or from the faculty of the represented college.
- c. In the event of the removal of a Senator from the rolls for any reason, the First Alternate will fill that position for the remainder of the academic year. At the next college election, a Senator will be elected to fill the unexpired term.
- d. In the event there is no alternate to complete the unexpired term, the faculty of the college will be asked to fill the vacancy. The procedure by which the vacancy is filled is determined by each college.

#### Section 4. Officers

The Officers shall be: Chair, Chair-Elect, Secretary, and Secretary-Elect, and such other officers as are provided for in the Charter.

#### Section 5. Powers.

- a. The Faculty Senate shall exercise the governance of powers of the Regular Faculty of the Health Sciences Center as delegated by the Regular Faculty.
- b. The Faculty Senate shall conduct the affairs of the Regular Faculty between the latter's meetings, make recommendations to the Regular Faculty, and perform such other duties as are specified in the Charter and Operating Procedures and/or are necessary to achieve the objectives of the Regular Faculty.
- c. Any member of the Regular Faculty may bring matters relating to the governance before the Regular Faculty or the Faculty Senate by written request.
- d. The Faculty Senate shall determine its own rules, procedures, times and place of meetings and regulations governing its internal affairs.
- e. The Faculty Senate shall publish a Charter as well as Operating Procedures.

#### Section 6. Meetings.

- a. The Faculty Senate shall meet at least nine times a year and at other times as necessary.
- b. The Faculty Senate shall report significant Senate activities to the Regular Faculty in the spring Annual Meeting of the Regular Faculty.

### ARTICLE VIII

#### COMMITTEES

##### Section 1. Standing and Special Committees

Standing or special committees of the Regular Faculty and/or Faculty Senate shall be established as deemed necessary to facilitate faculty governance.

##### Section 2. Committee Membership

- a. The Chair of the Regular Faculty shall be an ex-officio member of any and all standing and special committees with voting privileges.
- b. All members of the Regular Faculty are eligible to serve on special or standing committees, provided, that the membership is proportional among the colleges in roughly the same ratio as are seats in the Senate.
- c. The Health Sciences Center Student Association may be invited to nominate a student to serve on selected Senate committees.



## ARTICLE IX

## LIAISON WITH THE HEALTH SCIENCES CENTER SENIOR VICE PRESIDENT AND PROVOST

## Section 1. Function

The Faculty Senate shall serve as an advisory body to the Senior Vice President and Provost of the Health Sciences Center and other administrative officers of the University in relation to matters of interest and importance to the faculty.

## Section 2. Faculty Assistance to Administration

At the beginning of each academic year, the Faculty Senate shall provide to the Senior Vice President and Provost of the Health Sciences Center a list of nominees who are willing and able to serve during the ensuing year on Health Sciences Center committees or councils. The Senior Vice President and Provost shall recommend the nominations to the President, who shall make the appointments.

## Section 3. State of the Health Sciences Center Message

At the first meeting of the Regular Faculty each academic year, the President and the Senior Vice President and Provost of the Health Sciences Center shall be invited to orally present to the Regular Faculty of the Health Sciences Center a statement on the State of the Health Sciences Center and recommendations for furthering the progress of the Health Sciences Center.

## Section 4. Disposition of Requests for Action

Requests from the Faculty Senate for action by the Administration or by the Board of Regents shall be directed to the Senior Vice President and Provost of the Health Sciences Center who will then forward these requests to the President. The Senior Vice President and Provost of the Health Sciences Center shall, within thirty calendar days, report in writing to the Faculty Senate the disposition of any request for action or information received. The reports shall include the rationale for actions taken or not taken.

## ARTICLE X

## SENATE LIAISON COMMITTEE

## Section 1. Purpose.

The purpose of the Senate Liaison Committee shall be to routinely facilitate the exchange of information between the Health Sciences Center Faculty Senates, the President, and the Norman Campus Faculty Senate.

## Section 2. Composition.

The Senate Liaison Committee shall be composed of the Chair, Chair-Elect, and the Secretary of the Senate.

## Section 3. Meetings.

- a. The Committee will meet as often as necessary with the University President and representatives of the Norman Campus Senate to achieve the Committee purpose as set out in Article X, Section 1 above

- b. The Committee will report activities and progress routinely to the Senate

## ARTICLE XI

### PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised, shall govern the Regular Faculty and the Faculty Senate in all cases to which they are applicable and in which they are not inconsistent with this Charter and any special rules of order which the Regular Faculty may adopt.

## ARTICLE XII

### AMENDMENT OF THE CHARTER

#### Section 1. Amending.

This Charter may be amended from time to time in any particular as follows:

- a. Amendments of this Charter and ensuing Rules and Operating Procedures may be proposed at any regular or special meeting of the Faculty Senate.
- b. Amendments must be approved by a two-thirds vote of the Faculty Senate voting by mail ballot.
- c. Amendments shall be submitted to each Faculty Senate member for vote at least fifteen days prior to tabulation of ballots.

#### Section 2. Effective Date.

Amendments shall be effective immediately upon approval by the Board of Regents.

## ARTICLE XIII

### ADOPTION

This Charter shall be effective once approved by a majority of the Regular Faculty in each colleges of the Health Sciences Center and approved by the Board of Regents, signed by the of the Chair of the Board of Regents, and sealed by the Executive Secretary of the Board of Regents.

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

### 2.11.2—PROFESSIONAL PRACTICE PLANS

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

### 2.11.3—COLLEGE OF MEDICINE

---

#### ADMISSIONS BOARD, COLLEGE OF MEDICINE

---

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

- 10 members of the full-time faculty
- 10 members of the volunteer faculty
- 10 members of the student body of the College of Medicine

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

(RM, 5-8-75, pp. 13427-28)

---

#### NON-RESIDENT STUDENTS, COLLEGE OF MEDICINE

---

Within the total class enrollment limits set by the Oklahoma State Regents for Higher Education, the Colleges of Medicine may admit up to 15% or 20 (whichever is larger) out-of-state students per year. Approved by Oklahoma State Regents for Higher Education, June 26, 1989.

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

---

#### SITE OF PRACTICE POLICY, COLLEGE OF MEDICINE

---

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

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

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

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

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

## SECTION 3 – GENERAL POLICIES

The Board of Regents is constitutionally vested with the governance of the University. Within its authority is the governance of all general policy matters, including without limitation, staff personnel appointments, evaluations and appeals, retirement, leaves of absence, outside employment, intellectual property, compliance program, equal opportunity, and grievance procedures for discrimination and harassment. Specific provisions pertaining to general policies for the University may be set forth in the Faculty and Staff Handbooks, student handbooks such as the Student Code of Responsibilities and Conduct for the Norman Campus, and/or other official policy documents of the respective campuses. Any modification to a Board of Regents' policy in the policy documents referred to above or elsewhere must be made through action of the Board of Regents.

### 3.1—PERSONNEL POLICIES

#### 3.1.1—PERSONNEL ACTIONS

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

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

(RM, 12-13-73, pp. 12641-42; amended 9-2-76, p. 14140; 2-8-79, pp. 15377-78; 3-8-90, p. 21623; 10-19-99, p. 26691; 3-29-00, p. 26909; 1-27-2004, p. 28924)

### 3.1.2—CONTRIBUTIONS TO FRINGE BENEFITS PROGRAMS

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

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

### 3.1.3—PAYROLL DEDUCTIONS

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

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

### 3.1.4—EMPLOYMENT BENEFITS FOR ELIGIBLE EMPLOYEES

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

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

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

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

### 3.1.5—RESIGNATIONS

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

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

### 3.1.6—LEAVES OF ABSENCE

---

#### ADMINISTRATIVE

---

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

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

---

#### MILITARY

---

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

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

---

#### LEAVE OF ABSENCE WITHOUT PAY

---

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

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

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

- Sabbatical or other leaves the faculty has taken in the past six years, their dates and purposes.
- The purposes of the proposed leave.
- The contribution of the leave to the realization of the faculty member's goals and those of the University in research, teaching, or service.
- The arrangements to be made by the department to handle the courses that normally would be taught by the faculty member who is proposing to go on leave. The application should be specific and list the affected courses or other work and the arrangements that have been made for these courses and work.

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

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

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

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

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

---

#### PAID LEAVE AND EXTENDED SICK LEAVE

---

Paid leave benefits are available to staff and twelve-month faculty who hold continuous appointments. Employees on limited appointments and student employees are not eligible for paid leave time. Paid leave time may be used for vacation, illness, or other personal business. Monthly paid employees working at least half time but less than full time will receive paid leave accrual based on their FTE appointment. Details about accrual of paid sick leave for eligible part-time benefits-eligible employees on each campus are available from the Office of Human Resources. Employees on the hourly payroll (Norman Campus only) receive paid leave accrual on the basis of the number of hours paid. Earned paid leave time is accrued on a monthly basis according to the schedule below:



| <b>Employment Category</b>                           | <b>Monthly Hourly Accrual</b> | <b>Annual Accrual</b> | <b>Maximum Accrual</b> |
|--|-------------------------------|-----------------------|------------------------|
| Executive Officers                                   | 22                            | 33 days<br>(264 hrs)  | 42 days<br>(336 hrs)   |
| Administrative Officers & 12-month faculty, each yr. | 22                            | 33 days<br>(264 hrs)  | 42 days<br>(336 hrs.)  |
| 9-month staff,*<br>each year                         | 8                             | 12 days<br>(96 hrs)   | 42 days<br>(336 hrs)   |
| 1 <sup>st</sup> -5 <sup>th</sup> yr. staff           | 18                            | 27 days<br>(216 hrs)  | 42 days<br>(336 hrs)   |
| 6 <sup>th</sup> -10 <sup>th</sup> yr.                | 20                            | 30 days<br>(240 hrs)  | 42 days<br>(336 hrs)   |
| 11 <sup>th</sup> yr. &<br>thereafter                 | 22                            | 33 days<br>(264 hrs)  | 42 days<br>(336 hrs)   |

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

Time away from work because of vacation, illness of a family member, funeral attendance, or other personal business is to be reported as paid leave time taken. Absence due to personal illness is to be reported as paid leave time taken for the first seven days per incident. When there is no accrued time in the paid leave time account, the first seven days per incident of illness must be leave without pay. Absence due to personal illness beyond seven continuous working days will be deducted from the extended sick leave account as long as accrued time is available. When there is no accrued time in the extended sick leave account, absence due to personal illness will be deducted from paid leave time. Scheduled paid leave time taken will be considered as time worked for the purpose of compliance with the University overtime policy. Unscheduled paid leave time taken and extended sick leave time taken will not be considered as time worked for overtime purposes.

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

---

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

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

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

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

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

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

(RM, 4-4-91, p. 22299; 6-19-96, p. 24943; 3-29-00, p. 26909; 1-27-2004, p. 28924)

---

#### **EXTENDED SICK LEAVE POLICY FOR NINE-MONTH FACULTY**

---

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

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

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

### 3.1.7—FINANCIAL CONFLICTS OF INTEREST-NORMAN CAMPUS

---

#### I. PURPOSE OF POLICY

---

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

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

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

---

#### II. STATEMENT OF GENERAL POLICY

---

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

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

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

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

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

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

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

(RM, 10-13-88, p. 20597; 1-16-89, p. 20834; 10-14-93, p. 23584; 9-26-95, p. 24570; 12-10-96, p. 25199; 9-11-01, p. 27693; 1-27-2004, p. 28924)

### 3.1.8—INTELLECTUAL PROPERTIES POLICY

---

#### PREAMBLE

---

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

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

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

- 1) To maintain the University's academic policy of encouraging research, publication, and scholarship independent of potential gain from royalties or other income.
- 2) To make patented materials created pursuant to University objectives available in the public interest under conditions that will promote their effective utilization and commercialization.
- 3) To provide adequate incentive and recognition to faculty and staff through proceeds derived from their creative works, trademarks, discoveries, and inventions.

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

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

### 3.1.9—OUTSIDE EMPLOYMENT AND EXTRA COMPENSATION POLICY, NORMAN CAMPUS

---

#### FACULTY

---

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

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

A person who accepts full-time faculty employment on the Norman Campus in the University assumes a primary professional obligation to the University. Any other employment or enterprise in which he or she engages for income shall be secondary to his or her University work, and, after consultation with those reviewing requests for outside employment and extra compensation, shall accept the judgment of the President and Board of Regents as to whether he/she may engage in such employment and retain full-time employment on the Norman Campus faculty. In addition, the department chair should be informed and approve of arrangements which are made to dismiss classes or provide substitute teachers for them when the faculty members are to be absent from these duties. Absence for more than one week at a time for outside employment when classes are in session will require prior written approval of the Senior Vice President and Provost.

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

**POLICY: SUBJECT TO THE ABOVE PRINCIPLES**

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

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

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

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

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

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

---

**STAFF**

---

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

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

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

---

**GENERAL**

---

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

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

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

**3.1.10—NEPOTISM**

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

Therefore, no two persons who are related by affinity or consanguinity within the third degree shall be given positions in which either one is directly responsible for making recommendations regarding employment, promotion, salary, or tenure for the other; nor shall either of two persons so related who hold positions in the same budgetary unit be appointed to an executive or administrative position in that unit or to a position involving administrative responsibility over it, as long as the other person remains in the unit, without first receiving a waiver that has been recommended by the Senior Vice President and Provost, or the appropriate vice president, and approved by the Board of Regents. In recommending the waiver, the Senior Vice President and Provost or the appropriate vice president must make a written statement of the facts that have led him/her to conclude that the benefit to the University in granting the waiver outweighs the potential harm. In addition, the Senior Vice President and Provost or the appropriate vice president must propose in writing a means by which a qualified, objective person, unrelated to the employee at issue, shall make performance evaluations and recommendations for

compensation, promotion, and awards for that employee and state in writing how that means will avoid the conflict of interest. The statement and proposal for supervision shall be made part of the Board of Regents' agenda item. Further, a salary increase above the average increase granted to all University employees in similar positions will not be granted to an employee who has been granted a waiver under this policy unless it has been approved by the applicable Senior Vice President and Provost or appropriate vice president and the President. In the case where this policy is made applicable by a related party being selected to Committee A of an academic unit, approval of the Board of Regents is not required; however, all other provisions of this policy will continue to apply.

It is the responsibility of the head of the budget unit to seek a waiver before offering employment to any person whose employment without a waiver would violate this policy, and the willful failure to follow this policy may result in disciplinary action against the head of the budget unit. Notwithstanding any other provision of this policy, a conditional hire, prior to approval of the Board of Regents, may be made pursuant to this policy if deemed necessary for legitimate academic or business reasons and if justified in writing by the appropriate vice president. At the next regular meeting of the Board of Regents, the written justification and the conditional hire will be considered by the Board of Regents.

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

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

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

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

- 1) All students and employees shall abide by the terms of this policy as a condition of initial and continued enrollment/employment.
- 2) The illegal use of drugs and alcohol is in direct violation of local, state, and federal laws as well as University policies governing faculty, staff, and student conduct. This policy strictly prohibits the illegal use, possession, manufacture, dispensing, or distribution of alcohol, drugs, or controlled substances in the workplace, on ~~its~~ University premises, or as a part of any University-sponsored activities.
- 3) Violating this policy shall be a major offense which can result in a requirement for satisfactory participation in a drug or alcohol rehabilitation program, referral for criminal prosecution, and/or immediate disciplinary action up to and including



termination from employment and suspension or expulsion from the University. A criminal conviction is not required for sanctions to be imposed upon an employee or student for violations of this policy.

- 4) Violating of applicable local, state, and federal laws may subject a student or employee to a variety of legal sanctions including, but not limited to, fines, incarceration, imprisonment, and/or community service requirements. Convictions become a part of an individual's criminal record and may prohibit certain career and professional opportunities. A current listing of applicable local, state, and federal sanctions can be obtained through the Offices of Student Affairs and Human Resources.
- 5) An employee shall notify his or her supervisor in writing of a criminal conviction for drug or alcohol related offenses occurring in the workplace no later than five calendar days following the conviction.
- 6) The University shall establish and maintain Employee Assistance Programs and Student Counseling Services for counseling and training programs to inform students and employees about the dangers of drug and alcohol abuse. Voluntary participation in or referral to these services is strictly confidential.
- 7) An employee shall not perform safety sensitive functions while a prohibited drug is in his or her system.
- 8) The University may require drug testing of safety sensitive employees (as defined by federal law) prior to employment, when there is reasonable cause, after an accident, on a random basis, and before allowing an employee or student to return to duty after refusing to take a drug test or after not passing a drug test.
- 9) The University shall annually distribute this policy to all staff, faculty, and students.

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

The appropriate Senior Vice President and Provost or Executive Officer is responsible for notifying federal funding agencies within ten calendar days whenever an employee is convicted of a drug-related crime which occurred in the workplace. Decisions under this policy ~~is~~ are subject to the grievance procedures stated elsewhere in the Board of Regents' policy.

(RM, 4-6-89, pp. 20998-21001; 9-5-90, p. 21978)

### 3.1.12—FIREARMS POLICY

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

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

- A) For purposes of this policy, firearms include but are not limited to, the following: conventional weapons, from which a projectile is discharged by an explosive propellant charge; antique, replica, and inert firearms; compressed gas weapons; and spring-propelled weapons. For purposes of this policy, munitions include but are not limited to any projectile which incorporates a propellant charge and/or explosive contents.
- B) Firearms are permitted on campus only under the following circumstances:
- 1) In the possession or control of sworn law enforcement officers or properly licensed armed security guards employed by the University who are performing their assigned duties. The Chief of Police at the Norman Campus, the Chief of Campus Police at the Health Sciences Center Campus, or the Director of Operations at the Tulsa Campus must approve in advance the use or employment of armed private security providers.
  - 2) In the possession of personnel of active or reserve armed forces of the United States or the Oklahoma National Guard when in the performance of duties assigned by an authorized commander.
  - 3) In the possession of Reserve Officer's Training Corps ("ROTC") participants when under the supervision of authorized members of the regular armed services.
  - 4) ~~Firearms, exclusively as detailed below,~~ In the possession of members of the RUF/NEKS organization certified by the University Police Department as having satisfactorily completed a handling safety class, subject to the following additional conditions:
    - a) The University Police Department shall inspect and approve the firearms.
    - b) Blank ammunition only will be used in these weapons; live ammunition will not be present with these weapons at any time.
    - c) Violation of the safe handling procedures established by the University Police Department will result in withdrawal of the offending individual's certification.
    - d) Possession of these firearms will be limited to use during official RUF/NEKS functions.
  - 5) For use during public performances, subject to the following conditions:
    - a) Firearms for use in public performances shall be rendered inoperable whenever discharge is not required as an integral part of the production.
    - b) When discharge is necessary as part of a performance, blank ammunition shall be used. Blank ammunition is not permitted in weapons pointed at performers at any time during the production.

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

- a) The Chief of Police at the Norman Campus, the Chief of Campus Police at the Health Sciences Center Campus, or the Director of Operations at the Tulsa Campus will review the request and forward it to the Office of Legal Counsel with a recommendation for approval or disapproval based upon public safety considerations.
  - b) The Office of Legal Counsel will notify the Chief of Police at the Norman Campus, the Chief of Campus Police at the Health Sciences Center Campus, or the Director of Operations at the Tulsa Campus and other appropriate officers of any approvals that are granted for the use of ceremonial firearms.
- 12) Upon approval and for a specific purpose and limited time by the Chief of Police at the Norman Campus, the Chief of Campus Police at the Health Sciences Center Campus, or the Director of Operations at the Tulsa Campus.
- C) For purposes of this policy, “inoperable” means physically rendered incapable of firing either by removal of critical parts or installation of a device to prevent operation, or both. Where firearms are required to be rendered inoperable, the Chief of Police at the Norman Campus, the Chief of Campus Police at the Health Sciences Center Campus, or the Director of Operations at the Tulsa Campus shall inspect and certify that it is inoperable.
  - D) Where permitted on campus for other than law enforcement or armed forces use, all firearms shall be secured by means approved by the Chief of Police at the Norman Campus, the Chief of Campus Police at the Health Sciences Center Campus, or the Director of Operations at the Tulsa Campus.

The Chief of Police at the Norman Campus, the Chief of Campus Police at the Health Sciences Center Campus, or the Director of Operations at the Tulsa Campus will respond to reports of alleged violations, investigate alleged violations, and submit reports of findings of alleged unauthorized presence, possession, or use of firearms on campus.

- A) The Chief of Police at the Norman Campus, the Chief of Campus Police at the Health Sciences Center Campus, or the Director of Operations at the Tulsa Campus will initiate criminal prosecution if they believe an individual has violated a local, state, or federal law.
- B) Copies of police reports regarding alleged unauthorized firearms incidents will be submitted to the Office of Legal Counsel.
  - 1) Upon determination made by the Chief of Police at the Norman Campus, the Chief of Campus Police at the Health Sciences Center Campus, or the Director of Operations at the Tulsa Campus that a currently enrolled student, faculty, or staff member; dependent of student, faculty, or staff; or a visitor of a student, faculty, or staff member has violated this policy, the Office of Legal Counsel may initiate action including but not limited to the following ~~to~~:
    - a) Immediately suspend or expel the student, and/or
    - b) Immediately suspend from employment the student, staff or faculty member, or

- c) Bar the dependent or visitor from campus.
- 2) Student disciplinary action may be imposed in addition to criminal prosecution arising from unauthorized possession or use of firearms and/or munitions. Disciplinary action may be initiated prior to the completion of criminal prosecution.

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

### 3.1.13—CANDIDATES FOR POLITICAL OFFICE

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

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

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

### 3.1.14—STAFF SENATES

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

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

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

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

(RM, 11-11-71, pp. 11207-12, edited; amended 7-24-75, pp. 13535-40; 12-14-78, p. 15335; 3-29-00, p. 26909; 1-27-2004, p. 28924)

## 3.2 — OFFICE OF EQUAL OPPORTUNITY POLICIES

### 3.2.1—EQUAL OPPORTUNITY POLICY

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

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

### 3.2.2—AFFIRMATIVE ACTION PLAN

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

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

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

Coordination of the application of the Affirmative Action Plan is the responsibility of the Senior Vice President and Provosts for academic employment and the Vice Presidents for Administrative Affairs for nonacademic employment. These officials are designated Equal Employment Opportunity Officers for their respective areas of responsibility.

(RM, 3-18-76, edited; 3-29-00, p. 26909)

### 3.2.3—STAFFING PLAN PROCEDURE AND AFFIRMATIVE ACTION PLAN

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

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

---

#### I. EXECUTIVE

---

##### EXECUTIVE OFFICERS

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

---

#### II. ADMINISTRATIVE

---

##### ADMINISTRATIVE OFFICERS

##### ADMINISTRATIVE STAFF

##### MANAGERIAL STAFF

---

#### III. PROFESSIONAL

---

##### PROFESSIONAL STAFF

---

#### IV. ~~CLASSIFIED~~ NON EXEMPT & SUPERVISORY

---

##### ~~SUPERVISORY STAFF~~

##### ~~SERVICE AND OPERATIONS STAFF~~

(RM, 6-13-74, pp. 13001-04, edited; 3-29-00, p. 26909; 1-27-2004, 28924)

### 3.2.4—RACIAL AND ETHNIC HARASSMENT POLICY

---

#### I. INTRODUCTION

---

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

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

---

#### II. POLICY STATEMENT

---

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

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

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

The full text of the Racial & Ethnic Harassment Policy is included in the Faculty, Staff and Student handbooks of the Norman and Health Sciences Center campuses.

*The text below will appear in Handbooks as noted above:*



---

### III. CORRECTIVE ACTIONS

---

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

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

---

### IV. ADMINISTRATIVE ACTION

---

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

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

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

---

### V. RETALIATION

---

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

---

## VI. COMPLAINT PROCESS

---

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

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

---

## VII. RESPONSIBLE OFFICIAL

---

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

To contact the University Equal Opportunity Office:

Norman Campus  
Room 102, Evans Hall  
325-3546

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

(RM 12-19-90, p. 22121; 6-13-91, p. 22467; 7-27-95, p. 24622; 1-14-97, p. 25263; 1-26-99, p. 26226; 3-29-00, p. 26909; 1-27-2004, p. 28924)

### 3.2.5—SEXUAL HARASSMENT/SEXUAL ASSAULT POLICY

---

#### STATEMENT

---

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

When criminal action is pursued in addition to an administrative grievance under this policy, the University Office of Equal Opportunity may coordinate its investigative actions with the University or local law enforcement authorities to ensure that criminal prosecution is not jeopardized. The University Equal Opportunity Officer may defer administrative action at the request of University or local law

enforcement authorities pending completion of the criminal investigation. Where review by the University Equal Opportunity Officer or other University executive officer determines that immediate administrative action is necessary for the safety, health, and well being of the University community, such action may be taken in advance of resolution of criminal charges.

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

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

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

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

*The text below will appear in Handbooks as noted above:*

---

#### DEFINITION OF SEXUAL HARASSMENT

---

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

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

---

**EXAMPLES OF PROHIBITED CONDUCT**

---

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

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

---

**RETALIATION**

---

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

---

**SANCTIONS**

---

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

---

**COMPLAINT PROCEDURE**

---

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

Norman Campus  
Room 102, Evans Hall  
325-3546

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

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

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

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

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

To contact the University Office of Equal Opportunity:

Norman Campus  
Room 102, Evans Hall  
325-3546

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

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

### 3.2.7—CONSENSUAL SEXUAL RELATIONSHIPS POLICY

---

#### RATIONALE

---

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

Faculty members exercise power over students, whether in giving them praise or criticism, evaluating them, making recommendations for further studies or their future employment, or conferring any other benefits on them. Amorous relationships between faculty members and students are wrong when the faculty member has professional responsibility for the student. Such situations greatly increase the chances that the faculty member will abuse his or her power and sexually exploit the student. Voluntary consent by the student in such a relationship is suspect, given the fundamentally asymmetric nature of the relationship. Moreover, other students and faculty may be affected by such unprofessional behavior because it places the faculty member in a position to favor or advance one student's interest at the

expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors. Therefore, the University will view it as unethical if faculty members engage in amorous relations with students enrolled in their classes or subject to their supervision, even when both parties appear to have consented to the relationship.

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

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

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

---

#### DEFINITIONS

---

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

---

#### POLICY

---

##### A. FACULTY/STUDENT RELATIONSHIPS

###### WITHIN THE INSTRUCTIONAL CONTEXT

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

###### OUTSIDE THE INSTRUCTIONAL CONTEXT

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

**B. STAFF/STUDENT RELATIONSHIPS**

Consensual sexual relationships between staff and students are prohibited in cases where the staff member has authority or control over the student. A staff member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the staff member has or has had an amorous relationship will be deemed to have violated his or her ethical obligation to the student, to other students, to colleagues, and to the University.

---

**COMPLAINT PROCEDURE**


---

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

To contact the University Office of Equal Opportunity:

Norman Campus  
Room 102, Evans Hall  
325-3546

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

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

---

**GRIEVANCE PROCEDURE FOR EQUAL OPPORTUNITY**


---

**A. WHAT IS COVERED AND WHO MAY USE PROCEDURE**

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

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

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

**B. FILING OF COMPLAINT**

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

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

### C. TIMING OF COMPLAINT

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

### D. ADMINISTRATIVE ACTION

- 1) The University recognizes its obligation to address incidents of discrimination, harassment, or retaliation on campus when it becomes aware of their existence. Even if no complaints are filed, the University reserves the right to take appropriate action unilaterally under this procedure.
- 2) With respect to students, the University Vice President for Student Affairs and Dean of Students or other appropriate persons in authority may take immediate administrative or disciplinary action which is deemed necessary for the welfare or safety of the University community. Any student so affected must be granted appropriate due process. For Norman Campus students, a campus disciplinary council, in accordance with the Student Code, shall conduct any hearing involving disciplinary suspension or expulsion. Lesser administrative or disciplinary action may be appealed to the University Vice President for Student Affairs and Dean of Students. Such requests must be in writing and filed within seven calendar days following the summary action. The University Vice President for Student Affairs and Dean of Students will issue a written determination to the student within three working days following the date the request is received.
- 3) With respect to employees, upon a determination at any stage in the investigation or grievance procedure that the continued performance of either party's regular duties or University responsibilities would be inappropriate, the proper executive officer may suspend or reassign said duties or responsibilities or place the individual on leave of absence pending the completion of the investigation or grievance procedure.

### WITHDRAWAL OF COMPLAINT

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

### CONFIDENTIALITY OF PROCEEDINGS AND RECORDS

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

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



**PROCEEDINGS****INVESTIGATION**

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

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

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

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

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

## 3.3—RETIREMENT POLICY

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

---

### I. SUPERCEDED

---

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

---

### II. GENERAL

---

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

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

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

---

### III. DEFINITIONS

---

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

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

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

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

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

---

#### IV. RETIREMENT

---

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

- A) Optional Retirement Age: An Eligible Employee can retire after attaining at least age 62 with at least 10 Years of Service.
- B) Disability Retirement: An Eligible Employee can retire after earning at least 10 Years of Service if the Eligible Employee incurs a Disability.
- C) Phased Retirement: An Eligible Employee may begin Phased Retirement on the first of any month after having attained at least age 55, subject to meeting other eligibility requirements as provided in Article VIII.
- D) 25 Years of Service: An Eligible Employee may retire regardless of age after earning at least 25 Years of Service.
- E) Rule of 80: An Eligible Employee may retire when actual age at last birthday plus Years of Service equals 80 or more.

---

**V. RETIREMENT DATE:**

---

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

---

**VI. BENEFITS SOURCES**

---

**MONETARY****SOCIAL SECURITY:**

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

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

**TEACHERS' RETIREMENT SYSTEM OF OKLAHOMA (TRS)**

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

- a) The following are optional Members:
  - Benefit Eligible hourly Eligible Employees;
  - Visiting faculty;
  - Temporary and intermittent instructors and lecturers on the Norman Campus, or
  - Eligible Employees hired on or after age 45.
- b) The following cannot participate in TRS: Benefit Eligible Oklahoma Health Sciences Center faculty where University salary is less than the salary provided by an institution affiliated with the University, whether such affiliation is by common governance or by contract.

- c) Enrollment is automatic the month after the Eligible Employee achieves eligibility. However, Eligible Employees need to enroll formally in order to designate a beneficiary.

## 2) Contributions

Rate and base for TRS contributions are determined by the TRS Trustees and announced each fiscal year.

- 3) Benefits. The retirement formula used to determine the maximum monthly retirement benefit is determined by the TRS Trustees.

Actuarial reductions are made for earlier retirement. Special TRS rules exist for 30-year retirements and "Rule of 80" retirements. Members joining TRS on or after July 1, 1992, must satisfy the "Rule of 90." Also, special provisions exist for purchasing credit for out-of-state and military service.

### DEFINED CONTRIBUTION PLAN:

#### 1) Participation.

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

#### 2) Contributions. Based on rules of the Defined Contribution Plan.

- 3) Benefits. The retirement benefit will be based on total accumulations and age at the time of Retirement or other termination of employment from the Institution.

### DISABILITY

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

- 1) To apply for the Disability benefits with the University, an Eligible Employee should contact the University's Benefits Office to schedule a counseling session. Disability statements must be completed by the employee and the physician(s). The physician(s) must provide medical documentation to substantiate the diagnosis of Disability. When all statements are completed, they should be returned with medical records to the University's Benefits Office for processing.
- 2) Disability applications are reviewed and the final determination of Disability is derived primarily from medical documentation but may also be inclusive of other pertinent information (i.e., administrative, environmental). Approval or denial of Disability Benefits may be recommended by the University's Director of Human

Resources. Legal Counsel and the Medical Director of the University's Goddard Health Center may be asked to review applications and assist in the determination of eligibility in more complex or questionable cases. When an application review is completed, the University will make a Disability determination based on three options:

- (a) Temporary Disability;
  - (b) Permanent Disability; or
  - (c) Not Eligible for Benefits due to Disability.
- 3) At any time deemed reasonable and necessary, the University reserves the right to review an active Disability case to determine whether the recipient continues to qualify for Disability Benefits.
  - 4) Disability Benefits recipients will be responsible for notifying the University in the event gainful employment is obtained. Upon receipt of notification, the University will terminate Disability Benefits immediately. If the Disability recipient fails to notify the University, and notification of the recipient's employment is otherwise received, Disability Benefits will terminate retroactively to the date employment began. The University will send written notification to the Disability recipient that Disability Benefits received on and/or after the recipient's employment date are due and payable to the University.
  - 5) All decisions with regard to whether an Eligible Employee has a Disability and is entitled to Benefits due to Disability and shall be made in the sole discretion of the University.

#### RETIREE HEALTH INSURANCE

Eligible Retirees as described in Subsection (a) below, may continue coverage under the Health Plan as provided in Subsection (d) below if they meet the requirements for University Retirement. If an Eligible Retiree meets the conditions in this policy for coverage under the Health Plan, the Eligible Retiree shall be eligible for the standard coverage under HealthChoice High Option, at the University's expense in addition to any Coverage options available to Eligible Retirees under the Health Plan. If an Eligible Retiree shall elect coverage ("Elected Coverage") other than Standard Coverage, the Eligible Retiree shall pay the cost difference between Standard Coverage and Elected Coverage. The University shall notify each Eligible Retiree of the total cost for Elected Coverage, the amount contributed by the University for Standard Coverage and the amount due, if any, for the Eligible Retiree for Elected Coverage (the 'Eligible Retiree's Share'). The Eligible Retiree's cost for Elected Coverage and Standard Coverage may be different for Eligible Retirees and Eligible Employees and may vary year to year. The University is committed to providing the same health coverage options to Eligible Retirees as is available for Eligible Employees; however, the University reserves the right to amend, modify, or terminate any provisions of the policy by Board of Regents' resolution at any time. Eligible Retirees will continue to be able to insure eligible dependents in accordance with the rules of the Oklahoma State and Education Employees Group Insurance Board (OSEGIB) that administers the Health Plan. See the Summary Plan Description which relates to the Health Plan for a description of and eligibility for benefits under the Health plan.



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

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

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

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

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

#### DENTAL INSURANCE

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

#### SURVIVING SPOUSE:

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

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

#### PARKING

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

#### ID CARDS

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

#### ATHLETIC TICKETS

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

#### LIBRARY

Eligible Retirees can use University Libraries after retirement.

#### COURSE ENROLLMENT

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

#### UNIVERSITY CLUB/FACULTY HOUSE

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

## EMPLOYEE SEMINARS/FUNCTIONS

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

## RECREATIONAL FACILITIES

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

---

**VII PHASED RETIREMENT**


---

## GENERAL

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

## APPLICATION

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

## BENEFITS

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

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

**SALARY**

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

**LIFE INSURANCE**

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

**HEALTH AND DENTAL INSURANCE**

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

**AD&D INSURANCE**

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

**DEFINED CONTRIBUTION PLAN:**

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

**LONG-TERM DISABILITY:**

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

**PAID LEAVE AND EXTENDED SICK LEAVE BENEFITS:**

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

---

**VIII. RETURNING TO EMPLOYMENT**

---

**POLICY:**

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

**BENEFITS:**

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

---

**IX. AMENDMENTS AND TERMINATIONS**

---

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

---

**X. STANDARD OF REVIEW**

---

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

**CLAIMS AND REVIEW PROCEDURES****If a Claim is Denied.**

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

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

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

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

#### APPEAL OF DENIED CLAIM

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

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

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

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

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

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

#### **Level 1: Administrative Review**

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

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

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

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

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

### **Level 2: Director of the Office of Human Resources Review**

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

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

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

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

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

### **Level 3: Claims Appeal Committee Review**

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

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

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



The hearing before the University's Claims Appeal Committee to review the denial will be held within 30 days after the receipt of a written appeal, unless special circumstances require an extension of time, in which case a decision shall be made no later than 90 days after receipt of the appeal. The hearing is informal and the Eligible Employee is entitled to have a representative present at his/her own expense.

(RM, 6-10-82, p. 17020; amended 3-8-84, 5-10-84, 8-1-85, 5-8-86, 12-11-86, 4-9-87, 1-21-88, 12-8-88, 6-14-89, 5-9-91, 6-13-91, 7-1-91, 7-9-92, 11-10-92, 6-17-93, 9-16-93, 6-21-94, 6-27-95, 5-14-97, 9-11-01, 12-2-02, 12-2-03, 1-27-2004)

### 3.3.1—RETIREEES ASSOCIATION

A University of Oklahoma Retirees Association was established in 1991. The Association functions for the benefit of the University and for the retired faculty and staff comprising its membership. Activities include, but are not limited to, assisting in fulfilling University goals and objectives, assisting in fund raising and student recruiting activities, providing informational and social opportunities for retirees, participating in appropriate University organizations, and providing such other services as may be requested by the University or the Association membership. It shall not function as a lobbying organization for the sole benefit of its members.

All persons meeting the University's policy requirements for retirement from active service are eligible for membership.

The President is authorized to approve changes in the Constitution and Bylaws of the Association that do not change the purpose or role of the Association.

(RM, 3-7-91, p. 22258, edited; 1-27-2004, 28924)

## 3.4—PUBLIC RELATIONS POLICIES

### 3.4.1—PUBLICATIONS AND PROMOTIONAL MATERIALS POLICY

In order for all publications and promotional materials representing the University to convey a consistent and accurate message and image, externally disseminated publications ~~will~~ must be reviewed by the Division of Public Affairs or the designated publications office. ~~Guidelines for the~~ The full text of this policy ~~are~~ is maintained by the Division of Public Affairs.

(RM, 4-4-91, p. 22307, edited; 3-29-00, p. 26909; 1-27-2004, p. 28924)

### 3.4.2—ADVERTISING AND PROMOTION

The University will never knowingly accept or allow advertising that does not conform to industry standards and University guidelines. The University also adheres to specific guidelines in regard to alcoholic beverage advertising. This policy applies to all advertising and promotion in whatever format. Examples are books, brochures, posters, programs, directories, newspapers, signs, radio and television, videotape and audiotape, and electronically generated programming. Signs include those at the athletic facilities, on CART vehicles, and in other locations. This policy also applies to all events and activities organized by or sponsored by University departments or registered student organizations.

The full text of the Advertising and Promotion Policy is included in the Norman Campus and Health Sciences Center faculty handbooks.

(RM, 1-13-83, pp. 17355-6; 11-8-84, p. 18192; 12-8-88, p. 20808; 4-6-89, pp. 20995-8; 3-29-00, p. 26909; 1-27-2004, p. 28924)

### 3.4.3—ENDORSEMENT PROHIBITED

The University does not endorse any commercial product, program, enterprise, or idea.

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

### 3.4.4—PURCHASING ADVERTISING

The University from time to time may wish to reach a certain public by purchasing advertising in the media. The material contained in this advertising may include, among other things, matters related to increasing enrollments in regular or extension courses; promotional advertising, or informational material related to specific policies, projects, events, institutes, departments; and curricula. With the exception of employment advertising, no contracts for advertising should be entered into and no oral or written commitments may be made by any University employee without the prior written approval of the Vice President for Public Affairs or his/her authorized designee. Advance written approval of all layouts or copy must be obtained ~~as previously indicated~~.

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

### 3.4.5—UNIVERSITY NAME, LOGOS, OTHER IDENTIFYING MARKS, SEAL, AND COAT OF ARMS

---

#### **UNIVERSITY NAME, LOGOS, OTHER IDENTIFYING MARKS, AND SEAL**

---

##### A. NON-COMMERCIAL USE

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

##### B. COMMERCIAL USE

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

(RM, 6-25-70, pp. 10383-84, edited; 1-23-91, p. 22207; 6-27-95, p. 24460; 3-5-97, p. 25119; 3-29-00, p. 26909; 1-27-2004, p. 28924)

---

#### **COAT OF ARMS**

---

There is authorized for general use a University Coat of Arms, which shall serve as the emblem of the University in lieu of the official University Seal. (RM, 4-9-52, p. 4306, edited)

### 3.4.6—OFFICIAL UNIVERSITY JEWELRY

Official University graduation rings for the students and alumni of the University shall be produced exclusively by a designated vendor. The sale of such rings is limited to students who have completed a minimum of 72 hours and are in good standing with the University and to alumni.

Other University jewelry may be produced and sold if its design and production meet the University's criteria and standards and the vendor is so licensed.

(RM, 10-8-58, p. 6125; 1-27-2004, p. 28924)

## **3.5 — ~~LEGAL AND COMPLIANCE~~ ~~ISSUES~~ POLICIES**

### 3.5.1—UNIVERSITY COMPLIANCE AND QUALITY IMPROVEMENT PROGRAM

#### **1—ADOPTION OF COMPLIANCE AND QUALITY IMPROVEMENT PROGRAM**

##### **1.1—PURPOSE OF THE PROGRAM**

The University is committed to the highest standards of ethics, honesty, and integrity and to compliance with all applicable laws and regulations. The purpose of this Compliance and Quality Improvement Program (the "Program") is to call the attention of persons associated with the University to some of the laws and regulations applicable to academic institutions. The Program is intended to (a) promote legal and ethical behavior in the academic context and (b) prevent and detect violations of law. The Program is intended to provide for more effective and efficient compliance efforts and oversight.

##### **1.2—PRE-EXISTING STANDARDS AND PROCEDURES**

In addition to this Compliance and Quality Improvement Program, the University has established and maintains various practices, policies, and procedures which are incorporated into the Program. This Program does not supersede or diminish any other policy or program of the University that, in whole or in part, also addresses compliance issues, unless such other policies or programs are inconsistent with this Program.

##### **1.3—COMPLIANCE WITH OTHER LAWS**

University employees are required to comply with all applicable laws and regulations, whether or not specifically addressed in the Program. The standards of conduct set forth in this Program cannot cover every legal situation. It is the responsibility of each University employee to act honestly and with integrity in all dealings and to seek appropriate guidance when necessary.

##### **1.4—MODIFICATION OF THE PROGRAM**

This Program will be periodically updated or otherwise modified by the Board of Regents as necessary. In addition to this document, the University will periodically distribute memoranda or other policies, which supplement the Program.

##### **1.5—GENERAL APPLICATION**

This Program applies to all University colleges, departments, and employees that:

- submit claims for reimbursement of medical services;
- perform human and/or animal research; and/or
- handle or work with or around hazardous, controlled substances, and/or radioactive materials.

---

**— 2 — DUTIES OF UNIVERSITY LEADERSHIP**

---

**2.1—BOARD OF REGENTS**

The Board of Regents has the responsibility for (a) implementing and (b) overseeing the Program and related compliance activities. Functions of the Board of Regents will include, but are not limited to the following:

- 1) Authorizing the University to implement the Program.
- 2) Approving the structure for management oversight and reporting of compliance activities.
- 3) Reviewing periodic reports concerning the Program and compliance activities.
- 4) Reviewing any special reports on any compliance activity.

**2.2—UNIVERSITY OFFICERS AND OTHER MANAGEMENT PERSONNEL**

University officers and directors must pay special attention to the laws and regulations applicable to their colleges or departments and should promptly bring areas of concern to the attention of the Director of Compliance.

---

**3—OFFICE OF COMPLIANCE**

---

**3.1—GENERAL PURPOSE**

The University's Office of Compliance, under the direction of the Director of Compliance, is responsible for overseeing, monitoring, and assisting the University in its efforts to (i) raise awareness regarding legal and ethical issues; (ii) improve compliance training and quality improvement and review functions; and (iii) ensure adherence to the highest standards of conduct.

**3.2—SPECIFIC PURPOSES**

In addition to the general purpose stated above, the Office of Compliance will coordinate the University's efforts to:

- 1) inform University employees about the Standards of Conduct and Improvement;
- 2) implement and conduct training programs where needed and/or monitor existing training programs;
- 3) perform and/or arrange periodic compliance/quality improvement reviews;
- 4) conduct investigations of compliance complaints in coordination with the applicable University department and/or officer;
- 5) maintain a reporting and question hotline for compliance matters;
- 6) serve as a resource to the University on matters of compliance;

- 7) assist with the correction of compliance concerns; and
- 8) draft and implement, in coordination with the applicable department, any necessary policies and procedures.

### 3.3—STRUCTURE

The Office of Compliance will report to the University's General Counsel. However, the Director of Compliance may present time sensitive compliance issues or concerns directly to the President or the Board of Regents.

---

## 4—DIRECTOR OF COMPLIANCE

---

### 4.1—APPOINTMENT

~~The Program is overseen by a Director of Compliance.~~

### 4.2—SELECTION CRITERIA

~~The Director of Compliance oversees and monitors the University's compliance activities. The day-to-day decisions related to the Program will be made by the Director of Compliance. The Director of Compliance will coordinate the Program and identify and build on existing University policies and procedures. The Director of Compliance should be an individual who has the following characteristics:~~

- ~~1) High integrity and a thorough understanding of the operations of the University.~~
- ~~2) Effective analytical skills required to direct regulatory monitoring.~~
- ~~3) Effective public speaking skills and the ability to articulate complex regulatory information in understandable terms.~~
- ~~4) Effective interpersonal skills required to work with University officers and employees as well as third party vendors and government representatives.~~
- ~~5) Effective organizational and planning skills as well as the ability to handle multiple tasks simultaneously.~~
- ~~6) Effective writing skills.~~
- ~~7) Thorough understanding of the laws and regulations which apply to the areas covered by this Program, and the ability to identify the legal issues and refer them to the Office of Legal Counsel.~~

### 4.3—RESPONSIBILITIES OF THE DIRECTOR OF COMPLIANCE

~~It is the responsibility of the Director of Compliance to ensure that the Program is implemented and monitored. Coordination and communication are key functions of the Director of Compliance. It is not the duty of the Director of Compliance to perform all compliance related tasks. Rather, the role of the Director of Compliance is to coordinate compliance activities. The Director of Compliance will have authority to review documents and records relevant to compliance activity. The duties of the Director of Compliance will include, but not be limited to, the following activities:~~

- ~~1) Oversee implementation of the Program in all areas designated by the Board of Regents and President pursuant to the time line established in consultation with the Office of Legal Counsel.~~
- ~~2) Work with University officers, department chairs, and employees to prevent, detect, and respond appropriately to compliance issues.~~
- ~~3) Identify University functions and routine business practices and activities requiring compliance training and monitoring.~~
- ~~4) Establish procedures to make available the appropriate portions of this Program and any amendments thereto to all affected University employees.~~
- ~~5) Establish a reporting system with University employees who have compliance responsibilities.~~
- ~~6) Serve as a resource for the University on matters of compliance.~~
- ~~7) Perform routine, periodic compliance reviews, or arrange for such reviews, of high risk areas.~~
- ~~8) Monitor, in conjunction with the Office of Legal Counsel, developments and changes in statutes, court rulings, rules, and regulations that affect compliance requirements; bring them to the attention of the appropriate officers and employees; and assist with remedial activities when appropriate.~~
- ~~9) Make recommendations, as needed, to University departments regarding their compliance efforts.~~
- ~~10) Implement systems to ensure that all University employees are adequately informed of their responsibilities under the Program.~~
- ~~11) Establish a 24-hour-a-day hotline through which University employees can make anonymous and confidential reports and inquiries.~~
- ~~12) Maintain records related to the Program.~~
- ~~13) Review and periodically propose revisions to the Program to meet changes in the University's needs and in the business and regulatory environment.~~
- ~~14) Submit periodic reports to the Office of Legal Counsel regarding compliance activities.~~
- ~~15) Conduct investigations in coordination with the applicable department or University officer as needed and act on compliance related matters. The Director of Compliance will notify the appropriate University officer, in addition to the Office of Legal Counsel, prior to initiating any investigation.~~
- ~~16) Monitor and respond to any questions, concerns, and reports of possible violations reported through any means.~~



- ~~17) Hire or retain, with the approval of the General Counsel and President and in a manner that is consistent with University policies, any employees or independent contractors necessary to implement the Program and perform the compliance review and training functions.~~

---

## 5—COMPLIANCE ADVISORY COMMITTEE

---

### 5.1 ESTABLISHMENT OF COMMITTEE

The University shall establish a Compliance Advisory Committee consisting of: (i) the Senior Vice President and Provost - Norman Campus; (ii) the Senior Vice President and Provost - Health Sciences Center; (iii) the Vice President for Health Affairs and Associate Provost - Health Sciences Center; (iv) the Vice President for Research - Norman Campus; (v) the Vice President for Research - Health Sciences Center; (vi) the Associate Vice President for Clinical Research; (vii) the Vice Presidents for Administrative Affairs; and (viii) any other University employees designated from time to time by the General Counsel.

### 5.2 PURPOSE OF COMMITTEE

The Compliance Advisory Committee will meet on a periodic basis to (i) provide advice and assistance to the Director of Compliance; (ii) discuss matters of policy applicable to the areas covered by the Program; and (iii) receive reports from the Director of Compliance regarding the activities of the Office of Compliance and developments regarding compliance issues.

The full text of the University Compliance and Quality Improvement Program is included in the Norman Campus and Health Sciences Center faculty handbooks.

(RM, 1-29-02, p. 27865; 12-2-02, p. 28374; 1-27-2004, p. 28924)

## 3.5.2—INTERNAL AUDITING CHARTER

---

### PURPOSE

---

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

### AUTHORITY

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

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

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

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

---

### RESPONSIBILITIES

---

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

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

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

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

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

The Internal Audit Department shall conduct special reviews and consulting services as directed by the Presidents and Board of Regents. Special reviews and consulting services requested by departmental management may be performed at the discretion of the Internal Audit Director. Care should be taken as to retain independence and avoid conflicts of interest when performing consulting services. Consulting services include, but are not limited to, assistance in the implementation of new computer systems and the

compliance with new laws and regulations. As part of an implementation team, internal auditors may serve as non-voting members on related steering committees.

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

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

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

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

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

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

(RM, 2-12-86, pp. 18859-64; 3-8-90, p. 21624; 12-9-97, p. 25709; 12-10-98, p. 26195; 1-27-2004, p. 28924)

### 3.5.3—CONFIDENTIALITY OF LIBRARY RECORDS

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

- 1) persons acting within the scope of their duties in the administration of the library;
- 2) persons authorized to inspect such records, in writing, by the individual or group whose records are sought;
- 3) as otherwise required by law.

(RM, 6-13-85, pp. 18415-6; 1-27-2004, p. 28924)

### 3.5.4—ETHICS IN RESEARCH

---

#### INTRODUCTION

---

Research and other scholarly activity at the University must be above reproach. Each member of the University community has the responsibility to ensure the integrity and ethical standards in any activity with which he or she is associated directly, or any activity of which there is sufficient knowledge to determine its appropriateness. Misconduct in the conduct of research undermines the scholarly enterprise and erodes the public trust in the University community to conduct research and communicate results using the highest standards and ethical practices. The University is responsible both for promoting scholarly practices that prevent misconduct and for developing policies and procedures for dealing with allegations or other evidence of scholarly or research misconduct.

This policy establishes uniform policies and procedures for investigating and reporting instances of alleged or apparent misconduct involving research, including but not limited to, research or research training, applications for support of research or research training, applications for research or research training, or related research activities that are supported with funds made available under the Public Health Service Act. The policies and procedures outlined below apply to faculty, staff, and students. They are not intended to address all scholarly issues of an ethical nature. For example, discrimination and affirmative action issues are covered by other University policies.

The full text of the Ethics in Research policy is included in the Norman Campus and Health Sciences Center Faculty and Staff handbooks.

(RM, 5-9-85, p.18378; 12-20-89, p. 21508; 6-25-97, p. 25458; 3-29-00, p. 26909; 1-27-2004, p. 28924)

### 3.5.7—OKLAHOMA GEOLOGICAL SURVEY

The law places the governance and control of the Oklahoma Geological Survey under the Board of Regents. In the administration of the Survey, the Director shall bear the same relation to the President as the deans of the several schools and colleges in the University, and all communications and recommendations to the Board of Regents from the Director, and all communications and recommendations from the Board of Regents to the Director, shall be transmitted through the President.

The general administrative officers of the University, such as the Vice Presidents, the Director of Purchasing, the Controller, the Accounting Office, the Bursar, the Physical Plant Department, and other officers of general administration have the same relation to the Survey that they have with other departments, colleges, or divisions of the University.

(RM, 6-6-27, p. 284; 9-10-53, pp. 4693-94; 1-27-2004, p. 28924)

## SECTION 4 – FINANCE & MANAGEMENT

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

### 4.1 — SHORT-TERM INVESTMENT POLICY

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

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

The Vice Presidents, or their respective designees, shall establish procedures to sufficiently analyze the cash flow requirements of the University and determine the amount of funds to be invested and the time period of the investment(s). Said procedures shall address liquidity, diversification, safety of principal, yield, maturity and quality and capability of investment management (with primary emphasis on safety and liquidity), reporting and documentation of investments, selection of financial institutions, and competitive bidding. Allowable instruments shall include those permitted for investment of State monies, as provided by Oklahoma law. Allowable monies may be invested through the Office of the State Treasurer or, provided a higher return on the investment can be earned, with other financial institutions. The Vice Presidents will periodically analyze market conditions and evaluate the investment performance of the State Treasurer's office.

Interest income from investments made by the State Treasurer shall accrue to the University's Agency Special Fund or fund from which the investment was made, in accordance with the provisions of the Oklahoma statutes. The Vice Presidents shall deposit all interest income into the original accounts generating the principal invested, as required by the terms of the specific grants or contracts or as required by terms of bond resolutions, donor requirements, federal regulations, or other Board of

Regents' policy statements. Interest accrued by the investment of pooled funds shall be distributed in accordance with the needs determined by the President and reported to the Board of Regents annually. The University officials designated above shall ensure that required procedures and records are maintained and available for audit by internal, external, and State auditors.

(RM, 4-19-50, pp. 3467-8; 10-10-57, pp. 5809-10; 2-8-73, pp. 11980-81; 6-10-82, p. 17031; 12-20-89, p. 21516; 5-9-90, p. 21771; 3-29-00, p. 26909; 1-27-04, p. 28924)

## 4.2—DEBT POLICY

The issuance of debt shall be in accordance with the Board of Regents' authority to issue said debt, as provided by state law. All debt shall be secured in accordance with Oklahoma law and the administrative rules of the Council of Bond Oversight. Debt is defined to include all current short-term and long-term obligations, guarantees, and instruments that have the effect of committing the University to future payments. Generally, debt obligations encompassed by this policy will take the form of bonds, notes, loans, or capital leases (including use of the State of Oklahoma's Master Lease-Purchase Program).

### 4.2.1—PHILOSOPHY

Debt, especially tax-exempt debt, provides a low-cost source of capital for the University to help fund needs required to achieve its mission and strategic objectives.

The University believes that appropriate financial leverage serves a useful role and should be considered a long-term component of the University's balance sheet. Just as investments represent an integral component of the University's assets, debt is viewed to be a continuing component of the University's liabilities.

Debt as a source of capital is not limitless. Even the wealthiest institutions are constrained by the amount of capital projects that can be supported without jeopardizing long-term strategic objectives. Therefore, not every desirable project can nor should be financed by the University. However, fulfilling the University's mission is paramount, which, in turn, will drive capital decisions that impact the University's credit.

This policy provides a framework within which decisions will be made regarding the use of debt to finance particular capital projects that help the University achieve its strategic objectives.

### 4.2.2—COMPONENTS

- 1) Provide funds to support the University's capital needs while achieving the lowest overall cost of capital.

Part of the University's success is attributable to prudent and timely capital investments made to sustain and enhance its growth in research and in clinical, educational, and student service facilities. The University's administration and Board of Regents must continue to have the ability to make judgments as to the wisdom and timing of such investments. It is prudent to achieve these ends at the lowest capital costs.

- 2) Use selected financial ratios with specific targets to ensure that the University continues to operate within appropriate financial bounds while achieving its mission and responding to changes in the market.

Use of key financial ratios provides the University's administration and Board of Regents with feedback and assurances that the University is not exceeding its desired use of debt (credit) capacity. The University will prioritize projects in light of the limited available funding resources.

- 3) Determine affordability of projects and allocate funds to meet the University's objectives.

A fundamental determinant of the use of debt financing for a project will be the ability of the division that enjoys the benefit of the project and the University to afford it. Each project using debt must be supported by an achievable financial plan that includes servicing the debt, meeting any new or increased operating costs, and maintaining an acceptable debt service coverage ratio. The development and review of the financial plan by management will be explicit and detailed.

Generally, the following guidelines will be used, although they are not intended to be all-inclusive. The Chief Financial Officer (Norman) and the Controller (Health Sciences Center) will make recommendations to the Vice Presidents of Administrative Affairs regarding the uses and amounts of debt to be issued, for approval by the President and Board of Regents.

- A. Only projects that relate to the University's mission (e.g., teaching, research and creative/scholarly activity, and professional and University review and public outreach) will be considered for debt financing.
- B. Much of the University's current strength is founded in the philanthropy of individuals, corporations, and foundations that enable the University to build programs, construct and renovate facilities, and aid students. It is expected that gifts will continue to be a major source of financing the University's facilities.

In assessing the strategic use of debt, all possible revenue sources will be considered. The fraction of a project's cost financed by debt will vary from project to project. However, philanthropy, project-generated revenues, federal and state grants, expendable reserves, and other sources are expected to finance a portion of the cost of a project.

- 4) Provide the Board of Regents with adequate materials for oversight of the University's entire debt portfolio, including not only direct obligations issued by the University, but also any other transactions (e.g., off balance sheet financings) that affect credit and debt capacity.

To fulfill its respective fiduciary responsibilities, it is essential that the Board of Regents and administration know the extent of debt obligations of the University.

The Board of Regents' and administration's debt oversight responsibilities are supported and enhanced by shared oversight provided by the State Legislature, Oklahoma State Regents for Higher Education, Council of Bond Oversight, rating agencies (e.g., Standard & Poor, Moody's, Fitch), and credit enhancement insurers (e.g., AMBAC or MBIA). In addition, Bond Counsel and Financial Advisor services will be retained to assist in the development and marketing of financial plans underlying debt issues.

- 5) Maintain the highest acceptable credit rating that will permit the University to continue to use debt and finance capital projects at favorable interest rates while meeting its strategic objectives.



Bond rating agencies help to maintain the confidence of the public and purchasers of debt regarding the ability of an issuer to service and repay bonds, loans, and/or notes. The University recognizes its responsibility to keep the rating agencies advised of its objectives, strategies, and financial status. The University's administration will provide the rating agencies with full and timely access to the information ~~it needs~~ they need.

This debt policy requires full and timely financial information. To that end, the University will report to the Board of Regents throughout the fiscal year on the basis of generally accepted accounting practices.

#### 4.2.3—KEY FINANCIAL RATIO

This particular ratio has been selected relying on key items in the University's financial statements and each project's detailed financial plan. It is a critical measure used by the rating agencies in evaluating the ability of an issuer to service and repay debt. Additionally, the University may elect to monitor other selected ratios (if suggested by rating agencies) to provide further information regarding the University's financial performance. The target for this ratio will be used as a guidepost, not a firm boundary, and will be interpreted with some flexibility.

#### 4.2.4—DEBT SERVICE COVERAGE RATIO

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

The Debt Service Coverage Ratio measures the excess operating revenues, depreciation, and interest payments relative to annual principal and interest payments. This ratio provides a measure of the project's net income stream (excluding depreciation and interest) available to meet its debt service obligations.

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

The University recognizes and embraces the fact that financial leverage (debt), when used strategically, serves an integral role in helping to fund the capital needs required to achieve its mission and strategic objectives. To that end, future debt management decisions are to be evaluated within the framework of this policy.

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

### 4.3—DEFICIT POLICY

Deficits in University accounts are not permitted. Accounts should be reviewed monthly by sponsors, deans/directors, and vice presidents to ensure that deficits do not occur. If a deficit is projected or indicated, immediate action should be taken to prevent or correct the problem. In all cases, vice presidents are ultimately responsible for the financial management of accounts within their area(s) of responsibility.

If circumstances occur which require a temporary deficit for a special purpose, an explanation and plan for repayment must be fully documented by the appropriate vice president and submitted to the President or President's designee and appropriate Vice President for Administrative Affairs for review and approval. All deficits are to be thoroughly investigated and resolved in a timely manner; however, corrective action plans are to be submitted only for deficits of \$50,000 or more that have an anticipated duration of 180 days or more.

If a deficit is reflected in an educational and general account on the June 30 financial reports, the departmental appropriation for the succeeding fiscal year will be reduced by the amount of the deficit.

~~In accordance with the Board of Regents' policy,~~ No Auxiliary Enterprise or Service Unit is permitted to operate using unauthorized borrowing from other units, including, without limitation, operating in an unauthorized cash deficit position. If a deficit occurs or is anticipated, a short-term working capital loan must be authorized by the Controller's Office.

For purposes of this policy, an account is a distinct budgetary or cash grouping of specific funds. Alpha and/or numeric references are assigned to identify accounts within the University's accounting systems. All University fund groups are subject to this policy. Although salaries, wages, and other account or object categories should be closely monitored, this policy applies only to the total budgetary or cash balance for each account. Accounts that have been established by the Controller's Office for the purpose of University clearing or suspense functions are not subject to this policy.

(RM, 9-10-03, p. 28765; 1-27-04, p. 28924)

## 4.4—INTERMEDIATE TERM CASH MANAGEMENT POLICY

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

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

### 4.4.1 ~~PURPOSE OF STATEMENT~~

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

### 4.4.2 OBJECTIVES OF INTERMEDIATE TERM FUNDS ACCOUNT

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

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

### 4.4.3 SECURITY TYPES

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

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

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

#### 4.4.4 INVESTMENT MANAGER(S) APPOINTED

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

#### 4.4.5 PERFORMANCE STANDARDS

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

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

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

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

#### 4.4.6 DUTIES AND RESPONSIBILITIES

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

- Comply with and fulfill all aspects of pertinent state and federal laws, regulations, and rulings that relate to the investment process to ensure that fund assets are well managed.
- Review and evaluate the results of the Fund Investment Managers against the established performance standards, and review the manager structure to confirm the continued suitability of the managers, given the fund's overall investment objectives and risk levels.
- Take whatever corrective action is deemed prudent and appropriate when a Fund Investment Manager or any fiduciary fails to perform against established policy objectives and guidelines.

- Select a custodian to account for and custody fund assets, as necessary and appropriate.

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

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

#### 4.4.7 REVIEW OF INVESTMENT POLICIES ~~STATEMENT~~

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

(RM, 1-27-04, p. 28924)

## 4.5—OBLIGATION AND COLLECTION OF STUDENT FEES AND CHARGES

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

### 4.5.1—ADD/DROP PERIOD

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

### 4.5.2—LATE PAYMENT

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

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

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

---

### OBLIGATION AND COLLECTION OF TUITION AND FEES

---

- 1) A financial obligation is incurred at the time a student elects to register. Registration may be canceled without financial obligation at any time before the scheduled first day of classes or during the first two weeks of a regular semester or first week of a summer term.
- 2) Students may pay fees in the Bursar's Office beginning one week prior to the first day of the fall or spring semester or the first day of the summer term. Monthly statements will be prepared and mailed prior to the fee payment deadline. Failure to receive a statement will not exempt a student from late penalties. It is the student's responsibility to determine his or her financial obligation and how it is to be met.

- 3) To avoid penalties and/or service charges, students are required to pay all tuition and fees in total prior to the date designated by the Bursar's Office as the last day to pay tuition and fees without penalty. At the time of enrollment, students will receive detailed information regarding tuition and fee payment.
- 4) Students may pay their tuition and fees in four payments during each fall and spring semester. These payments are subject to the service charge as defined below. Students who do not pay their tuition and fees during the period noted above will be considered to have delinquent accounts. The Bursar's Office will send "Overdue Notices" directly to the students when their tuition and fees are not paid on time.
- 5) Students will be charged a monthly service charge on any unpaid balance on their student accounts receivable that is one billing cycle past due. The monthly service charge rate is published by the Bursar's Office each semester. The minimum monthly service charge shall be \$.50.

Service/Late Payment Charges may be waived if the University, through its action or inaction, has caused the payment for tuition and fees to be made beyond published deadlines or if there are extraordinary circumstance (e.g., death in family, serious illness, accident) which result in the student's tuition and fees not being paid by the published deadlines. The extraordinary circumstance must be an event which the student could not reasonably control or foresee. Extraordinary circumstances do not include reasons such as failure to receive a bill, not having the funds to pay, ~~ear~~ ~~payment~~ or other payments due, or other reasons which could be reasonably controlled by the student. Students requesting a waiver of the Service/Late Payment Charges due to an extraordinary circumstance should submit a written request to the Bursar fully describing the circumstances and include copies of supporting information. Requests for waivers should be submitted prior to the published deadline for tuition and fee payment whenever possible. The Bursar shall review the request and supporting documentation and determine whether a Service/Late Payment Charges waiver is to be made. In addition, students requesting Service/Late Payment Charges waivers should contact the Office of Financial Aid to determine if the extraordinary circumstance makes them eligible for aid from any of the University's financial aid programs. Students paying tuition and fees with financial aid must obtain a Service/Late Payment Charges waiver from the Office of Financial Aid. Eligibility for this waiver will be determined by the Office of Financial Aid.

- 6) Students with outstanding tuition and fees not in conformance with items 3 or 4 above at the beginning of any enrollment period will not be permitted to enroll. The Bursar's Office will notify the Registrar of the names of those students with outstanding tuition and fees. Except for STOPS on students' accounts that have been referred to the University's Legal Counsel Office, the Bursar or his or her designee may remove enrollment STOPS as an exception to this policy when, in the judgment of the Bursar or his or her designee, there are extraordinary circumstances that prevented the students from paying outstanding tuition and fees. A quarterly report of STOPS removed due to extraordinary circumstances shall be available to the University's Legal Office and to the Office of the President. This report shall include, as a minimum, the student's name and the dollar value of the STOPS removed.

- 7) Until and including the last day of final examinations, students may pay their delinquent accounts by paying tuition and fees for all of their original enrollment plus the service charge noted above. Students settling their delinquent accounts after the last day of final examinations will be charged an additional penalty over and above charges for delinquent accounts noted above. The amount of the additional late payment charge is published each semester.
- 8) The Bursar's Office will notify the Registrar of the names of those students whose tuition and fees are not paid by the last day of classes so that the Registrar can withhold the ~~reporting of their final grades~~ release of those students' transcripts.
- 9) Withdrawal from classes after the first two weeks of a fall or spring semester or first week of a summer term does not relieve students of their financial obligation to the University, and these students will be charged 100% of the tuition and fees due the University.
- 10) Those students who wish to pay tuition and fees to reinstate for a semester or summer term after the last day of finals for that session must be referred to the Vice Provost for Instruction on the Norman Campus or the Vice Provost for Educational Services on the Health Sciences Center campus for a final decision. The basic posture is that retroactive reinstatement may be allowed only in cases where it can be established that the University somehow contributed to the student's late payment by some error on its part. Students requesting to be retroactively enrolled or added for prior semesters will be charged the tuition and fee rates in effect for the current semester plus applicable late fees and service charges.  
  
Regardless of when a student pays tuition and fees, payment for the entire enrollment is required. Selective course payment is not ~~possible~~ permitted.
- 11) All payments for delinquent accounts must be made in cash or by cashier's check or money order.

---

**OBLIGATION AND PAYMENT OF OTHER CHARGES AND FEES**

---

- 1) Fines, charges, or other miscellaneous fees become a financial obligation of the student at the time they are ~~levied or~~ assessed.
- 2) These charges will be periodically added to the central student accounts receivable maintained by the Bursar's Office.
- 3) Payment or satisfactory adjudication of all existing charges may be made at any time. If not paid prior to payment of tuition and fees, all other charges and fees are immediately due, and payment must be made when tuition and fees are paid.
- 4) Miscellaneous charges incurred during the remainder of the semester will be billed to the student on a monthly basis.



- 5) Delinquent payment of charges will not constitute grounds for withdrawal. The charges will be carried forward to the next semester, at which time all fees and charges must be cleared prior to any new enrollment. Except for STOPS on students' accounts that have been referred to the University's Legal Counsel Office, the Bursar or his or her designee may remove enrollment STOPS as an exception to this policy when, in the judgment of the Bursar or his or her designee, there are extraordinary circumstances that prevented the students from paying outstanding fees and charges. Students leaving the University will have their official records and transcripts tagged, and these records will not be released to other persons, institutions or agencies until all debts are paid.

---

#### INSUFFICIENT FUNDS CHECKS

---

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

---

#### DELINQUENT HOUSING PAYMENTS

---

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

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

The Vice Presidents for Administrative Affairs or their designees will be responsible for the supervision and enforcement of the procedures set out herein.

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

(RM, 3-18-82, p. 16896; 2-12-86, p. 18852; 1-16-89, p. 20839; 6-14-90, p. 21842; 9-5-90, p. 21982; 7-27-93, p. 23478; 6-25-97, p. 25474; 3-29-00, p. 26909; 1-27-04, p. 28924)

---

**LEGAL ACTION TO COLLECT ACCOUNTS**

---

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

The University Collection Division, under the authority of the Office of Legal Counsel, is responsible for recovery of delinquent student accounts receivable and student loans that require litigation or collection agency referral. The service and authority includes all University campuses under control of the Board of Regents.

(RM, 12-9-71, pp. 11277-78; 1-27-04, p. 28924)

## 4.6—FEE REFUND POLICY

The refund policy for tuition and fees (except for Title IV recipients) collected from students at the University shall be included in the published Class Schedule. Policies related to College of Continuing Education and College of Liberal Studies may differ because of short courses and accelerated course formats. Refund policies for activities of these two colleges will be published in the colleges' class schedules, program brochures and relevant websites.

(RM, 5-13-71, p. 10933; 6-14-90, p. 21841; 4-7-93, p. 23308; 3-29-00, p. 26909; 1-27-04, p. 28924)

## 4.7—SCHOLARSHIP AND FINANCIAL AID INFORMATION

To facilitate the responsibilities charged to the University's Scholarship Committee in Financial Aid Services, all scholarship and financial aid information and resources awarded from any college, department, office, or other University-related entity are to be reported to the Office of Financial Aid Services in a complete and timely fashion.

(RM, 3-22-88, p. 20152; 1-27-04, p. 28924)

## 4.8—AUXILIARY ENTERPRISES/SERVICE UNITS

For purposes of this policy, Auxiliary Enterprises and/or Service Units are business-type activities in that they charge fees to recover the cost of the goods and/or services provided. Auxiliary Enterprises market and sell their goods and/or services primarily to parties external to the University. In contrast, Service Units market and sell their goods and/or services primarily to parties internal to the University.

Although there are a multitude of business- and quasi-business-type activities (such as recharge centers and activities designed primarily to meet the needs of educational activities) operating at the University, this policy is intended to apply only to “major” revenue producing activities.

As major business-type activities, each Auxiliary Enterprise and/or Service Unit is to develop, maintain and implement prudent business practices including, but not limited to:

- A comprehensive procedure manual documenting applicable policies, procedures, standards, and other administrative and operating criteria;
- Formal procedures for outlining operating philosophy and pricing criteria. The underlying procedures must include the processes for evaluating costs and determining prices, fees, charges, etc;
- The development of budgets, operating plans, and prices to include, for example, the funding of reserves for renewals and replacements, required debt service, planned capital improvements, and general operating contingencies; and,
- Periodic reporting of financial activities, prepared in accordance with Generally Accepted Accounting Principles, to the Vice President for Administrative Affairs, President, and Board of Regents.

The Vice Presidents for Administrative Affairs or their designees will articulate and publish prudent business practices for all major business-type activities.

No Auxiliary Enterprise or Service Unit with annual sales (projected or actual) of \$100,000 or more may be created without the approval of the President and the Board of Regents. No Auxiliary Enterprises or Service Units with annual sales of less than \$100,000 shall be created without the approval of the President or his or her designee. No Auxiliary Enterprises or Service Units may be deleted without the approval of the President or his or her designee. In those circumstances where closure will result in significant financial or other institutional impact, Board of Regents' notification is also required.

The primary responsibility for managing each unit shall be with the operating manager of each Auxiliary Enterprise and Service Unit and the respective dean/director and Executive Officer. The Controller shall be responsible for the overall fiscal monitoring of all Auxiliary Enterprise Entities and Service Units.

(RM, 9-8-88, p. 20553; 11-89, p. 21470; 2-19-92, p. 22769; 3-29-00, p. 26909; 1-27-04, p. 28924)

#### 4.8.1—UNIVERSITY POLICE OFFICERS

##### 4.8.1.A NORMAN AND HEALTH SCIENCES CENTER CAMPUSES

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

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

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

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

- To enforce all University rules and regulations referred to them for enforcement.
- To enforce all state and federal criminal laws upon the property of the University.
- To protect and safeguard all students, employees, and visitors of the University.
- To protect and guard all of the grounds, buildings, and equipment of the University.
- To strive to prevent any improper conduct at the University.
- To prevent trespassing upon any property belonging to the University.
- When called upon, to aid any other law enforcement agency.
- To enforce traffic regulations.
- To make investigations and inquiries believed necessary to carry out all of the other duties.
- To make arrests and take into custody any person when such action is necessary to carry out the duties of the office.

##### 4.8.1.B TULSA CAMPUS

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

#### 4.8.2 UNIFORMS

The President or his or her designee shall, ~~subject to Board of Regents' approval, designate, approve~~ subject to Board of Regents' approval, designate the uniforms for campus police officers and other enforcement personnel for wear while on duty, or shall prescribe dress appropriate to the individual's assignment. Police uniforms shall clearly identify the wearer as a campus law enforcement officer, shall be distinguished from uniforms worn by other law enforcement agencies operating in the same geographic area, and shall represent the University in a positive and professional manner.

(RM, 12-10-64, pp. 8009-11, edited; form of the commission is shown on p. 8011; 12-14-91, p. 22707; 3-29-00, p. 26909; 1-27-04, p. 28924).

## 4.9—~~PARKING AND TRAFFIC~~ REGULATIONS

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

~~For the accomplishment of the above purposes, the rules and regulations stated herein have been adopted by the Board of Regents, to be effective beginning with the fall semester, 1978.~~

The President may revise, alter, or amend these regulations when conditions warrant. Such amendments, revisions, or alterations shall, unless otherwise ruled by the Board of Regents, be effective and of the same dignity as if enacted or ordered by the Board of Regents. All substantive changes shall be published in the student newspaper at least four successive days.

(RM, 7-19-78, p. 15157, edited; 3-29-00, p. 26909; 1-27-04, p. 28924)



## 4.10—AUTHORITY TO SIGN CONTRACTUAL DOCUMENTS

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

Such documents include, but are not limited to, purchase orders, grants, contracts, sub-contracts, licenses, leases, funding documents, applications, extensions and renewals, letters and/or memoranda of understanding, sales orders, assurances, work orders, and the like. The common feature of such documents is the obligation they impose on the University, the breach of which may ~~infract~~ impose legal liability on the University. Such documents may involve products and services that the University provides to other parties for compensation (revenue), and products and services that the University acquires from other parties in exchange for payment. They may also involve agreements by which duties and responsibilities of the parties involved are formally delineated, even though monetary or other valuable consideration may not be involved.

The delegated authority to sign contractual documents does not carry with it any exemption from other policies and procedures that otherwise govern. For example, the authority to sign a purchase order in the amount of \$100,000 does not exempt that transaction from competition and/or from being processed by the Purchasing Department if such requirement would otherwise apply.

The Vice Presidents for Administrative Affairs shall recommend to the President the positions and names of the individuals who should be authorized to sign contractual documents. Each recommendation shall include the nature of the authority delegated, the areas of activity to which it is limited, and the upper limit of the authority in terms of dollars. Upon Presidential approval:

- The original letter of authorization shall be forwarded to the individual to whom the authority is delegated;
- One copy shall be retained in each of the offices of the Office of the Executive Secretary of the Board of Regents; ~~and~~
- ~~One copy shall be retained in~~ the respective Vice President for Administrative Affairs and Legal Counsel ~~Offices~~.

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

Except as may be authorized in writing by the University's Office of Legal Counsel, all contractual documents shall be processed through the University's Office of Legal Counsel to ensure that certain legal limitations are not waived, ignored or otherwise abridged.

The Vice Presidents for Administrative Affairs may recommend revocation of the signature authority of any individual at any time to the President. Upon the President's acceptance of the recommendation, the Vice President for Administrative Affairs shall notify the pertinent officers of such revocation and the ~~related~~ reason therefore.

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

## 4.11—BUYING AND SELLING GOODS AND SERVICES

### 4.11.1—POLICY

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

### BUYING GOODS AND SERVICES

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

### 4.11.3—PURCHASES THAT MUST BE PROCESSED THROUGH THE PURCHASING DEPARTMENT

Generally, the dollar amount of a purchase determines whether it must be processed through the Purchasing Department. The dollar limitations are on a per-transaction basis and are not cumulative. However, certain purchases, regardless of dollar amount, must be processed through the Purchasing Department:

- 1) If the purchase involves a contractual document of any kind, or if it is a type of product or service that would reasonably involve a contractual document, it must be signed and approved as provided by Board of Regents' Policy. The College of Continuing Education is authorized to review contractual documents related to conferences and seminars it holds or coordinates pursuant to its mission. The reason for contract review is to avoid obligating the University to any terms or conditions that may conflict with the State Constitution, statutes, or case law; and to avoid binding the University to any duties or liabilities against its best interests. Examples of purchases that must be processed through the Purchasing Department include but are not limited to:
  - Leases
  - Use Licenses (such as for software, intellectual property)
  - Services

- 2) Purchases involving radioactivity (to ensure appropriate regulatory authorities are involved).
- 3) Purchases involving a laboratory animal (to ensure appropriate regulatory authorities are involved).
- 4) Purchases involving space maintenance or minor construction (to ensure that Physical Plant/Site Support can exercise appropriate oversight).
- 5) Purchases involving any other special product or service that requires prior approval from a University department with special responsibility and authority over such product or service.

Because of their extreme importance to the University, purchases of air charter services (such as for athletic teams or other groups) must be processed through the Purchasing Department. The preeminent issues are the health, safety and welfare of University students and employees, the reliability of aircraft, and the reliability and quality of services. Secondary issues are overall value of services and an efficient competitive process. The Purchasing Director shall be responsible for conducting the process. Qualified air charter companies will be identified using stringent standards. Identified companies will be asked to provide offers for air services. The process and award will be conducted competitively and in a manner that fully addresses all vital issues. When the cost of a single air service contract exceeds the purchase authority granted to the President, the President, with the concurrence of the Norman Campus Committee of the Board of Regents, is authorized to make fast track decisions up to \$300,000 if the decision is essential to fulfilling program requirements or if the decision will be to the University's advantage economically.

Unless otherwise exempt, purchases exceeding \$50,000 must be processed through the Purchasing Department ~~for formal competition~~. If competition is required, it must be conducted formally. Splitting orders to avoid this dollar limit is prohibited. A professional buyer from the Purchasing Department must place any resulting order.

Unless otherwise exempt, purchases above \$5,000 and not exceeding \$50,000 must be ~~completed and~~ processed through the Purchasing Department. Splitting orders to avoid this dollar limit is prohibited. Competition may be conducted by the ordering department and the results submitted to the Purchasing Department, which may rely on such results, or conduct further competition. A professional buyer from Purchasing Department must place any resulting order.

#### 4.11.4—PURCHASES THAT ARE NOT REQUIRED TO BE PROCESSED THROUGH THE PURCHASING DEPARTMENT

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

- Purchases ~~up to \$50,000~~ by University departments from University Auxiliary Enterprises, Service Units, or other University units engaged in the resale of products or services in accordance with their mission.

- ~~Purchases of products, services, or utilities for resale, including minor operating supplies consumed in the resale process, by University Auxiliary Enterprises, Service Units or other University units engaged in the resale of products or services in accordance with their mission.~~
- Purchases up to \$50,000 of legal, medical, accounting, consulting, architectural, engineering, interior design, appraisal, landscape design, real estate agency, or similar professional services, only when such services are ordered by executive level officers of the University pursuant to University-wide matters of importance, and only when such services represent discrete short-term engagements with specific terminal objectives. Purchases of professional services shall be coordinated in advance with the applicable University department; e.g. legal services shall be coordinated with the Office of Legal Counsel.
- ~~Purchases up to \$50,000 against University-wide contracts with suppliers that have been arrived at competitively and for which exclusive usage by University departments has been mandated by the Board of Regents or the President.~~
- ~~Purchases of professional dues, memberships, and similar products or services that are otherwise authorized but that cannot reasonably be competed.~~
- ~~Purchases of property designated as surplus by federal agencies, state agencies, county governments, municipalities, school districts, other institutions of higher education, and similar bodies; provided, however, that evidence of reasonableness of price must be obtained and maintained.~~
- ~~Payments to federal agencies, state agencies, county governments, municipalities, school districts, other institutions of higher education, and similar bodies for products and services in situations that cannot reasonably be subjected to the competitive process.~~
- Such other purchases as may be identified by the Vice Presidents for Administrative Affairs and approved by the President.

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

- Individual travel costs (airfare, hotel, ground transportation, conference registrations, etc.) by employees attending conferences, seminars, and the like pursuant to official University business (governed by separate policies on travel reimbursement).
- Architectural, engineering, construction, design consultants, and construction management services related to major real property construction and renovation of University capital assets (such services shall be secured be accordance with applicable law).
- ~~Such other purchases as may be identified by the Vice Presidents for Administrative Affairs and approved by the President.~~

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

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

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

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

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

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

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

- Purchases over \$125,000 must be submitted to the Board of Regents for prior approval; sole source purchases in this category must be identified as such; changes

that would increase the financial obligation of the University by more than 15% must be resubmitted to the Board of Regents for ~~prior~~ approval.

- Purchases above \$50,000 but not exceeding \$125,000 must be reported to the Board of Regents at least quarterly; sole source purchases in this category must be reported separately and identified as such.
- Any agreement or obligation that would establish or make policy for the University, or would otherwise involve substantial or significant expenditures must be submitted to the Board of Regents for approval.
- Purchases of air charter services must be reported to the Board of Regents at the meeting of next earliest opportunity.
- Purchases by University departments from University Auxiliary Enterprises or Service Units are exempt from the approval and reporting requirements.
- Purchases of products, services, and utilities for resale, including minor operating supplies consumed in the resale process, by University Auxiliary Enterprises or Service Units or other University units engaged in the resale of products or services in accordance with their mission, are exempt from the approval and reporting requirements.
- ~~Acquisition contracts such as for office supplies University wide or for materials for physical plant maintenance, arrived at through the competitive process, but which that merely establish unit prices, availability and other terms and conditions but which are indefinite as to quantity and delivery must be reported to the Board of Regents if the cumulative orders against them are expected to exceed \$125,000 annually, are exempt from the approval and reporting requirements.~~
- Subcontract and subrecipient agreements and the related orders issued pursuant to sponsored grants or contracts that have been ratified by the Board of Regents are exempt from the approval and reporting requirements.
- Purchases of property designated as surplus by federal agencies, state agencies, county governments, municipalities, school districts, other institutions of higher education, and similar bodies are exempt from the approval and reporting requirements.
- Payments to federal agencies, state agencies, county governments, municipalities, school districts, other institutions of higher education, and similar bodies for products and services in situations that cannot reasonably be subjected to the competitive process are exempt from the approval and reporting requirements.

#### 4.11.8—SOLE SOURCE PURCHASES

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

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

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

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

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

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

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

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

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

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

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

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



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

#### 4.11.10—ACQUISITION OF SURPLUS PROPERTY

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

- President
- Vice Presidents for Administrative Affairs
- Controllers
- Assistant Controllers
- Purchasing Director
- Assistant Purchasing Directors

#### 4.11.11—DEMONSTRABLE EMERGENCY

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

#### 4.11.12—SELLING GOODS AND SERVICES

The University provides a substantial volume of services for compensation. To protect and preserve the University's interests and ensure that it remains in compliance with all applicable laws and regulations, contractual documents must be processed through the University's Legal Counsel Office and any other appropriate office (for example, Grants and Contracts Administration, the Controller, Public Affairs). Such contractual documents should be signed only after all appropriate and required reviews and approvals have been completed. Only an individual to whom the President has delegated the appropriate authority to sign contractual documents in the nature of the document in question may sign the document. Each document involving annual revenues of \$125,000 or more shall be ~~reported to the~~ submitted to the Board of Regents for ratification. Additionally, if the agreement would establish or make policy for the University, or would otherwise involve a substantial service to be performed by the University, it must be submitted to the Board of Regents for approval.

(RM, 5-10-73, pp. 12157 61, amended 6-13/14-73, 7-26-73, 11-8-73, 12-13-73, 6-13-74, 1-9-75, 9-1-77, 2-8-79, 12-18-80, 9-7-88, 12-7-88, 5-17-89, 6-14-90, 3-7-91, 7-18-91, 12-4-92, 3-29-00, 1-27-04)

## 4.12—LISTING OF SUBCONTRACTORS

The form of notice to the contractors or bidders on construction projects will indicate that the listing of major subcontractors is mandatory and any bid failing to list subcontractors shall be rejected.

(RM, 3-19-69, pp. 9748-49, edited; 3-29-00, p. 26909; 1-27-04, p. 28924)

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

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

- 1) At no time will title to assets vested in the University be transferred directly to the terminating faculty member.
- 2) Transfer of equipment may be considered when:
  - It is or was the specific intent of the donor or granting agency that the equipment is or was to support the work of the terminating faculty member rather than a program of the University and that the equipment ownership should be transferred to the institution to which the faculty is moving.
  - The equipment was purchased from funds supporting an ongoing program which the donor or granting agency will continue at the new employing institution.
  - The transfers of equipment must be has been authorized in writing by the appropriate contracting official and the Vice President for Research ~~before the transfer occurs.~~
- 3) At no time will funds deposited with the University for the purpose of supporting the departing faculty member's research, patient care or education program be transferred directly to the faculty member except ~~under the provision of~~ as may be allowed by the Board of Regents' Professional Practice Plan policies.
- 4) Funds may be considered for transfer to the departing faculty member's new institution only when:
  - It was the specific intent of the donor or granting agency that the funds were/are for the purpose of supporting the activity of the departing faculty member (rather than a program of the University) ~~which specifically is being transferred by intent to the new institution employing the departing faculty member.~~
  - The transfers of funds was will be pre-authorized in writing by the appropriate contracting official and approved by the appropriate dean/department chair and the Vice President for Research.
- 5) Funds shall not be transferred to another institution when residual funds remain following completion of the program or project for which the funds were provided.

(RM, 9-2-76, p. 14139; 3-29-00, p. 26909; 1-27-04, p. 28924)

## 4.14—PROPERTY DEVELOPMENT

The Board of Regents is charged by the Constitution of the State of Oklahoma with not only the authority but also the responsibility to govern the University. This responsibility requires that the Board of Regents use every ~~implement and~~ tool available to improve the resources available to the University and, hence, the quality of the University. The Board of Regents regards the non-profit corporation and the public trust as just such tools. Both the non-profit corporation and the public trust have been made possible by legislative action. The Board of Regents believes that it would be delinquent in its duties to the people of this State if it failed to use these tools as the law allows.

~~One of the goals is the creation of an endowment for the University.~~ Gifts of private monies, goods, and lands to colleges and universities and the subsequent wise management of them are absolutely essential if Oklahoma is to have truly fine colleges and truly great universities.

Many unselfish and public-spirited people have given or left all or part of their property to the University. The Board of Regents believes it is its duty to encourage and accept such gifts and, having received them, to use and invest them wisely. It is the Board of Regents' firm resolve that these gifts to the University should always be used, not in place of the public dollar, but in addition to the public dollar.

Not all properties acquired by the University are readily invested. Some public-spirited Oklahomans have given a portion or all of their real property to the University. In such cases, the Board of Regents carefully studies the property to determine how it can best be used. The possibilities are many and varied; it is the duty of the Board of Regents to find the one most ~~profitable~~ beneficial to the University. It is NOT the policy of the Board of Regents to develop properties itself or to operate or manage any commercial, industrial or agricultural business unless it is directly related to the educational mission of the University, as are the University's printing presses and student radio station, or to functions which directly assist in supporting the educational mission of the University, as do the cafeterias, dormitories, bookstores and Campus physical plants.

The mission of the University is teaching, research and creative/scholarly activity, and professional and University review and public outreach; and it is the purpose of the Board of Regents to use every resource available to fulfill that ~~purpose~~ mission. The Board of Regents regards trusts and non-profit corporations as valuable tools in this effort, but it is not the function to invade the world of private industry by developing properties unrelated to the University's purpose.

(RM, 9-14-72, pp. 11684-85; 1-27-04, p. 28924)

## 4.15—ACQUISITION AND DISPOSITION OF REAL PROPERTY

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

### 4.15.1—ACQUISITION OF PROPERTY

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

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

### 4.15.2—DISPOSITION OF PROPERTY

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

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

It shall be the policy of the Board of Regents to purchase and dispose of property as required to satisfy the mission of the University.

(RM, 11-11-54, p. 5032, edited; 11-1-95, p. 24684; 3-29-00, p. 26909; 1-27-04, p. 28924)

## 4.16—UNIVERSITY APARTMENTS

### 4.16.1—APARTMENT LEASE

The Board of Regents approved in principle a new lease agreement for apartments, ~~which provides for civil action in the event of violation of the covenants of the lease. It~~ that may be enforced in a court of competent jurisdiction upon recommendation of the Office of Legal Counsel or its designees, ~~and they~~ who are authorized to modify the lease as time and events require.

(RM, 1-20-72, p. 11325, edited; 3-29-00, p. 26909; 1-27-04, p. 28924)

### 4.16.2—ALLOTMENT

Allotment of University apartments will proceed from the following order of priority: students, faculty, staff, and others.

(RM, 11-9-49, p. 3332, edited; 3-29-00, p. 26909)

## 4.17—UNIVERSITY-OWNED AIRPLANES

The University operates aircraft for air transportation on trips pertaining to official University business. University-owned aircraft may not be used for trips unrelated to University business; provided, however, other officials and employees of the State may use the University aircraft if necessary for the conduct of official University business. Persons who are not State employees may also use or be passengers in the University aircraft when deemed necessary in performing services to the University.

Use of University aircraft must be authorized by the appropriate budget unit head. The Vice President for University Outreach will prioritize aircraft use and address scheduling conflicts.

(RM, 9-15-60, p. 6638; amended 4-11-85, p.18329; 1-27-04, p. 28924)



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

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

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

### 4.18.1—SELECTION PROCESS

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

- 1) Architectural and Engineering Services, when authorized by the Vice President for Administrative Affairs on either campus, will forward a letter to the State Department of Central Services requesting the names of all firms who have established a consultant file with the State of Oklahoma. The letter will contain information defining the scope of the proposed project and identifying or describing the various project components, phases, timetables and sources of funds.
- 2) Upon receipt of the list of appropriate firms by Architectural and Engineering Services, it will send letters of notification to all firms on the list. The letters will solicit a timely expression of interest in performing consultant services for the project, and shall contain the following information: (a) description and scope of the project; (b) estimated construction cost; (c) time schedule for the project; (d) funds available, including, federal, state or other sources; (e) specification of the last date for submitting a notice of interest in performing the proposed services to the University; and (f) other pertinent data.

- 3) The University will advise the State Department of Central Services of the firms that responded ~~within 20 days (or longer if allowed by the University) of the postmark date of~~ to the letter of notification, and request the State Department of Central Services to forward copies of the information that each consultant has on file there.
- 4) An interview committee will be established by the Vice President for Administrative Affairs on the appropriate campus to interview the responding firms. This committee will normally consist of the following persons:

**NORMAN CAMPUS INTERVIEW COMMITTEE**

- a) Representative of the Senior Vice President and Provost (if the project is for an academic use);
- b) Representative of Architectural and Engineering Services;
- c) Representative of Physical Plant;
- d) Other appointees as directed by the Vice President for Administrative Affairs, Norman Campus.

**HEALTH SCIENCES CENTER INTERVIEW COMMITTEE**

- a) Representative of the Senior Vice President and Provost (if the project is for an academic use);
- b) Representative of Architectural and Engineering Services;
- c) Representative of Operations;
- d) Representative of Facilities Management and Capital Planning;
- e) Other appointees as directed by the Vice President for Administrative Affairs, HSC.

Normally, the chair of the interview committee will be designated by the appropriate Vice President for Administrative Affairs, who may also augment the Interview Committee to permit comprehensive representation.

**TULSA CAMPUS INTERVIEW COMMITTEE**

- a) Representative of the OU-Tulsa President;
- b) Representative of Architectural and Engineering Services;
- c) Representative of Facilities Management and Capital Planning;
- d) Other appointees as directed by the OU-Tulsa President.

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

#### 4.18.2—EMERGENCIES

Where a sudden unexpected happening or unforeseen occurrence arises whereby it is impossible for the University to observe this policy because of the time factor and public health or safety is endangered or where a condition or situation arises which, if allowed to continue, would lead to economic loss to the State or further damage to State property, the President may declare an emergency, giving reasons therefore and, upon notifying the Board of Regents and the Director of the State Department of Central Services, enter into a consultant contract up to \$25,000.00.

(RM, 3-24-70, p. 10282; 10-18-89, p. 21381; 3-6-96, p. 24811; 3-29-00, p. 26909; 1-27-04, p. 28924)

## 4.19—PROJECT-RELATED UTILITY EASEMENTS

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

- Each easement will be reviewed by University Legal Counsel and other appropriate members of the University staff.
- The President or his or her authorized designee may approve the easement on behalf of the Board of Regents.
- Record copies of the easements will be on file in the office of the Executive Secretary of the Board of Regents and in the Office of Legal Counsel.

(RM, 12-9-76, p. 14229; 3-29-00, p. 26909; 1-27-04, p. 28924)

## 4.20—OIL AND GAS CONTRACTS

The Chair of the Board of Regents, the President and the Executive Secretary of the Board of Regents, acting for and on behalf of and for the use and benefit of the Board of Regents, are hereby authorized to execute on the behalf of the Board of Regents, all Division and Transfer Orders, oil and gas leases, and all sales contracts affecting oil or gas belonging to the Board of Regents for the use and benefit of the Board of Regents in any capacity, which Division and Transfer Orders, oil and gas leases, and sales contracts are necessary to be filed with any person, firm or corporation with which said Board of Regents may do business; said officers being hereby authorized to sell or lease or reject offers for sale or lease of all oil and gas now in the custody of any person, firm or corporation or which may hereafter be given into the custody to the credit of said Board of Regents.

(RM, 6-6-63, pp. 7417-18; 3-29-00, p. 26909; 1-27-04, p. 28924)

## 4.21—FINANCIAL EMERGENCY POLICY

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

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

### 4.21.1—DEFINITION

The University includes four budgetary agencies: Norman Campus; Law Center; the Health Sciences Center, including the College of Medicine, Tulsa; and the Professional Practice Plan. A financial emergency is an imminent fiscal crisis that threatens any one of these agencies. A state of financial emergency will be declared whenever the Educational and General Part I budget allocation to the agency necessitates reductions in faculty or staff or reductions in operational budgets that would seriously erode program quality.

The President will decide and declare when any agency of the University is in a state of financial emergency. Based upon information received, the President will submit a plan of action to the Board of Regents for approval.

Specific procedures pertaining to the Norman Campus and Norman Campus programs delivered in Tulsa are included in the Norman Campus Faculty Handbook.

(RM, 11-10-77, pp. 14718 24; 3-29-00, p. 26909; 1-27-04, p. 28924)

## 4.22—INITIATIVES TO IMPROVE EFFECTIVE USE OF FUNDS

The University places a high priority on reducing administrative costs and directing money into teaching, libraries and other academic programs. The University has realized significant success in these areas but is committed to continual progress. In some cases, the University can provide services at lower costs by adopting a single program for the entire University – the Norman Campus, the Health Sciences Center Campus, and the Tulsa Campus. As appropriate and by mutual consent, consideration will also be given to including Cameron University and Rogers State University.

When a proposal for a contract, policy or action that might apply to multiple campuses is brought to the Board of Regents, the item will include a report of an analysis of the applicability to all campuses. When the analysis indicates benefits for including two or more campuses, the Board of Regents' action item will include either implementation at the campuses or a plan for extending the action to multiple campuses in a thoughtful and timely manner.

(RM, 6-17-93, p. 23410; 1-27-04, p. 28924)

## 4.23—UNIVERSITY GUIDE TO SERVICES

In addition to the policies approved by the Board of Regents as expressed in the Regents' Policy Manual, the President and/or his or her designee and the Vice Presidents for Administrative Affairs and/or their designees are authorized to develop, disseminate, and implement other prudent financial and management procedures and policies that, in their judgment, facilitate the effective administration of the University. Any such practices or policies are to be incorporated into the Administrative Affairs Guide to Services, Norman Campus, and the Policies and Procedures Manual of The University of Oklahoma Health Sciences Center.

(RM, 1-27-04, p. 28924)



## SECTION 5 — UNIVERSITY COMMUNITY

The Board of Regents is constitutionally vested with the governance of the University. Within its authority is the governance of the University community, including without limitation, certain student hearings and appeals, the fraternity and sorority relationship with the University, and student activity fees. Specific provisions pertaining to the governance of the University community and related matters may be set forth in the faculty and staff handbooks, student handbooks such as the Student Code of Responsibilities and Conduct for the Norman Campus, and/or other official policy documents of the respective campuses. Any modification to a Board of Regents' policy in the policy documents referred to above or elsewhere must be made through action of the Board of Regents.

### 5.1 — ACADEMIC APPEALS BOARDS - NORMAN CAMPUS

Each college of the University shall establish an Academic Appeals Board ("Board") consisting of an equal number of students and faculty. (1) Faculty members of the Board will be chosen by the faculty of the college for a term determined by the faculty. (2) Student members of the Board will be appointed for a term of one year by the dean of the college upon recommendations from the UOSA President.

Each Academic Appeals Board will hear cases in which the issue to be resolved is that of prejudiced or capricious evaluation or alleged inability to speak the English language to the extent necessary to adequately instruct students.

Except for those cases which arise in the College of Law, the following procedures shall apply. (For the procedures in the College of Law, contact the Office of the Dean.)

1. A Board will hear a case only after a student has notified an instructor of a dispute over an academic evaluation and after the student has made an unsuccessful attempt to resolve differences with the instructor, in consultation with the department chair if necessary. In cases of end-of-term evaluations, a student must notify an instructor of a dispute over an academic evaluation and must attempt to resolve differences no later than February 15 for the previous Fall semester or winter intersession, and no later than September 15 in cases of end-of-term evaluations for the previous Spring semester, Spring intersession, or summer term. In cases of an evaluation made known to a student during the semester, the student must notify an instructor of a dispute over an academic evaluation and must attempt to resolve differences no later than 15 calendar days (excluding Saturdays, Sundays and University holidays from classes) after the results of evaluation are made known to the student. If a student fails to notify an instructor or fails to attempt resolution within the appropriate time limit, the Board shall deny any request for a hearing on the claim unless, in the view of the Board, the student has been prevented from complying with the appropriate time limit for reasons beyond his/her control (as, for example, in the case of a student being called into military service).
2. The filing of a written request for a hearing on a claim before the appropriate Academic Appeals Board shall be within ten calendar days (excluding Saturdays, Sundays and University holidays from classes) following the day when the attempts at resolution in paragraph (1) above are

completed. The Board shall deny any request for a hearing on a claim which does not meet this deadline unless, in the view of the Board, exceptional circumstances exist whereby the student is prevented from filing the claim for reasons beyond his/her control. Furthermore, if in the judgment of the Board, the case is deemed to be without merit or has already been satisfactorily resolved in the department, the Board may refuse to hear the matter.

3. To avoid a jurisdictional impasse, the appeal shall be heard by the Board in the undergraduate college in which both the course and the instructor are located. Any thesis and dissertation appeals shall be heard by the Graduate College Appeals Board.
4. It shall be the primary function of a Board to adjudicate disputes that have not been satisfactorily resolved on the department level.
5. Each Board shall be given the responsibility of establishing its own rules of procedure. Such rules as it establishes must be consistent with the full protection of the rights of all parties involved.
6. Meetings of a Board may be closed to the public.
7. Decisions of the Board shall be communicated in writing to the Board's dean, the student's dean, the student, and the instructor. The Board's decisions shall be final and shall be implemented unless either the student or the instructor makes written appeal to the Executive Committee (or comparable body) of the degree-recommending college within ten calendar days (excluding Saturdays, Sundays or University holidays from classes) after being notified of the Board's decision. The decision of the Executive Committee (or comparable body) shall be final and shall be implemented unless either the student or the instructor makes written appeal to the faculty of the degree-recommending college within ten calendar days (excluding Saturdays, Sundays, or University holidays from classes) after being notified of the Committee's decision. In the case of an appeal to the faculty of the degree-recommending college, the faculty's decision shall be final and shall be implemented. The faculty of a degree-recommending college, however, may delegate their authority to consider appeals under this policy to the Executive Committee (or equivalent body) of the degree-recommending college, in which case the decisions of said body shall be implemented without appeal to the faculty.
8. Revisions to this policy shall be reviewed by the Faculty Senate and the Student Code Revision Committee.

(RM, 7-23-87, pp. 19840-43; 12-02-03, p. 28868)

**THE UNIVERSITY OF OKLAHOMA  
COLLEGE OF LAW  
CODE OF ACADEMIC RESPONSIBILITY**

The College of Law Code of Academic Responsibility may be obtained from the College of Law Dean's office.

## 5.2—FRATERNITIES AND SORORITIES

### 5.2.1—MEMBERSHIP RECRUITMENT

---

#### PANHELLENIC ASSOCIATION

---

Formal membership recruitment for the organizations of the Panhellenic Association shall be held before the start of the Fall semester. The Panhellenic Association shall follow the recruitment guidelines and “Unanimous Agreements” of the National Panhellenic Conference (NPC). Chapter size shall be based on the “Quota-Total” system recommended by NPC and used in combination with the “Preferential Bidding System” and “Continuous Open Bidding.” The Panhellenic Association may exceed the 5% NPC recommendation of “Quota Additions.”

---

#### INTERFRATERNITY COUNCIL

---

Formal membership recruitment for the organizations of the Interfraternity Council shall take place during the first week of the Fall and the third week of the Spring semesters. Open membership recruitment may take place throughout the Fall and Spring semesters.

---

#### NATIONAL PAN-HELLENIC COUNCIL

---

Membership intake for the organizations of the National Pan-Hellenic Council shall take place during the Fall and/or Spring semesters at the discretion of the individual organizations. Guidelines and regulations of the National Pan-Hellenic Council shall be followed.

---

#### LATINO GREEK COUNCIL

---

Membership recruitment for the Latino Greek Council will take place between the second and third weeks of ~~each~~ the Fall and Spring semester. Guidelines and regulations of the Latino Greek Council shall be followed.

### 5.2.2—GREEK HOUSING

Fraternalities and sororities maintaining a chapter house must have a full-time, live-in House Director or Graduate Resident Advisor.

(RM, 1-17-57, pp. 5572-73; 5-10-71, pp. 6808 A-B, 6809; 3-29-00, p. 26909)

## 5.3—HEALTH REQUIREMENTS FOR NEW STUDENTS

Every new student, whether undergraduate or graduate, is required to have an acceptable personal health history form on file with Goddard Health Center before enrolling in the University and to show proof of required immunizations prior to receiving approval to enroll.

(RM, 7-11-68, p. 9422; 7-23-87, pp. 19819-20; 12-02-03, p. 28868)

## 5.4—HOUSING POLICY FOR FRESHMEN

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

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

### 5.4.1—NOISE CONTROL — DORMITORIES

The Vice President for Student Affairs and Dean of Students shall establish and maintain policies and guidelines regarding the control of noise in the University dormitories.

(RM, 6-9-77, p. 14480; amended 6-15-78, pp. 15091-2; 12-02-03, p. 28868)

## 5.5—PENALTIES SET BY ORGANIZATIONS

No student in the University shall be penalized by any student organization of which the student is a member for an infraction of rules and regulations of such organization which would deny ~~such~~ the student privileges normally accorded to the student without the ~~sanction and~~ approval of the Vice President for Student Affairs and Dean of Students; for example, a student who has purchased a season athletic ticket is entitled to attend a scheduled contest without interference by any student organization unless approved by the said vice president.

(RM, 2-13-52, p. 4254; 12-02-03, p. 28868)

## 5.6—PRESERVATION OF PEACEFUL ENVIRONMENT

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

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

(RM, 3-18-82, p. 16904; 12-02-03, p. 28868)



NOTICE TO VACATE

This is a written notice to vacate the property and grounds of all of The University of Oklahoma campuses due to the behavior described below. This notice was served on (name) \_\_\_\_\_ on the \_\_\_ day of \_\_\_\_\_, 20\_\_.

This citation may be appealed in writing within ten (10) business days of this issuance. All such appeals should be directed to the Vice President for Administrative Affairs and should state the basis for the appeal.

By my signature, I affirm that I am not a student, officer, or employee of the University and that I have been requested to leave University grounds.

Signature of Recipient \_\_\_\_\_ Date \_\_\_\_\_

Officer's Name \_\_\_\_\_ Badge # \_\_\_\_\_ Case Number \_\_\_\_\_

Call/Case No. \_\_\_\_\_ Issuing Officer: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Juvenile [ ] Arrested [ ] Badge Number: \_\_\_\_\_ Location: \_\_\_\_\_

Circumstance of contact: \_\_\_\_\_

Recipient Name: \_\_\_\_\_ Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone: ( ) \_\_\_\_\_ Parent, if Juvenile: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_ DOB: \_\_\_\_\_ Age: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Other: \_\_\_\_\_

## 5.7 — SCHOLARSHIP AND FINANCIAL AID INFORMATION

To facilitate the responsibilities charged to the University's Scholarship Committee, all scholarship and financial aid information and resources, wherever located, are to be reported to the Scholarship Committee in a complete and timely fashion.

(RM, 3-22-88, p. 20152; 12-02-03, p. 28868)

## 5.8—STUDENT ACTIVITY FEE, NORMAN CAMPUS

~~The Student Activity Fee funds are~~ is that portion of the University's budget which ~~are~~ is earmarked by the State Regents for Higher Education for student governmental, recreational, social and entertainment programs, health care services, and student publications. It is the responsibility of the Board of Regents to see that the Student Activity Fee ~~funds are~~ is utilized to support needs in these extracurricular areas.

The President, as chief executive officer, presents recommendations to the Board of Regents on the distribution of all University funds, including the Student Activity Fee funds.

As the officer of the University most directly related to non-academic matters of student life, the University Vice President for Student Affairs and Dean of Students has immediate administrative responsibility for ~~the Student Activity Fee~~ that portion of the University budget funded by Student Activity fees, as well as the budget units funded from this source.

The action of The University of Oklahoma Student Association ("UOSA") Undergraduate Student Congress and the Graduate Student Senate shall be considered a recommendation to the President and to the Board of Regents in the same manner as other budget recommendations.

Student Activity Fee Committee recommendations from UOSA are forwarded through the University Vice President for Student Affairs and Dean of Students to the President. All policy recommendations should follow the same administrative route.

The Board of Regents shall allocate to UOSA "that portion of the Student Activity Fee which has not been otherwise obligated by the Regents."

The use of state money (the Student Activity Fee is so defined) must have statutory and University controls. In order to provide assistance with the preparation of and adherence to the UOSA budget and to insure that all transactions are in conformance with University and state policies and requirements, a full-time professional staff member from the Student Affairs area selected by the University Vice President for Student Affairs and Dean of Students shall serve as sponsor of all UOSA student government accounts. Additionally, the Office of Student Affairs shall maintain a set of accounting records for each of the UOSA government accounts and provide this information to the account sponsor. The account sponsor will not be authorized to withhold any disbursements that meet State and University requirements.

The following guidelines shall govern the distribution of the Student Activity Fee and shall supersede any previous conflicting action of the Board of Regents concerning the role of the UOSA Undergraduate Student Congress with regard to appropriations:

- 1) The University Vice President for Student Affairs and Dean of Students is charged with the administrative responsibility for those services and programs funded from the Student Activity Fee, and is expected to recommend to the President the budgets for those services and programs, including but not limited to, Goddard Health Center, Counseling and Testing Services, *The Oklahoma Daily*, Sooner Yearbook, Recreational Services, and Campus Transportation. Because of the obvious student interest in these budget units, the following budget procedure is established to insure student input from the UOSA:

- ~~An~~ The Executive Budget Committee of the UOSA will be established consisting of the UOSA President, Chair of the Undergraduate Student Congress, and Chair of Graduate Student Senate.
  - As soon as possible in the Spring, the Executive Budget Committee of the UOSA will meet with the University Vice President for Student Affairs and Dean of Students for the purpose of reviewing the proposed budget for the following year and the probable distribution of that amount to the various units, so that the budget preparations for the UOSA can begin.
  - The University Vice President for Student Affairs and Dean of Students has the basic responsibility for the preparation of budget recommendations for those portions of the Student Activity Fee funds going to regularly committed budgets.
  - ~~In accordance with University policy~~ It is the primary responsibility of the Executive Budget Committee to prepare budget recommendations for the uncommitted portions of the Student Activity Fee funds, which will support the activities of student government, activities and services sponsored by student government, and registered student organizations in existence for more than one year.
  - The Executive Budget Committee and the University Vice President for Student Affairs and Dean of Students will then prepare the final budget recommendations for the total Student Activity Fee funds distribution. Neither shall submit budget recommendations for further review until agreement between them has been reached. Should agreement not be reached, the President shall refer the matter to the Norman Campus Committee of the Board of Regents, which shall formulate and present the Student Activity budget directly to the Board of Regents.
  - The Executive Budget Committee will submit the UOSA portion of the budget for ~~the review of~~ by the Undergraduate Student Congress and Graduate Student Senate prior to the end of the Spring semester and identify in ~~the spring that~~ budget those amounts allocated to the budget sub-divisions. A line item budget will be presented to the Board of Regents for approval each Fall.
  - The recommendations of the Undergraduate Student Congress and Graduate Student Senate shall be submitted to the President through the Office of the University Vice President for Student Affairs and Dean of Students for submission to the Board of Regents for approval.
- 2) Each year, 2% of the total Student Activity Fee funds shall be placed in a reserve account prior to any distribution in order to be used by the administration throughout the year for necessary services, facilities, and programs relevant to the intended use of the Student Activity Fee (repairing recreational facilities, assisting campus-wide program, solving unanticipated budget problems, funding long-range projects such as the construction of outdoor basketball courts, etc.). The University Vice President for Student Affairs and Dean of Students shall be the sponsor of this reserve account, and shall chair a committee composed of himself or herself, the President of UOSA, Chair of UOSA Undergraduate Student Congress, Chair of the Graduate Student Senate, and Chair of the Campus Activities Council in recommending disbursements. In the event of disagreement, separate views will be presented to the President for

decision. The reserve shall not be used to fund the program of student organizations or those activities for which it is the proper function of UOSA Undergraduate Student Congress and Graduate Student Senate to fund. This should in no way preclude UOSA from establishing its own reserve account from its allocated funds.

- 3) The remaining portion of the Student Activity Fee funds shall be used to fund the Student Government and those programs recommended by the UOSA Undergraduate Student Congress and Graduate Student Senate, so long as they are within the guidelines created by the State Regents for Higher Education and the Board of Regents.

Although the Board of Regents has the responsibility to commit the Student Activity Fee funds where ~~it is~~ they are most needed within the student community, it is intended that this uncommitted portion appropriated to UOSA will not be less than \$350,000 per year.

The UOSA Budget Committee will present to both legislative bodies recommended budget allocations in the following categories for the next year prior to the end of the Spring semester:

- 1) Administrative costs of all salaried individuals of the UOSA. The University's Human Resources department will assist in the formulation of job descriptions, employment practices, and recommend salary levels.
- 2) Joint operations costs for student government infrastructure and those costs deemed to be of common interest to graduate and undergraduate students (e.g., Archie W. Dunham Conoco Student Leadership Wing, UOSA Executive and Judicial Branches, Commuter Student Association, etc.) as determined by the Student Activity Fee Committee. These funds ~~then~~ shall be allocated by the Undergraduate Student Congress.
- 3) Legislative allocations shall be divided between the Undergraduate Student Congress and the Graduate Student Senate, ratably divided based upon the previous academic year enrollment, as determined by the Office of Institutional Research. Undergraduate Student Congress and Graduate Student Senate will then be responsible for funding those student organizations which are composed of enrolled undergraduate or graduate students.

The Budget will be presented to the Board of Regents through the proper administrative channels as soon as it has been reviewed by the Undergraduate Student Congress and Graduate Student Senate.

The following guidelines shall pertain to those funds budgeted by the UOSA:

- 1) No Student Activity Fee funds money shall be used to pay the legal fees of any student or students in a criminal or civil court action. Programs of legal service to the student community (public defenders for intra-University matters, legal aid, etc.) and legal assistance for the UOSA are permissible. However, no Student Activity Fee funds money may be used in any court action against the University. Authorization for the use of UOSA legal assistance funds must come from the UOSA President, Undergraduate Student Congress Chair and Graduate Student Senate Chair.

- 2) The highest priority in disbursing the program portion of the Student Activity Fee funds should be those student activities (educational, social, and recreational) which have substantial campus-wide effects. The funding of student organizations shall be discontinued except in those instances in which projects sponsored by a certain organization are deemed to have great significance for a substantial segment of the student community.
- 3) The Undergraduate Student Congress and the Graduate Senate, should they ascertain that certain needs exist which cannot be resolved within a single budget year, may recommend to the President and to the Board of Regents that an amount be obligated for a period of time (2 or more years) in order to fulfill the existing need. Through such action, very significant projects (recreational equipment and facilities, for example) may be achieved. It is recommended that a standing committee of the Undergraduate Student Congress and of the Graduate Student Senate be established to work with the University Vice President for Student Affairs and Dean of Students in identifying such needs and in determining priorities.
- 4) No UOSA funds may be utilized in funding the Student Traffic Court. Since the Student Traffic Court operates as an administrative arm of the University, it should be separately funded
- 5) A policy shall be established and maintained to permit student organizations to deposit non-state funds in private bank accounts, consistent with state law and University accounting and auditing practices.

(RM, 3-8-73, pp. 11991-98, edited; 1-15-76, pp. 13706-08; 7-22-76, p. 14034; 5-14-87, pp. 19739-40; 12-4-92, pp. 23166-70; 12-02-03, p. 28868)

## 5.9 — STUDENT CODE

To see the current version of the Student Code for the Norman Campus, please go to the website [www.ou.edu/studentcode](http://www.ou.edu/studentcode).

## 5.10—AMERICAN INDIAN/ALASKAN NATIVE MEMBERSHIP VERIFICATION POLICY

Selected University resources, programs, activities, and services are made available and allocated to students based upon specific criteria of tribal affiliation. To ensure these resources are utilized in the most effective manner and for the students to whom they are committed, it is the policy of the University to require those students who wish to use those services, programs, activities, and resources committed to American Indians/Alaskan Natives, to verify their affiliation with one of the various Native American tribes, nations, pueblos, bands, and villages that are sovereign entities that have as their sovereign right the ability to determine their membership. Currently, the federal government recognizes approximately 510 Native American tribes, nations, pueblos, bands, and Alaskan villages.

(RM, 1-24-95, p. 24225; 3-29-00, p. 26909; 1-27-2004, p. 28924)



## 5.11—STUDENT HEALTH INSURANCE

The Board of Regents authorizes the President to offer a health insurance program for University students. Students enrolled at the Health Sciences Center are required to show proof of health insurance upon enrollment. Those without health insurance ~~can~~ may purchase a plan through the University.

(RM, 1-13-55, p. 5066; 12-02-03, p. 28868)

## 5.12—STUDENT PUBLICATIONS

Student Media is designated as an auxiliary enterprise of the University.

All income from Student Media shall be deposited in the Controller's Office in appropriate official depository accounts, in accordance with the University's general policies for handling funds of auxiliary enterprises.

The business operations of Student Media are subject to the same administrative supervision as business activities of other auxiliary enterprises of the University.

The relations of Student Media to the instructional function of the University, particularly with respect to the Gaylord College of Journalism and Mass Communication, are subject to the same administrative supervision as other organized activities or auxiliary enterprises related to the instructional function of the University.

(RM, 2-13-52, p. 4247; 12-02-03, p. 28868)

## 5.13—STUDENT PUBLICATIONS CHARTER

The Charter Governing Student Publications may be found at this website:  
<http://www.studentmedia.ou.edu/PublicationsBoard.htm>.

## 5.14—UNIVERSITY OF OKLAHOMA STUDENT ASSOCIATION CONSTITUTION

The Constitution of The University of Oklahoma Student Association can be found at <http://www.ou.edu/uosabudget/documents.htm>.

## 5.15—UNSCHEDULED HOLIDAYS

Undergraduate Student Congress and Graduate Student Senate shall have authority to recommend to the President one unscheduled school holiday in the Fall semester of each academic year with the understanding the recommendation of a holiday must be made to the President at least two weeks before the recommended date in order to allow time for adjusting teaching schedules and the like.

(RM, 3-9-78, p. 14874; 12-02-03, p. 28868)

## SECTION 6 — ATHLETICS

The Board of Regents is constitutionally vested with the governance of the University. Within its authority is the governance of the administration and management of University Athletics, including without limitation, establishment of an oversight council, administration of the Athletics Department, student-athlete regulations, post-season participation, and ticket policy. Specific provisions pertaining to the administration and management of University Athletics and related matters may be set forth in the faculty and staff handbooks, student handbooks such as the Student Code of Responsibilities and Conduct for the Norman Campus, and/or other official policy documents of the respective campuses. Any modification to a Board of Regents policy in the policy documents referred to above or elsewhere must be made through action of the Board of Regents.

### 6.1—ATHLETICS COUNCIL

The Athletics Council is the official group at the University designated by the President that meets the requirements set forth in NCAA Bylaws specifying that such a board be composed of a majority of faculty and administrative staff.

#### 6.1.1—ADVICE TO THE PRESIDENT AND DIRECTOR OF ATHLETICS

The charge to and responsibility of the Athletics Council (“Council”) is to advise the President and ~~Athletics Director~~ of Athletics on athletic policy matters. The Council is invited and encouraged to make recommendations directly to the President regarding athletics policies and programs whenever the Council deems it appropriate. Council recommendations, reviews and reports will be made in writing to the President and Director of Athletics. The specific responsibilities of the Council are outlined in this section.

To ensure that deliberations are full and free, laws on open meetings and open records give advisory groups the option of meeting in closed sessions. Accordingly, unless otherwise directed by the President, no media representatives may be present at Council meetings. Council minutes and documents shall be for internal use only, and Council members will hold confidential all matters discussed and information received in Council meetings.

Reports to the Council on academic, financial aid and other personnel matters will not disclose identities of individual student-athletes.

#### 6.1.2—COMPLIANCE MATTERS

In accordance with Board of Regents’ policy and NCAA rules, the Council and its Governance and Commitment to Rules Compliance Subcommittee annually shall review the University’s activities and procedures regarding compliance with NCAA and “Conference” (defined in Section 6.2.10, below) rules and report any concerns to the President and Director of Athletics. The Council annually will review the procedures, policies, and resources applied to recruiting, granting financial aid to student athletes, awards to student-athletes and others, and the scheduling of intercollegiate games and contests and other matters related to compliance.

### 6.1.3—ACADEMIC MATTERS

The Council annually shall review the admission and academic performance of student-athletes. Reports to the Council and/or its Academic Integrity and Student Welfare Subcommittee will include information on admissions, retention, graduations, academic performance, and academic services to student-athletes including counseling, tutoring, and the monitoring of classroom attendance and grades. The Council shall report its findings and recommendations to Athletics Department personnel and to the President.

### 6.1.4—BUSINESS MATTERS

Annual budgets of the Athletics Department shall be prepared with active participation of the Council and presented to the Council at such time and in such detail as permits the Council to make recommendations to the President along with the budget submission. This process shall include an annual review of major capital improvement needs, as recommended by the Athletics Department, and recommendations shall be made to the President assigning priorities to such needs and, as appropriate, assigning resources. There shall be made available to the Council or the Fiscal Integrity and Personnel Subcommittee, full information on annual income and expenses of the Athletics Department.

The Council shall review the marketing and fund-raising policies of the Athletics Department for adequacy and to ensure that all such activities are consistent with University policy. The Council shall review and make recommendations concerning policies for additions to the facilities of the Athletics Department and for contractual arrangements for the use of facilities not owned by the University.

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

### 6.1.5—PERSONNEL MATTERS

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

### 6.1.6—NCAA AND CONFERENCE

The Council and its Governance and Commitment to Rules Compliance Subcommittee shall review proposed and actual NCAA and Conference legislation and decisions that may affect athletics matters at the University. The Faculty Athletics Representative shall present to the Council a summary of activities at meetings of the NCAA and the Conference. When possible, the Council shall be informed by the Faculty Athletics Representative of any pending legislation or decision that may affect athletics at the University. For items of concern, the Council will advise the President of its position. The recommendations of the Council shall be considered when the final position of the University on such legislation is established.

### 6.1.7—ATHLETIC COMPETITION

The Council and its Equity and Sportsmanship Subcommittee annually shall review intercollegiate sports competition and make suggestions or recommendations as appropriate, on facilities, scheduling, recruiting, rule changes or other matters.

6.1.8—STUDENT AFFAIRS

The Council and its Student Athletics Advisory Council Subcommittee annually will review how the athletics program fits as part of the overall student activities program of the University and make suggestions and recommendations on how to better serve the needs and interests of the student body, the faculty, staff, alumni and community.

6.1.9—COMPOSITION OF THE ATHLETICS COUNCIL

**MEMBERSHIP**

The Athletics Council shall consist of members apportioned in the following manner:

| <b><u>Membership</u></b>                    | <b><u>Method of Selection</u></b>   | <b><u>Term</u></b>                   |
|---|---|--------------------------------------|
| 1 Faculty Athletics Representative          | Appointed by the President<br><br>(Serves as Continuous continuing Executive Secretary)   | Ex officio, non-voting               |
| 6 Norman Campus Faculty                     | The Norman Campus Faculty Senate appoints 4 members, and the President appoints 2 Members.  | 3 years                              |
| 2 HSC Faculty Members                       | The HSC Faculty Senate appoints 1 member, and the President appoints 1 member   | 3 years                              |
| 2 Staff Representatives                     | 1 each appointed by the EEC and ELC   | 3 years                              |
| 2 Student Members                           | One each selected by the Vice President for Student Affairs and <u>Dean of Students</u> (NC) and the Vice Provost for Educational Services (HSC), with advice of the respective student government organization | 1 year                               |
| 2 Student Athletes                          | Selected by the President with the advice and consent of the Athletic Director  | 1 year<br><br>Ex officio, non-voting |
| 2 Alumni Members                            | Appointed by the President with the advice of the OU Alumni Association   | 2 years                              |
| Director of Athletics                       |   | Ex officio, non-voting               |
| Other Athletics Department Representatives* |   | Ex officio, non-voting               |

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



Faculty members appointed to the Athletics Council must be tenured or tenure-track faculty members with the rank of Assistant Professor or higher. Staff representatives must be full-time employees. Students must be enrolled in at least nine hours during each of the fall and spring semesters. Terms for faculty, staff and alumni members will be arranged so that approximately one-half or one-third will terminate each year. When any member does not complete a term, the President shall appoint a replacement for the balance of the term.

The Council Chair shall be elected from the membership of the Council and shall serve for a term of one year. The Chair may be re-elected. The Faculty Athletics Representative shall serve as the Executive Secretary of the Council. The Chair is the presiding officer of the Council and, together with the Executive Secretary, has primary responsibility for liaison with the President. The Chair and the Executive Secretary will develop a schedule to see that the prescribed Council responsibilities are accomplished each year. The Chair will either appoint or select in another manner, a Vice Chair. The Vice Chair assumes the duties of the Chair upon his or her absence. The Executive Secretary prepares agendas for meetings, keeps records of actions taken by the Council, and prepares written reports, reviews, and recommendations of the Council.

#### 6.1.10—MEETINGS

The Athletics Council shall meet at least four times during the academic year. Meetings may be called by the President, the Chair, or the Director of Athletics, normally by notification in writing at least seven days in advance of the scheduled meeting. Any member of the Council may place items on the Council agenda. Written agendas of meetings will be distributed to members and the President at least seven days in advance of each meeting, along with the minutes of the Council's previous meeting, if possible. Copies of Council agendas and minutes will be provided regularly to the Norman Campus Senior Vice President and Provost, Norman Campus Vice President for Administrative Affairs, Vice President for Student Affairs and Dean of Students, the President, and the Executive Secretary of the Board of Regents.

(RM, 4-9-53, pp. 4577-78; 3-24-70, p. 10262; 2-13-75, p. 13355; 6-18-81, pp. 16468-9; 2-10-89, pp. 20908-9; 6-13-91, pp. 22462-6; 12-02-03, p. 28868)

## 6.2—ATHLETICS DEPARTMENT

Intercollegiate athletics activities shall be designated as an auxiliary enterprise of the University, under the title “Athletics Department.”

All financial activities of the Athletics Department, including ticket sales, accounting, budget preparations, purchasing, and payroll, shall be under the management of an Athletics Business Manager. In addition, all financial areas of the business office and ticket office shall follow University policies and procedures as outlined in the *Administrative Affairs Guide to Services*.

The Athletics Business Manager shall report to the Director of Athletics and be responsible for general duties in planning and executing the business aspects of the intercollegiate athletics program.

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

(RM, 3-8-50, pp. 3425-26; 12-02-03, p. 28868)

### 6.2.1—CONCESSIONS

The Director shall be responsible for operation of concessions and merchandise sales at all athletics events and in surrounding areas. The Athletics Department may contract for such services.

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

### 6.2.2—USE OF ATHLETICS FACILITIES

In compliance with University policy, the Director of Athletics may establish fees for use of Athletics Department facilities.

(RM, 11-2-61, p. 6951; 12-02-03, p. 28868)

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

(RM, 3-11-59, p. 6222, edited; 12-02-03, p. 28868)

### 6.2.3—INCOME

Intercollegiate athletics shall not be subsidized through student fee income.

(RM, 1-8-53, p. 4521; 12-02-03, p. 28868)

#### 6.2.4—TRIP INSURANCE

The Athletics Department is authorized to secure trip insurance for all athletic teams and staff members to provide coverage while they are traveling to events away from campus.

(RM, 9-12-57, pp. 5785-86, edited; 12-02-03, p. 28868)

#### 6.2.5—TERMS OF APPOINTMENT OF ASSISTANT COACHES

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

(RM, 3-3-41, p. 994; 12-02-03, p. 28868)

#### 6.2.6—SOLICITATIONS ~~IN THE STADIUM~~

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

(RM, 11-12-64, p. 8005; 12-02-03, p. 28868)

#### 6.2.7—ATHLETICS DEPARTMENT SUPPLEMENTAL COMPENSATION POLICY

Athletics Department personnel who achieve special recognition or perform extraordinary duties may be considered for supplemental compensation subject to the availability of funding, applicable Board of Regents' policies, and NCAA and Conference rules. Recommendations shall be made by the Director of Athletics and forwarded to the Office of the President. All supplemental compensation shall be considered a one-time salary supplement, and the normal payroll process shall be followed.

All Athletics Department recommendations for supplemental compensation payments shall set forth factual support information, the amount of payment, the source of payment, and the overall impact of such payment on the annual operating budget. For coaching and academic support personnel, the academic performance of the student-athletes in that sport will be evaluated.

In all cases, sufficient funds must be identified for all recommended supplemental compensation payments.

(RM 11-20-86, pp. 19361-2; 12-02-03, p. 28868)

#### 6.2.8—ATHLETICS SCHEDULES

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

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

## 6.2.9—POST-SEASON ATHLETICS CONTESTS

---

**GUIDELINES FOR POST-SEASON PARTICIPATION**


---

**PURPOSE**

The primary reason for participation in post-season competition shall be as a reward for the student-athletes and Athletics Department personnel at the conclusion of a successful regular season. Post-season participation is a means to further recognize and promote, through national exposure, the University and its athletics programs. Post-season participation should involve as many alumni, fans, friends and supporters as possible. The planning, execution and follow-up of post-season activities shall be accomplished in a manner consistent with State law, Board of Regents' policy, Conference/NCAA rules, and prudent management.

**UNIVERSITY REPRESENTATION AND AUTHORIZED TRAVEL**

The following groups will constitute University representation for purposes of post-season travel.

---

**TEAM PARTY**


---

This group shall include only those individuals essential to the actual participation and representation in the postseason event as listed below:

**Student-Athlete** — This includes such student-athletes as the head coach deems necessary to conduct practices and the event, subject to the approval of the Director of Athletics. Additional players may be included upon recommendation of the Director of Athletics based on full and complete participation throughout the season. Spouses and dependents (defined below) of student-athletes may be included upon recommendation by the Head Coach with the approval of the Director of Athletics.

**Coaching Staff** — This includes all full-time and part-time coaches. Spouses and dependents (those children claimed as such on the employee's last Federal Income Tax Return) may be included if recommended by the Head Coach or appropriate administrative officer and approved by the Director of Athletics.

**Essential Athletic Support Staff** — This includes the Director of Athletics and such athletics support staff as the Director of Athletics deems necessary (e.g., trainers, medical staff, managers, weight trainers, secretarial, equipment, Sports Information, Business Office, Ticket Office) to accomplish the planning and execution of post-season events. Spouses and dependent children (those children claimed as such on the employee's last Federal Income Tax Return) of essential support staff may be included upon the approval of the Director of Athletics.

Additional personnel necessary to accomplish the ~~necessary~~ required planning and execution of post-season competition may be included as approved by the Director of Athletics. Normal inclusion would be the Executive Associate Athletics Director, Senior Woman Administrator (SWA), Director of Development, Director of Business Services, secretarial support, and personnel necessary to service the team practice functions. Spouses and dependent children (children claimed as such on the employee's last Federal Income Tax Return) may be included with approval of the Director of Athletics.

Costs that may be covered in full or in part for the Team Party include air transportation, lodging, meals or meal allowances, and incidental expenses as prescribed by the Director of Athletics. All costs shall be ~~in conformity~~ processed by the University consistent with State travel laws and University policies.

---

#### OFFICIAL STUDENT SPIRIT PARTY

---

**Band** — This includes members of the University Marching Band or Pep Band, as recommended by the Band Director. Review and approval by the Director of Athletics will be based on available funding and need for Student Spirit Party support. ~~Band travel shall be scheduled to accommodate necessary post-season event activities.~~ Group size could range from maximum to a minimal pep band to hiring on-site bands. ~~Expenses that may be covered in full or part include transportation, lodging, meal allowance, and necessary event tickets.~~

**Cheerleaders/Pom Pons** — This includes students and sponsors recommended by the Student Spirit Party Coordinator. Review and approval by the Director of Athletics will be based on available funding and the need for Student Spirit Party support.

Costs that may be covered in full or in part for the student spirit party include transportation, lodging, meal allowance and necessary event tickets as prescribed by the Director of Athletics. All costs shall be processed by the University consistent with State travel laws and University policies.

**Travel** — Official Student Spirit Party travel shall be scheduled to accommodate necessary post-season event activities. Mode of travel shall be determined by the Director of Athletics.

---

#### UNIVERSITY DELEGATION

---

The University Delegation shall include those University officials deemed necessary for official representation of the University at post-season events as follows:

- Current members of the Board of Regents, the Executive Secretary of the Board of Regents and Vice President for University Governance, to coordinate activities, their spouses and their dependent children (children claimed as such on their last Federal Income Tax Return).
- The President, the President's designee for coordinating University Delegation arrangements, administration liaison, the Conference Faculty Representative, their spouses, and their dependent children (children claimed as such on the employee's last Federal Income Tax Return).
- ~~The~~ Executive Officers and a spouse or guest may be included in the University Delegation if their participation is deemed necessary by the President. Required funding for these Executive Officers must be identified. Required funds that are not provided within the established University Delegation budget from the travel allowance must be identified and provided from sources outside of the travel allowance and/or Athletics Department budget. Costs to be covered for the Executive Officers include transportation, lodging and appropriate event tickets.

- Athletics Department Representation – Athletics Department staff who have had a vital role in the success of the team may be included. Selected personnel ~~could~~ may be chosen from academic support, media relations, administrative staff, full-time clerical staff, security assistance, medical support, student workers, and development office representation. This group ~~could~~ may also include personnel eligible to be a part of the Team Party but not traveling with the Team Party. Spouses may be included with approval of the Director of Athletics.

Members of the University Delegation are present at the post-season event to represent the University. If they reserve tickets for an event, they are expected to attend that event.

Expenses to be covered for the members of the University Delegation mentioned above include transportation, lodging, meals or meal allowances, and appropriate event tickets.

All costs shall be processed by the University consistent with State travel laws and University policies.

A suite (one bedroom and a sitting room) will be provided for the Chairman of the Board of Regents and the President, as representatives of the University Delegation.

For Executive Officers and a spouse or guest, official University representation begins the day that arranged group travel commences for this group and ends the day after the game. Air transportation (group rate) and lodging expenses will be covered during that period. Should an Executive Officer choose an earlier arrival or later departure, the additional expenses will be his or her responsibility.

## TRAVEL ARRANGEMENTS

Depending on location and budget, the Athletics Department will use best judgment to select options of air versus bus travel for members of the Team Party, University Delegation, or the Student Spirit Party. If members of the various groups decide to select other modes of travel, they will be responsible for the expense.

---

### TEAM PARTY

---

Team Plane — Only the Team Party and those individuals designated by the Director of Athletics may travel on the Team Plane.

---

### UNIVERSITY DELEGATION

---

A commercial flight or seats on a charter flight will be obtained for those members of the University Delegation who are not to travel on the Team Plane. This commercial or charter air travel will be arranged at a group rate. Should an Executive Officer choose to arrange his/her own air travel, he/she will be responsible for payment of that air travel expense.

## DUTIES AND RESPONSIBILITIES

---

### DIRECTOR OF ATHLETICS

---

The Director of Athletics must approve all activities scheduled for the Team Party, as well as all other terms and conditions of the post-season event that affect the Team Party. Authority for assigning all duties and responsibilities relating to any post-season athletics event for the Team Party is vested with the Director of Athletics. The Director of Athletics will coordinate all contacts with post-season event representatives.

---

### BOARD OF REGENTS

---

The Board of Regents shall retain final authority in accepting those post-season events that are optional. The Board of Regents shall authorize the Director of Athletics and Head Coach to negotiate and recommend to the President the acceptance of any invitation to participate. Members of the Board of Regents will be kept fully informed. The Board of Regents shall authorize the President or his or her authorized designee to award purchase orders and negotiate other terms/conditions necessary to successfully complete post-season event arrangements.

---

### PRESIDENT

---

The President or his designee is responsible for administering post-season participation by the University Delegation, and will coordinate this function through the appropriate offices.

## BUDGETING PROCESS

Participation in post-season athletics events will be conducted within the Conference and/or event expense allotment unless otherwise authorized by the Board of Regents.

The Director of Athletics will forward a preliminary budget for review and approval by the Board of Regents at the next meeting of the Board of Regents after acceptance of optional post-season competition. The Director of Athletics shall forward to the Administration a final report of all financial post-season event activity after all financial activity for the event is processed.

Expenditures for event participation must be processed in a manner consistent with all applicable State laws, Conference/NCAA rules and University policies and procedures.

The top priority in funding post-season athletics event activities shall be the student-athlete's reasonable and necessary expenses. Second priority shall be the cost for coaches and essential support staff.

The Director of Athletics will work with the Administration in establishing a reasonable University Delegation budget. The President or his designee will be responsible for working within this budget. Funding for any overage must be identified by the Administration. All expenditures shall be handled in a manner consistent with applicable State law and University policies.

The Student Spirit Party budget for post-season athletics events will be derived from funds available in an existing Foundation account dedicated specifically to band support or to cheerleader/pom support and/or from the post-season budget allotment to the Student Spirit Party. The budgets for all post-season costs (transportation, lodging, meals, insurance, etc.), will be submitted by the Band Director and Student Spirit Party Coordinator, and must be reviewed/approved by the Director of Athletics. If sufficient funding is not available, any special solicitation must be coordinated by the Band Director or Student Spirit Party Coordinator in conjunction with the Vice President for University Development.

Those University employees assigned budgetary responsibilities under these guidelines will be responsible for maintaining a full and complete set of records and documentation of expenditures that may be subject to internal and external audit.

### TICKET ALLOCATION

All persons included in the Team Party, the Student Spirit Party, and University Delegation will be provided admission or tickets to the game and events requiring their participation. The remaining tickets will be allocated for sale under the direction of the Director of Athletics, in coordination with the Senior Associate Director of Athletics, Ticket Manager, Director of Alumni Relations, and Director of Athletics Development. A specified number of tickets will be allocated for University students.

(RM, 2-11-65, p. 8070; 12-11-86, p. 19394; 12-8-88, p. 20803; 3-29-00, p. 26909; 12-02-03, p. 28868)

### 6.2.10—CONFERENCE RULES

The University shall observe the rules of the athletics conference in which the University holds membership.

#### 6.2.11—PHYSICAL EXAMINATIONS FOR ATHLETES

Physical examinations shall be required for all students participating in intercollegiate athletics. A copy of the physical examination report shall be on file in the Office of the Director of Goddard Health Center, and clearance shall be granted by the Team Physician prior to a student's being permitted by the Director of Athletics to participate in intercollegiate athletics.

The Team Physician shall have the full responsibility for the medical care, evaluation, consultation, and referral for all students participating in intercollegiate athletics.

When, in the judgment of the Team Physician, a student-athlete should not be ~~certified~~ cleared to participate in intercollegiate athletics for medical reasons, the student-athlete may ~~on request, appeal that decision to~~ request a second opinion from a consulting specialist, chosen from an approved list that shall be provided by the Team Physician. There shall be at least one approved consultant from each of the following areas: internal medicine, urology, orthopedics, neurology, ophthalmology, and otorhinolaryngology. In cases of differing opinions between the Team Physician and the consultant, the consultant's opinion will be followed and shall be final.

The approved list of consultants shall be on file with the Team Physician.



In cases of student-athletes with a physical anomaly, the Administration may require an appropriate parental or student-athlete waiver before the student-athlete is permitted to play.

(RM, 3-25-44, p. 1560; 7-14-55, p. 5193, edited; amended 9-2-76, p. 14153; 3-10-77, p. 14318; 12-02-03, p. 28868)

## 6.3—ATHLETICS POLICIES

### 6.3.1—PURPOSE OF INTERCOLLEGIATE ATHLETICS

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

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

The amateur status of intercollegiate sports shall be carefully maintained. To this end, every student-athlete should be required, as a condition of eligibility, to proceed normally in academic work toward the attainment of a University degree.

A policy of providing financial aid to students who participate in athletics, when carefully regulated and limited in extent, is approved.

The University shall promote and insist upon sportsmanlike conduct on the part of those who participate in its sports, as well as those of the student body who support its teams.

(RM, 4-9-53, pp. 4578-79; 12-02-03, p. 28868)

### 6.3.2—MISSION STATEMENT

The mission of the University Athletics Department is to inspire champions today and prepare leaders for tomorrow by providing an excellent nurturing environment to enable student-athletes to achieve their highest academic, athletic and personal aspirations. The Athletics Department:

- is dedicated to the educational mission of the University;
- maintains an appreciation of and support for the equitable opportunities for all student-athletes and staff, including women and minorities;
- adheres to and encourages principles of good conduct and sportsmanship, including respect for self and others at all times; and
- emphasizes excellence and commitment to integrity in all its endeavors.

### 6.3.3—RULES COMPLIANCE

Any Athletics Department staff member who knowingly commits a major violation of an NCAA or Conference rule or who conceals or attempts to cover up the violation of an NCAA or Conference rule will be terminated immediately, and all contract rights will be terminated. Athletics Department staff members who commit violations of NCAA or Conference rules shall be subject to disciplinary or corrective action as set forth in NCAA or Conference enforcement procedures. This provision shall be included in all Athletics Department letters of employment.

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

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

The Athletics Department shall establish an Athletics Department Compliance Handbook, a Recruiting Manual, and a Booster Guide, which shall be subject to the approval of the President and maintained on file in the Athletics Department.

A rules education program shall be provided for all Athletics Department staff, student-athletes and representatives of the University's athletics interests. The Compliance Handbook plays a significant role in this educational effort. The Associate Director of Athletics for Compliance and Enforcement will be responsible for the rules education program.

The University's Legal Counsel will conduct regular meetings with Athletics Department staff regarding the rules education program.

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

(RM, 12-8-88, p. 20802; 12-02-03, p. 28868)

### 6.3.4—DIRECTOR OF ATHLETICS

The Director of Athletics shall report directly to the President. The Director shall meet with the President's staff on a regular basis to become familiar with the overall goals and priorities of the University and work with the rest of the Executive Officers in meeting those goals and priorities.

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

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

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

The Director of Athletics shall be responsible for establishing appropriate procedures for Athletics Department staff to work with the Athletics Council in recommending appropriate policies.

The University shall conduct a drug testing program for all student-athletes in accordance with policies approved by the Director of Athletics.

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

### 6.3.5—GENERAL STUDENT-ATHLETE REGULATIONS

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

A written code of conduct for all student-athletes shall be developed. It must include a dress code for student-athletes traveling to athletics events or participating in any event in which the student-athletes represent the University. The code shall be included in the ~~present~~ Student Athlete Handbook. A copy shall be given to each student-athlete at the beginning of each year, and shall be discussed with the student-athletes by the Executive Associate Director of Athletics for Compliance and the Associate Director of Athletics for Academic Affairs.

A public relations and communications program for student-athletes shall be established. Student-athletes often serve as representatives of the University. Many of them are unprepared for those responsibilities and need guidance and training to prepare them for this role.

A mentor program for student-athletes shall be established with guidelines for the mentors, developed by the Associate Director of Athletics for Academic Affairs.

A liaison from the Athletics Department shall be named to work with the Office of Career Services. All student-athletes shall be afforded the opportunity to determine the occupations or professions for which they are best suited, and should work with the Career Services Office for assistance with employment after graduating or leaving the athletics program, if they are not transferring to another ~~college or university~~ institution of higher education.

Any student-athlete charged with a crime (except traffic offenses or offenses not involving moral turpitude) will not participate on an athletics team while the charges are pending. The student-athlete may request a review as to whether he/she should continue to participate on an athletics team while the charges are pending. That decision shall be made by the President, upon the joint recommendation of the Director of Athletics and the Athletics Council. The student-athlete's scholarship will be continued unless ~~it is the~~ Director of Athletics or authorized designee meets with the student-athlete and determines, for the immediate health and safety of the University community, that the student-athlete should be immediately suspended from the University. The Director of Athletics shall meet with the student-athlete. If an immediate suspension from the University is ordered by the Director of Athletics, the student-athlete shall be entitled to a full hearing within 15 days ~~to determine if the administrative action was appropriate~~. Even if the scholarship is continued, the student-athlete may be removed from athletics dormitory facilities.

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

### 6.3.6—ACADEMIC STANDARDS

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

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

The academic counseling of student-athletes shall be coordinated under the Associate Director of Athletics for Academic Affairs. All academic counselors within the Athletics Department, regardless of sport, shall report to and be under the direct supervision of the Associate Director of Athletics for Academic Affairs. The academic counseling within the Athletics Department shall be coordinated with other University academic counselors. Faculty members from throughout the University shall be encouraged to assist in the academic counseling of student-athletes.

The grade performance of all student-athletes shall be monitored. A reporting system for class attendance shall be maintained. A report of the academic progress of all student-athletes, including graduation rates, shall be prepared each semester and delivered to the President and the Athletics Council. Necessary study facilities for all student-athletes shall be established so student-athletes can attain their full academic potential.

In advance of the signing of any letter of intent or the awarding of any scholarship in any sport, the Associate Director of Athletics for Academic Affairs shall make a determination that the prospective student-athlete can meet the academic standards of the University. High school officials and counselors may be consulted regarding the prospective student-athlete's potential for personal and academic success. Any prospective student-athlete who is not approved by the Associate Director of Athletics for Academic Affairs ~~or~~ and the Director of Athletics shall not be signed to a letter of intent or offered a scholarship by any Athletics Department personnel. Individuals must be eligible for admission under the regular or Alternate Admissions Standards of the University prior to enrollment.

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

### 6.3.7—POLICY ON MISSED CLASS TIME

A. No intercollegiate athletics competition will be scheduled without the advance approval of the Director of Athletics (or the Director's designee(s), as follows:

1. No intercollegiate athletics competition is permitted during scheduled final examination periods with exceptions for Conference and NCAA post-season competition. Practice sessions, including strength and conditioning, shall be limited during examination periods, unless the participating student-athletes have completed all their scheduled examinations.

2. No team schedule or individual schedule will be approved if it provides that the team or individual will miss more than the equivalent of ten full class days in any semester, computed as follows:

- (a) when a competition or travel associated with it is scheduled to commence prior to 1:00 p.m., one full day will be considered missed;
- (b) when commencement is after 1:00 p.m., no class days are considered missed because of the way in which student-athletes schedule their classes during their competitive seasons;
- (c) when the return travel from a competition is scheduled to terminate on any day after 1:00 a.m. but before 7:00 a.m., one-half day will be considered missed; and
- (d) when the return travel is scheduled to terminate after 7:00 a.m., one full day will be considered missed.

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

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

B. The Director of Athletics or his or her designee will report to the Athletics Council at its first meeting of each academic year on exceptions under Paragraph A, above, occurring during the previous academic year.

~~C. An evaluation of compliance with Paragraph A, above, will be provided by the Academic and Student Life Subcommittee by an annual review and report to the Council not later than November each year on the previous academic year.~~ Attention will be given to all the sports schedules and the worksheets showing time away from campus for all sports. Specifically, the worksheets will show the opposing team or name of the contest, the city and state where it took place, and the date(s) (and starting time, if appropriate). In addition, the worksheet will show clearly each instance in which one-half or a whole day of classes was missed. Any issue(s) regarding full compliance with this policy will be brought to the attention of the Council as a whole.

D. No class time shall be missed for practice activities except in conjunction with away-from-home competition.

E. Student-athletes are responsible for arranging with their instructors for making up any course work missed while participating in athletics competitions, including making arrangements with their instructors for making up missed tests and examinations in accordance with faculty policies established by the faculty as set forth in the Norman Campus Faculty Handbook.

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

### 6.3.8—COMPLIANCE

The Athletics Department Compliance Handbook shall be prepared and maintained. It shall summarize Conference and NCAA rules and include other provisions with which Athletics Department personnel, student-athletes, and other supporters of the athletics program should be familiar.

Not later than November of each year, the Academic and Student Life subcommittee shall evaluate compliance with Paragraph A above, for the previous academic year, and issue a written report to the Council on its findings.

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

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

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

An instructional program for all alumni and other supporters who participate with the Athletics Department in the recruiting of student-athletes shall be established and maintained. Such alumni and other supporters shall be provided a copy of the Conference and NCAA rules, where appropriate, or with the ~~Guide to Rules Compliance Handbook~~. Booster Guide and/or Recruiting Guide.

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

The rules compliance program is the subject of annual evaluation by the Athletics Council consistent with the required evaluation under NCAA rules by an authority outside of the Athletics Department.

#### 6.3.9—SOONER HOUSING SECURITY REGULATIONS

There will be one or more resident advisors in each Sooner Housing Center residential facility. Each resident advisor will receive the same training as resident advisors in all other University dormitories.

Each resident advisor shall report all incidents through the normal reporting channels. No person shall interfere with the resident advisor's responsibility in carrying out this action.

#### 6.3.10—COACHES AND ATHLETICS DEPARTMENT PERSONNEL

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

Incentive payments for outstanding athletics success, such as a national championship, will not be made without a full evaluation not only of the athletics success of the team, but also of the academic performance of the team members.

Because of the national exposure of the athletics programs at the University, the coaches and other Athletics Department personnel will be expected to conduct themselves in an exemplary manner.

(RM, 2-10-89, pp. 20905-8; 12-02-03, p. 28868)

6.3.11—PRESIDENTIAL AUTHORITY TO MODIFY ~~CERTAIN~~ ATHLETICS  
POLICIES

The President may approve changes in athletics policies and shall report any such changes to the Board of Regents.

(RM, 3-8-90, p. 21628, edited; 12-02-03, p. 28868)



## 6.4—ATHLETICS TICKETS

### 6.4.1—ATHLETICS DONOR PROGRAM

The donor seating program for football and men's basketball shall be established by action of the Board of Regents.

Revenue from donations for the suites, east side club seating, and the west side chairback seating in football and sections from LE1 through LE6 in men's basketball shall be dedicated to Athletics Department capital needs and projects. Revenues from donations for the other locations in the Athletics Donor Program will continue to be dedicated to the general operational support of the Athletics Department, including such areas as academics, compliance, and gender equity.

(RM, 11-8-84, p. 18169, edited; 12-02-03, p. 28868)

### 6.4.2—TICKET PROCEDURES

Consistent with any action of the Board of Regents concerning priority seating, the Director of Athletics is authorized, with approval of the President, to develop procedures for implementation of the priority seating program. The Director of Athletics, with approval of the President, is authorized to develop a policy to be integrated with the donor and longevity priorities established by the Board of Regents.

No preference will be shown to any group or the members of any group in improving seat locations, and the improvement of seat locations in the stadium shall be based solely upon policies and procedures developed by the Athletics Department, as approved by the President and consistent with Board of Regents' action. University football lettermen shall be given preference to the extent that they shall be allowed to purchase season tickets seated between the 10 and 35 yard lines on the east side upon their first season ticket purchase.

The opportunity to reorder season tickets shall be transferable on death of the season ticket holder only to the surviving spouse or other immediate family member of the decedent. In the event there is no surviving spouse or other immediate family member of the decedent, such season tickets shall be made available to applicants for season tickets possessing priority, as prescribed in the current ticket policy of the Board of Regents.

(RM, 5-13-82, p. 17002, edited; amended 5-27-82, p. 17012, edited; 12-12-74, p. 13279; 12-02-03, p. 28868)

### 6.4.3—PRIORITY SEATING FOR DONORS TO NON-ATHLETICS PROGRAMS

A defined number of tickets shall be provided to the University for general University development for securing donations to non-athletics programs. The value of the tickets and the applicable donor component for all such tickets shall be transferred to the Athletics Department.

(RM, 7-26-74, pp. 13 123-24, edited; 12-02-03, p. 28868)

#### 6.4.4—TICKET SURCHARGE

A ticket surcharge, excluding the tickets of students, faculty, staff, and fans of visiting teams, may be instituted upon recommendation of the Director of Athletics with approval of the President.

(RM, 10-18-74, p. 13218; 12-02-03, 28868)

#### 6.4.5—COURTESY TICKET GUIDELINES

It shall be the policy of the Board of Regents to make available sufficient seats to accommodate the Governor, the members of the Oklahoma Congressional Delegation, the Lieutenant Governor, the Attorney General, and members of the Legislature of the State of Oklahoma. The Administration is further directed to develop guidelines for the locations of these tickets and to distribute them to the individuals holding these offices on August 1 of each year. These seats will not be within the areas originally included in the “Annual Donors Program”, nor shall any seating priority accrue to individuals accepting these seats.

---

#### STATE OFFICIALS

---

Each year, the Athletics Ticket Office will set aside tickets to be used as courtesy tickets for State officials.

From these tickets, the University will offer two tickets each to members of the Oklahoma Congressional Delegation, the Lieutenant Governor, the Attorney General, and members of the Legislature of the State of Oklahoma, as well as six tickets for the Governor, all at no cost to the individual.

These tickets will be provided with offsetting payments or transfers of funds from University accounts to the Athletics Department for the value of the tickets and the donor component of the sections closest to the courtesy seat locations.

Assistants in the State Attorney General's Office shall be permitted to purchase tickets at the same price as University employees.

(RM, 5-10-56, pp. 5406-5411; 10-11-56, p. 5515; 2-14-57, p. 5593; 5-13-71, p. 10924; 12-02-03, p. 28868)

---

#### COLLEGE AND UNIVERSITY PRESIDENTS

---

The presidents of Oklahoma colleges and universities shall be given the same options as those State officials referred to under “State Officials.”

---

**STATE REGENTS FOR HIGHER EDUCATION**

---

The Athletics Ticket Office will set aside each year 20 tickets for the Chancellor and members of the Oklahoma State Regents for Higher Education. From these tickets, the President will offer two tickets to each member of the Oklahoma State Regents for Higher Education at no cost to the individuals. The seating location and details for implementation of this procedure are to be determined by the President.

These tickets will be provided with offsetting payments or transfers of funds from University accounts to the Athletics Department account for the value of the tickets and applicable donor component.

---

**BOARD OF REGENTS**

---

The Athletics Ticket Office will set aside each year a number of tickets sufficient to provide each present member of the Board of Regents with four tickets and the Executive Secretary of the Board of Regents and Vice President for University Governance, and all living former Regents with two tickets each. All former Regents shall be allowed to purchase two additional seats, next to their courtesy seats, transferable only to a surviving spouse.

Each year prior to August 1, the Executive Secretary of the Board of Regents and Vice President for University Governance, will certify to the President the number of tickets required to meet these commitments.

The University will offer the tickets to the persons mentioned above at no cost to the individual. The face value of tickets and any applicable donor component shall be transferred to the Athletics Department for any and all tickets provided for University development or as courtesy tickets.

These tickets will be provided with offsetting payments or transfer of funds from University accounts to the Athletics Department account for the value of the ticket and applicable donor component.

The President shall develop additional details for implementation of this policy, and the number of courtesy tickets required to do so shall be delivered by the Athletics Department to him or his designee by August 1 each year for distribution.

(RM, 2-13-75, p. 13356, edited; 12-02-03, p. 28868)

---

**EMERGENCY CASES**

---

The Director of Athletics, with the approval of the President, is authorized to deviate from any of the policies hereby established in this section 6.4.5, to take care of cases of unusual emergency.

(RM, 5-10-56, pp. 5406-5411; 10-11-56, p. 5515; 12-02-03, p. 28868)

## 6.4.6—COMPLIMENTARY ADMISSIONS AND TICKETS POLICY

Complimentary admissions or tickets may be provided to Athletics Department staff and to participating and nonparticipating student-athletes; provided, provision of such tickets to student-athletes shall comply with current NCAA and Conference rules. Senior staff and coaches of the sport involved may receive up to four tickets each. All other full-time Athletics Department staff may receive up to two tickets each. Implementation of this policy shall be reviewed annually by the Associate Director of Athletics, Director of Compliance, University Legal Counsel, and the Faculty Athletics Representative.

(RM, 3-10-77, p. 14343; 6-15-78, p. 15092; 9-4-85, p. 18597; 7-19-90, p. 21938; 12-02-03, p. 28868)

## SECTION 7—UNIVERSITY DEVELOPMENT

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

### 7.1—GIFTS RECOGNITION PROGRAM

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

Donors will be recognized through a number of special programs, including:

- The President's Partners designation for donors who give \$100 or more in unrestricted funding;
- The President's Associates designation for donors to this special program detailed within this section of the manual;
- The George Lynn Cross Society for donors who have created charitable trusts and other life income gifts that benefit the University or who have designated the University as a beneficiary of their will or life insurance policy; or
- The Seed Sower Society for donors whose lifetime gifts total \$1 million or more.

#### 7.1.1—GIFT RESTRICTIONS

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

#### 7.1.2—ANNUAL FUND YEAR

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

### 7.1.3—DONOR GIFT CREDIT

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

### 7.1.4—GIFT CREDIT

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

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

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

## 7.2—GIFTS TO THE UNIVERSITY

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

The President will announce major gifts (over \$250,000) at meetings of the Board of Regents. Special action by the Board of Regents is required when gifts involve the naming of University buildings and major facilities and the naming of University colleges, schools, and major programs.

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

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

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

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

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

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



### 7.3.1—ACADEMIC PROGRAMS

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

### 7.3.2—BUILDINGS

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

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

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

---

### SPECIAL FACILITIES WITHIN BUILDINGS

---

Laboratories, auditoriums, classrooms, and other special rooms or facilities within existing or future buildings may be named for one-half of the estimated value of the facility or the full cost of renovation.

### 7.3.3—NAMED GARDEN OR LANDMARKS

Existing gardens or landscaped areas of campus may be named with the establishment of an endowment to support annual plantings and upkeep.

Creation of new gardens or campus landmarks may be named for the donor for the cost of construction and an arrangement for annual upkeep.

### 7.3.4—ENDOWED FACULTY POSITIONS

The establishment of endowed faculty positions is encouraged for the opportunities they provide to enrich and strengthen the teaching and research programs of the University in perpetuity.

An endowed chair or professorship enables the University to strengthen its academic programs by recruiting, recognizing, or retaining nationally renowned educators, scholars and researchers, and to provide them with enrichment funds that support and strengthen their academic activities. It is proposed, therefore, that each endowed faculty position will be supported in part by a State-funded faculty line.

Earnings from the endowed positions also may be used to support travel, equipment, supplies, and staffing needs of the position. When the position is not filled, all or a part of the annual earnings will be

returned to the principal. Earnings not returned to the principal may be encumbered to provide monies for recruiting, start-up funding, equipment, or supplies for the appointee.

Endowed faculty positions will be effective when the full donor funding component is received.

For all endowed faculty positions, the dean will be the principal account sponsor and a University or The University of Oklahoma Foundation Inc., representative, as appropriate, will be second account sponsor.

**Named Endowed Chair** — Requires a minimum endowment of \$1 million, which can be provided entirely from private sources or through \$500,000 in private funding matched by \$500,000 from the Oklahoma State Regents' Endowment Program.

**Named Endowed Professorship** — Requires a minimum endowment of \$500,000, which can be provided entirely from private sources or through \$250,000 in private funding matched by \$250,000 from the Oklahoma State Regents' Endowment Program.

**Named Presidential Professorship** — Recommended endowment of \$150,000.

**Named Endowed Lectureship** — Recommended endowment of \$100,000.

**Annually Funded Named Professorship** — Requires a minimum annual gift of \$50,000.

**Named Research Endowment** — Requires a minimum of \$50,000. Earnings will provide research stipends and/or grants for faculty.

**Named Endowed Research Award** — Requires a minimum endowment of \$50,000 and will be used to recognize and encourage excellence in scholarly or scientific research.

**Named Endowed Superior Teaching Award** — Requires a minimum endowment of \$50,000 and will be used to honor excellence in teaching.

### 7.3.5—ENDOWED GRADUATE STUDENT POSITIONS

A strong, competitive graduate program is important to the University's mission as a major comprehensive research university. An important component in attracting outstanding graduate students is the University's ability to provide competitive stipends and fellowships.

**Named Endowed Graduate Research Fellowship** — Recommended endowment of \$150,000.

**Named Endowed Graduate Fellowship** — Recommended endowment of \$100,000.

**Named Endowed Graduate Scholarship** — Recommended endowment of \$50,000.

### 7.3.6—ENDOWED UNDERGRADUATE SCHOLARSHIPS

The University is committed to providing a high quality undergraduate education to a diverse student body. To recruit outstanding undergraduates and/or assist needy students, a wide variety of scholarships is required.

**Named Endowed Scholarship Funds** —May be established with a suggested endowment of \$10,000. This generally will support one scholarship on an annual basis. The amount of the scholarship will be limited by the annual earnings.

**Named Four-Year Scholarship Funds** — May be established with a suggested endowment of \$40,000. This generally will enable the scholarship recipient to maintain the award for four years, contingent upon maintaining minimum standards of academic performance and progress toward a degree. The fund will generate earnings to award one four-year scholarship each year, allowing for a maximum of four students to hold the named scholarship at one time.

**Named Endowed Alumni Scholarship** —May be established with a suggested endowment of \$15,000.

---

#### SCHOLARSHIP GUIDELINES

---

A constant effort will be made to keep scholarship guidelines flexible to alleviate any possible difficulties that would make it impossible to administer the scholarship in any one year.

Scholarship guidelines cannot exclude students on the basis of race, color, national origin, sex, age, religion, disability, political beliefs, or status as a veteran.

In compliance with the Internal Revenue Code, donors will not be permitted to select the recipients of the scholarships which they sponsor.

All criteria for endowed scholarships should be predetermined and outlined prior to approval and acceptance by the University and The University of Oklahoma Foundation, Inc., if applicable.

Scholarship recipients should communicate annually during the term of the scholarship with the donors of the endowed scholarships.

---

#### ANNUAL UNDERGRADUATE SCHOLARSHIPS

---

**Named National Merit Scholarship** — Requires a minimum annual gift of \$2,000.

**Alumni Scholars** — Requires a minimum annual gift of \$1,000, although smaller contributions may be pooled with other gifts to make annual awards.

**Named Dean's Scholarship** — Requires a minimum annual gift of \$1,000.

**Named Upperclass Dean's Scholarship** — Requires a minimum annual gift of \$1,500.

### 7.3.7—ENDOWED LIBRARY COLLECTIONS

The University Libraries are the largest and most comprehensive in the State. To continue the University Libraries' development as major research libraries, the University encourages the creation of endowed library collections which aim at achieving national eminence.

- 1) New named collections require a minimum endowment of \$50,000 to \$2,000,000, depending on the requirements for achieving national eminence in a selected field.
- 2) A Named Library Acquisitions Endowment Fund requires a minimum endowment of \$10,000.
- 3) Named endowed library collections will be established with the approval of the Dean of University Libraries on the Norman Campus, the Senior Vice President and Provost of the Health Sciences Center Campus, or the Director of the Law Center, as appropriate.
- 4) The use of income will be determined by the Dean of University Libraries, Senior Vice President and Provost of the Health Sciences Center, or Director of the Law Center, as appropriate, after consultation with a prospective donor.
- 5) Gifts of books, manuscripts, artifacts and other materials are subject to the guidelines established by The University of Oklahoma Libraries and require no minimum. Donors will be properly identified and acknowledged on or in each item.

(RM, 9-18-69, pp. 10054-55; 1-20-86, pp. 18809-10; 1-21-88, pp. 20082-3; 6-10-92, p. 22962; 11-10-92, p. 23140; 12-02-03, p. 28868)

## 7.4—NAMES OF CAMPUS FACILITIES

The Board of Regents will formally approve the naming of major campus buildings or additions. The Board also reserves the right to approve or deny the naming or renaming of any campus facility, other than that which designates the type of work done therein, as a way to ensure that no name is given to a campus facility that does not reflect the ideals of the University; and no facility shall ordinarily be named after individuals who are members of the active faculty or staff of the University.

(RM, 7-10-62, p. 7139; 12-02-03, p. 28868)

## 7.5—PRIVATE FUND–RAISING

The President is responsible to the Board of Regents for all private fund-raising for the University. The President may delegate responsibility for the function, but such delegation does not diminish his responsibility. This policy applies to all elements of the University and is designed to assist the President in coordinating and directing this very important function in the operation of the University.

(RM, 9-2-76, p. 14089; 12-02-03, p. 28868)

## 7.6—UNIVERSITY OF OKLAHOMA FOUNDATION, INC.

This Corporation is formed for charitable, benevolent, religious, educational, and scientific purposes, and has no stated capital.

This Corporation is created, and shall be administered and operated exclusively, for the benefit of the University, insofar as the same shall be in the aid of charitable, benevolent, religious, educational, scientific, and literary purposes, as, in the judgment of the Trustees, shall be in furtherance of the public welfare and done to promote the well-doing or well-being of mankind. Such distributions of the Corporate assets shall be made at one time or from time to time and at such times and in such manner and amounts, as the Trustees in their absolute discretion shall deem to be proper.

This Corporation is organized as the successor to The University of Oklahoma Foundation, a Trust Estate, established on the first day of December 1944, by Trustees who, by the original indenture of trust, were empowered to incorporate in order to more conveniently or efficiently administer the said Trust Estate and its successor.

In the event of the termination or liquidation of the Corporation, for any reason, after all liabilities of the Corporation have been paid, the remaining assets of the Corporation shall be turned over to the University to be used for scientific, literary, or educational purposes, as its Board of Regents (or governing body) shall in its sole discretion determine, subject to any restrictions or limitations placed upon said funds when accepted. (Foundation Articles of Incorporation, 1987, edited.)

Additional information is available through The University of Oklahoma Foundation Inc.'s printed and online publication, "[Guidelines For Use Of Foundation Funds.](#)"

---

### REQUEST FOR FUNDS FROM THE UNIVERSITY OF OKLAHOMA FOUNDATION, INC.

---

#### 7.6.1—LOANS

No University official may request or receive a loan from The University of Oklahoma Foundation, Inc., unless said request has been authorized by the Board of Regents. Requests must be submitted to the Board of Regents and must include as a minimum, (1) the rationale for the loan, (2) the amount of the loan request, (3) the proposed term of the loan, (4) the source of funds for the repayment of the loan, and (5) the recommendation of the appropriate campus executive officer and the President. Upon authorization of the Board of Regents, the Chair of the Board of Regents shall forward the loan request to the President of The University of Oklahoma Foundation, Inc., for action.

#### 7.6.2—GRANTS AND AWARDS

No University official may request or receive any ~~money~~ grant or award from The University of Oklahoma Foundation, Inc., unless said request has been authorized by the President. Requests for such funds shall be reviewed and approved by the appropriate dean or director, the appropriate campus executive officer, and the President. Upon authorization by the President, the request shall be forwarded to the President of The University of Oklahoma Foundation, Inc., for action.

This policy does not prohibit cash advances that are contractual arrangements between the University and The University of Oklahoma Foundation, Inc., which are covered by contracts approved by University Legal Counsel and authorized by the Board of Regents, nor does it prohibit short term (180 days or less) cash advances that The University of Oklahoma Foundation, Inc., might provide a University department or college to meet a temporary cash flow requirement (e.g., football bowl game expenses pending receipt of conference allocation, immediate settle-up with promoters for concerts held at Lloyd Noble Center, international travel, student group travel).

Additional information is available through The University of Oklahoma Foundation Inc.'s printed and online publication, "Guidelines For Use of Foundation Funds."

(RM, 3-21-95, p. 24298; 12-02-03, p. 28868)



## 7.7—OKLAHOMA STATE REGENTS' FOR HIGHER EDUCATION ENDOWMENT TRUST FUND PROGRAM

The President is authorized to submit appropriate requests to the Oklahoma State Regents for Higher Education to participate in the State Regents' Endowment Trust Fund Program.

(RM, 10-12-88, p. 20587; 12-02-03, p. 28868)

## 7.8—THE PRESIDENT’S ASSOCIATES

The President’s Associates Program is the University’s principal source of unrestricted enrichment funds dedicated to academic purposes. The President manages and administers the distribution of the unrestricted Associates Program funds to accomplish the goals of the University, to address important needs, and to take advantage of special opportunities that will benefit the academic mission of the University.

The President’s Associates Program includes the following levels:

- 1) Young Associate – Recognizes an individual donor 39 or younger for an annual contribution.
- 2) Annual Associate – Recognizes an individual donor for an annual contribution.
- 3) Honored Associate – Recognizes an individual, couple or company for an annual contribution.
- 4) Distinguished Associate – Recognizes an individual, couple or company for an annual contribution.
- 5) Life Associate – Recognizes an unrestricted gift to the Associates Second-Century Endowment. An individual who becomes a Life Associate will be listed as such throughout his or her lifetime.
- 6) Endowed Associate – Recognizes an unrestricted gift to the Associates Second-Century endowment. Individuals or couples who become Endowed Associates will be listed as such for life.

All gifts received through the President’s Associates Program are used for academic purposes. The entire gift may be given unrestricted, or one-half may be designated to a college, school, department or academic program.

- Restricted funds will be administered by the dean or director of the college, school, department, or academic program of the donor’s choice and must be used for academic purposes. The appropriate dean will submit a report at the end of each fiscal year outlining the use of the Associates Program funds within the college.
- Expenditure of unrestricted gifts will be made at the discretion of the President. Grants may be awarded to projects that:
  - Strengthen the academic program immediately and directly.
  - Enable the department or program to position itself for additional external funding.
  - Directly benefit or provide special opportunities for students.

- Correct a critical need of a college, school or department or provide important teaching or research materials and equipment.
- Address a strategic goal of the University.

An Associates Council will be formed from current participants to serve as a national advisory council to assist the University with its private giving and development activities through the Associates and Annual Fund Programs.

The full costs of the fund-raising activities and personnel associated directly with the President's Associates Program will be paid from the President's Associates Program funds, and such costs are not to exceed 12% of the funds raised each year. Up to twelve percent of the President's Associates Program gifts, both restricted and unrestricted, will be used to defray costs of administration of the Program. These funds are subject to the normal budget approval and control processes of the University.

(RM, 5-10-79, p. 15544; 1-12-84, pp. 17785-86; 10-15-91, p. 22615; 6-10-92, p. 22958; 1-25-94, p. 23699; 9-13-94, pp. 24001-02; 6-16-96, p. 24922; 9-9-98, p. 26066; 12-6-01, p. 27807; 12-02-03, p. 28868)

## 7.10—ALUMNI/DONOR RECORDS

### 7.10.1—MAINTENANCE OF RECORDS

University Development is committed to maintaining an updated, current listing of alumni and friends. Therefore, any information received by any campus division regarding name, address, family history, degree, etc., of any alumnus or friend should be forwarded to University Development. Although alternative or parallel databases may be created in other campus locations, these are to be considered auxiliary, and any information regarding alumni records should be transferred to University Development.

### 7.10.2—REQUESTS FOR INFORMATION

All requests for alumni or friends information from any University division should be directed to the manager of Alumni/Donor Records in University Development. Such requests will be forwarded to the appropriate University Development administrator for approval.

(RM, 12-02-03, p. 28868)

## 7.11 — APPROVAL OF ALL FUNDRAISING ACTIVITY

The Vice President for University Development has final authority ~~in all~~ for developing and implementing policy matters regarding the raising of private funds at the University. Any fundraising activity, whether on behalf of students, faculty/staff, colleges, or programs, must be approved by the Vice President of University Development prior to being initiated. The Vice President will maintain a system by which any and all gift solicitations above \$5,000 are assigned, tracked, and managed. Furthermore, any communication developed for potential donors, whether individuals, corporations, or foundations, must be approved by the Vice President for University Development. This includes proposals, letters, brochures, and pledge or gift cards. This policy is designed to protect the University's friends and alumni from multiple solicitations by the University's divisions. If multiple University divisions seek to solicit the same prospective donor, the President ~~may be asked to make the ultimate decision on~~ shall determine which divisions ~~might~~ move forward with a solicitation.

(RM, 12-02-03, p. 28868)

## 7.12—ORGANIZATION OF UNIVERSITY DEVELOPMENT

The Vice President of University Development ~~will have sole authority to~~ shall oversee all aspects of development and alumni affairs. The Vice President of University Development will oversee management of the alumni association and assume responsibility for annual, major, corporate, and foundation giving for both the Norman and Health Sciences Center campuses. In addition, the Vice President will regulate fundraising efforts within all divisions of the University. Although these colleges/programs may choose to hire development officers to operate on their behalf, the Vice President of University Development must approve any fundraising activity connected with these efforts.

(RM, 12-02-03, p. 28868)

## 7.13—RECEIPT OF GIFTS

The Vice President of University Development shall have administrative responsibility for all gifts coming to the University. University Development will forward gifts for deposit and receipt to The University of Oklahoma Foundation, Inc., or the OU Regents Fund, as appropriate, where they will be assigned to an account based on the donor's wishes. Acknowledgements of gifts will be prepared by University Development.

(RM, 12-02-03, p. 28868)

## 7.14—SCOPE OF DEVELOPMENT ACTIVITY

University Development, at the direction of the Vice President of University Development, will coordinate solicitation efforts. Constituencies will be solicited for support via any means deemed appropriate, including personal contact, telephone, or direct mail. Campaigns directed by University Development might include annual, capital, special needs, college, unrestricted, endowment, or planned gift. Gifts to support the University may be restricted to a college, department, or program, or may be designated as unrestricted and allocated by the President wherever the need is greatest.

(RM, 12-02-03, p. 28868)



## 7.15—USE OF UNIVERSITY NAME IN FUNDRAISING

The use of the name of the University in any form in fundraising appeals shall be restricted to the University Development Office.

(RM, 12-02-03, p. 28868)

## 7.16—WAYS TO GIVE

Donors can help the University through several methods. Gifts may be designated to certain programs or unrestricted for use where the need or opportunity is the greatest. Certain methods of giving provide tax or estate planning benefits. The University of Oklahoma Foundation Inc., staff is available to share expertise in these areas with donors and their attorneys and tax advisers.

---

### CASH GIFTS OR PLEDGES

---

A gift of cash or a pledge over a period of years is the most direct way to support the University. Checks should be made payable to “The University of Oklahoma Foundation, Inc.”

---

### SECURITIES

---

Stocks, bonds, certificates of deposit, and other securities may be donated to the University through The University of Oklahoma Foundation, Inc. Depending upon circumstances of the gift, The University of Oklahoma Foundation, Inc. will manage or liquidate the securities to achieve the donor’s goals.

---

### GIFTS OF PROPERTY

---

Many donors contribute their personal residences, farmland, or commercial or other property to the University through The University of Oklahoma Foundation, Inc. Certain personal property, including works of art, books, furnishings and other valuables, may be appropriate gifts to enhance a particular discipline or one of the University’s museum or library collections.

---

### DEFERRED OR PLANNED GIFTS

---

An increasingly popular method of giving is the charitable remainder trust, of which there are two varieties – the charitable remainder unitrust and the charitable remainder annuity trust. Both can be funded through a gift during a donor’s lifetime or through a testamentary disposition. Both provide life income for the donor and/or a designated beneficiary(ies).

Life insurance can become a gift of much greater value than the actual money expended when the policy is given to the University through The University of Oklahoma Foundation, Inc., which is named as the beneficiary. The donor can pay up the entire policy or make annual contributions to The University of Oklahoma Foundation, Inc., for the cost of the premiums.

The University of Oklahoma Foundation, Inc. often is named beneficiary in the wills of University alumni and friends. The donor may elect to leave all or part of an estate to benefit the University.

---

**MEMORIALS GIFTS IN MEMORY OR HONOR**

---

Donors may establish a fund to honor the memory of a loved one, friend or mentor or contribute to an existing fund for that purpose. Not all such funds are memorials, however, for a number of donors also make contributions to honor individuals during their lifetime.

---

**MATCHING GIFTS**

---

Many corporations match the gifts their employees make to the University. Donors are asked to consult their employers to determine if such a program exists in their firm.

(RM, 12-02-03, p. 28868)

THE UNIVERSITY OF OKLAHOMA

**AGENDA ITEM A**

**ISSUE: POLICY MANUAL REVISIONS**

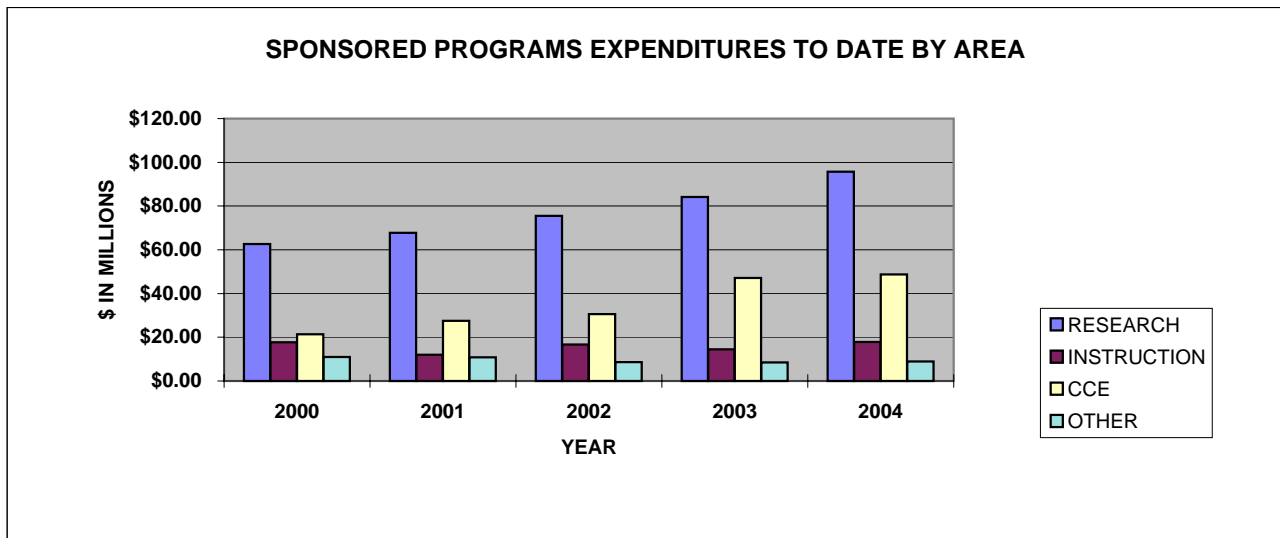
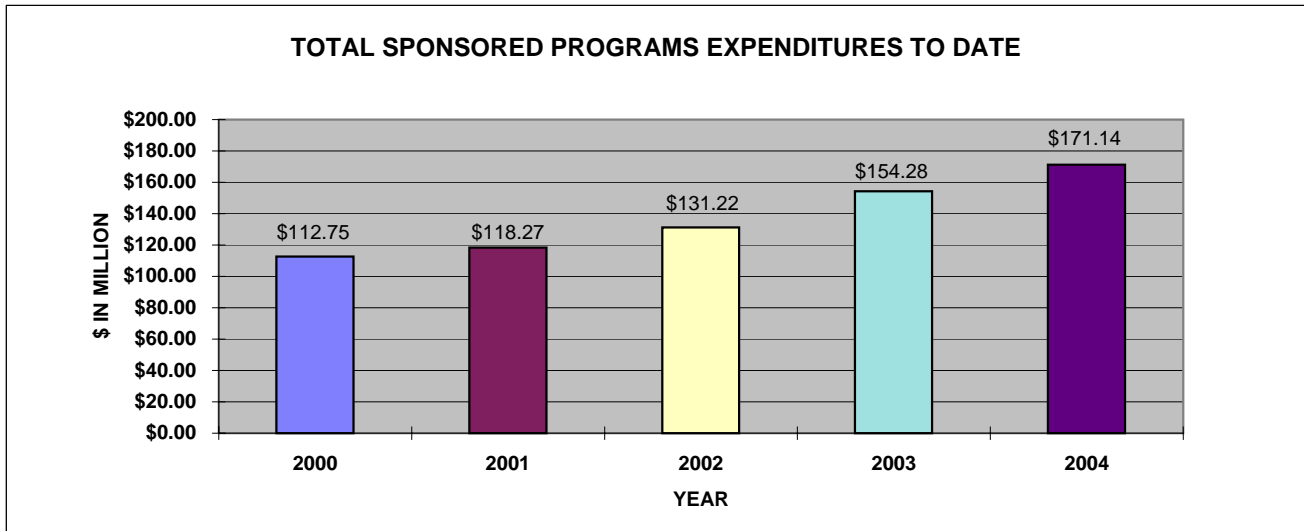
**ACTION PROPOSED:**

President Boren recommends the Board of Regents approve the revised Board Policy Manual.

**BACKGROUND AND/OR RATIONALE:**

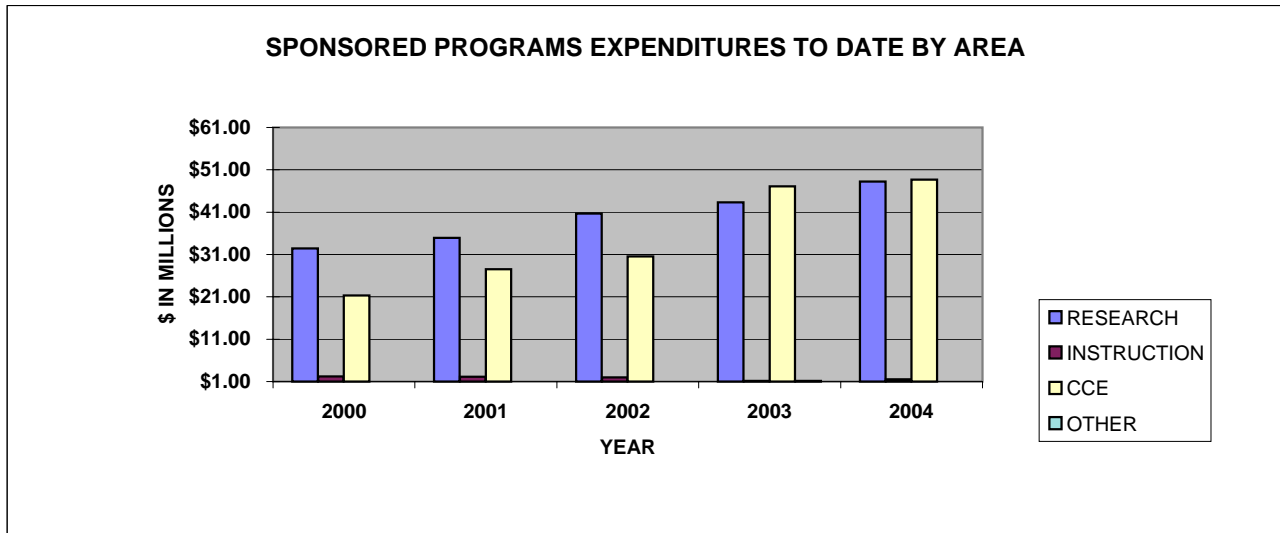
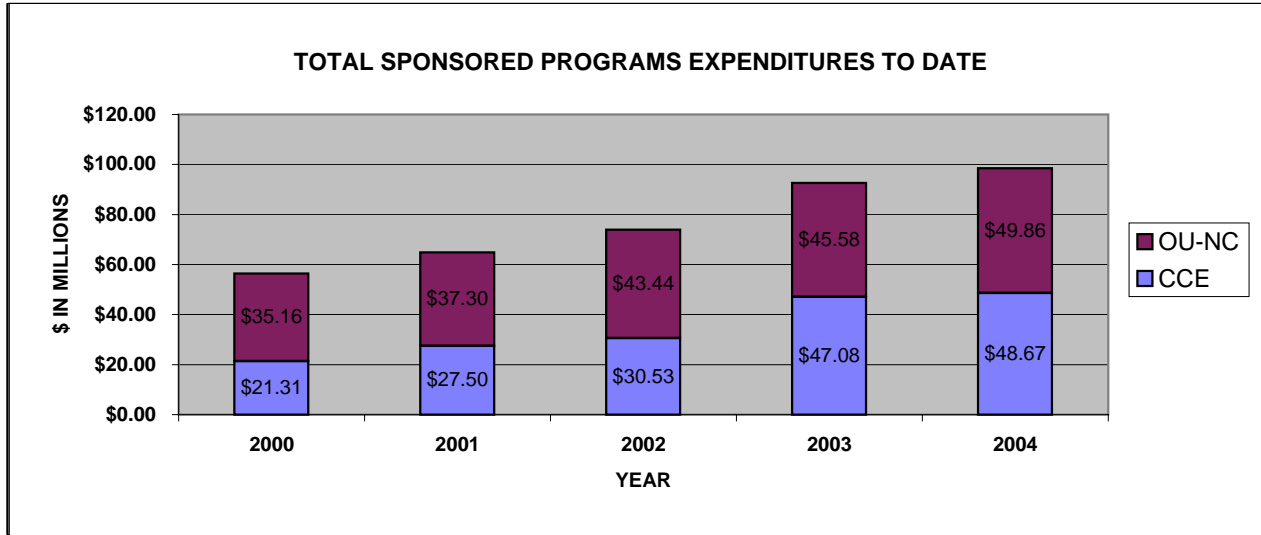
The Board of Regents approved revisions to the Policy Manual at the December 2003 and January 2004 meetings. Since then, Legal Counsel has reviewed the Manual and recommended a number of additional revisions. The revisions are attached in strikethrough and underline format.

## HEALTH SCIENCES CENTER AND NORMAN CAMPUS



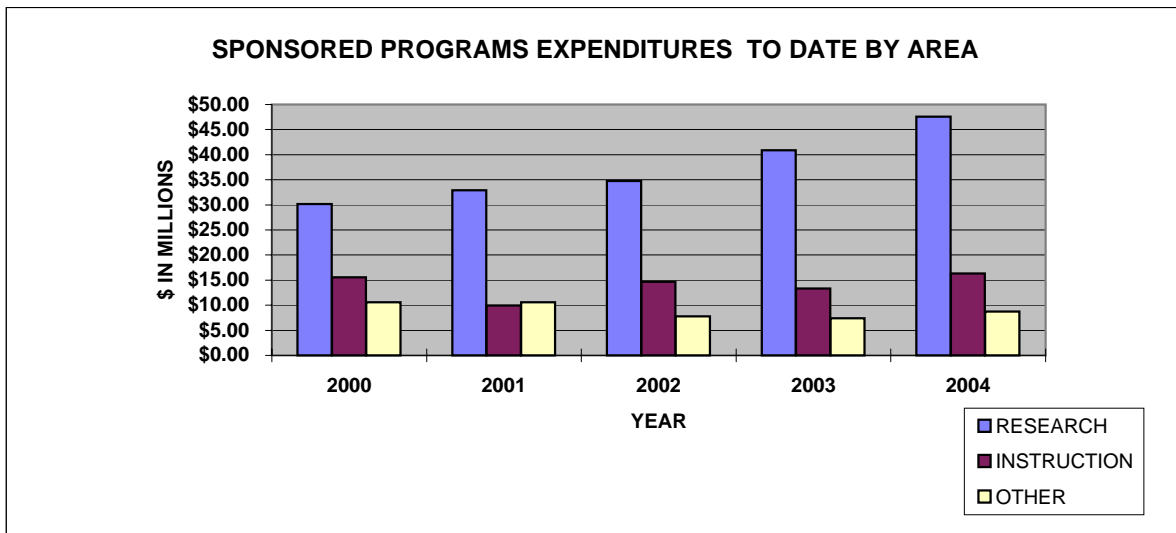
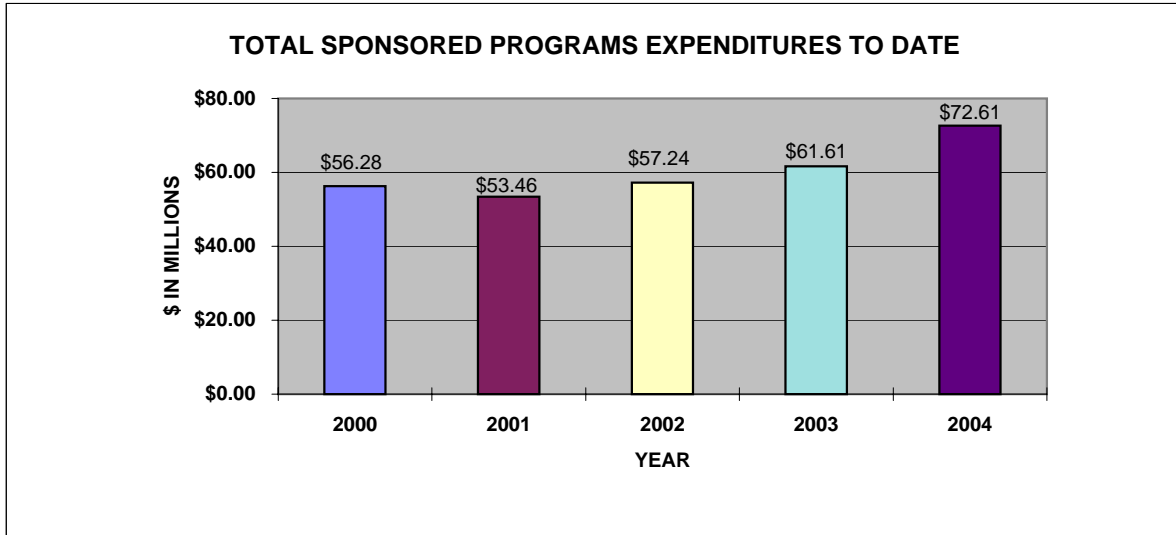
|              | FY<br>2004<br>YEAR    | YEAR<br>%CHANGE | FY<br>2003<br>YEAR    | 2004<br>April        | MONTH<br>%CHANGE | 2003<br>April        |
|--------------|-----------------------|-----------------|-----------------------|----------------------|------------------|----------------------|
| RESEARCH     | \$ 95,777,752         | 13.82%          | \$ 84,146,249         | \$ 10,590,708        | 31.48%           | \$ 8,055,084         |
| INSTRUCTION  | \$ 17,822,752         | 22.78%          | \$ 14,516,586         | \$ 1,813,982         | 39.10%           | \$ 1,304,059         |
| CCE          | \$ 48,669,575         | 3.37%           | \$ 47,084,328         | \$ 5,946,102         | 20.67%           | \$ 4,927,732         |
| OTHER        | \$ 8,873,623          | 4.03%           | \$ 8,530,274          | \$ 1,044,946         | 9.89%            | \$ 950,892           |
| <b>TOTAL</b> | <b>\$ 171,143,702</b> | <b>10.93%</b>   | <b>\$ 154,277,437</b> | <b>\$ 19,395,738</b> | <b>27.29%</b>    | <b>\$ 15,237,767</b> |

## NORMAN CAMPUS



|              | FY<br>2004<br>YEAR   | YEAR<br>%CHANGE | FY<br>2003<br>YEAR   |  | 2004<br>April        | MONTH<br>%CHANGE | 2003<br>April       |
|--------------|----------------------|-----------------|----------------------|--|----------------------|------------------|---------------------|
| RESEARCH     | \$ 48,198,522        | 11.35%          | \$ 43,284,743        |  | \$ 4,540,257         | 7.93%            | \$ 4,206,506        |
| INSTRUCTION  | \$ 1,524,089         | 30.30%          | \$ 1,169,721         |  | \$ 196,360           | 863.78%          | \$ 20,374           |
| CCE          | \$ 48,669,575        | 3.37%           | \$ 47,084,328        |  | \$ 5,946,102         | 20.67%           | \$ 4,927,732        |
| OTHER        | \$ 137,669           | -87.76%         | \$ 1,124,642         |  | \$ 91,640            | 51.48%           | \$ 60,494           |
| <b>TOTAL</b> | <b>\$ 98,529,855</b> | <b>6.33%</b>    | <b>\$ 92,663,434</b> |  | <b>\$ 10,774,359</b> | <b>16.92%</b>    | <b>\$ 9,215,106</b> |

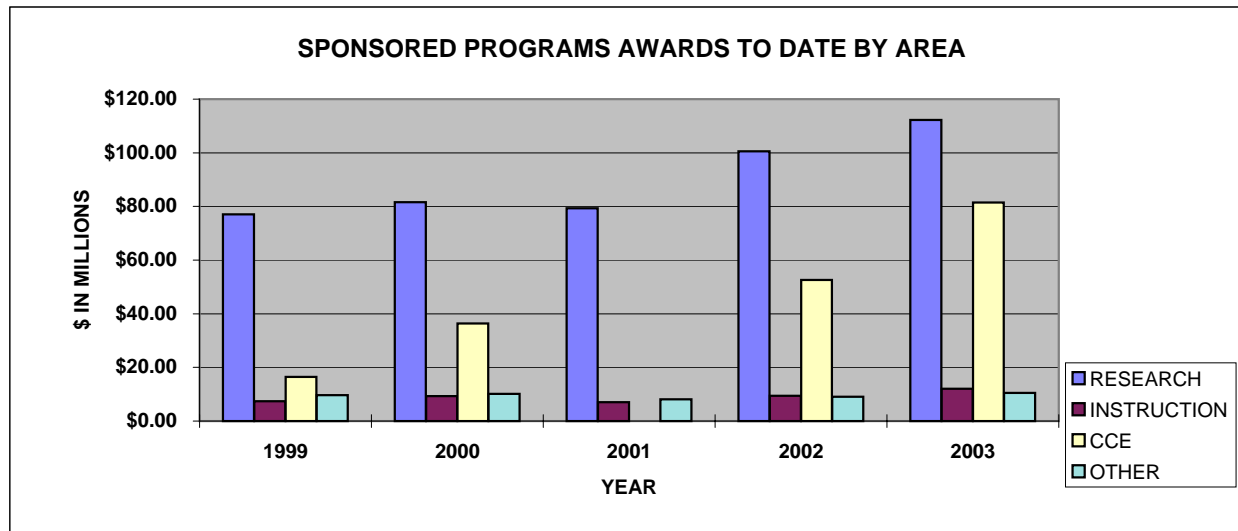
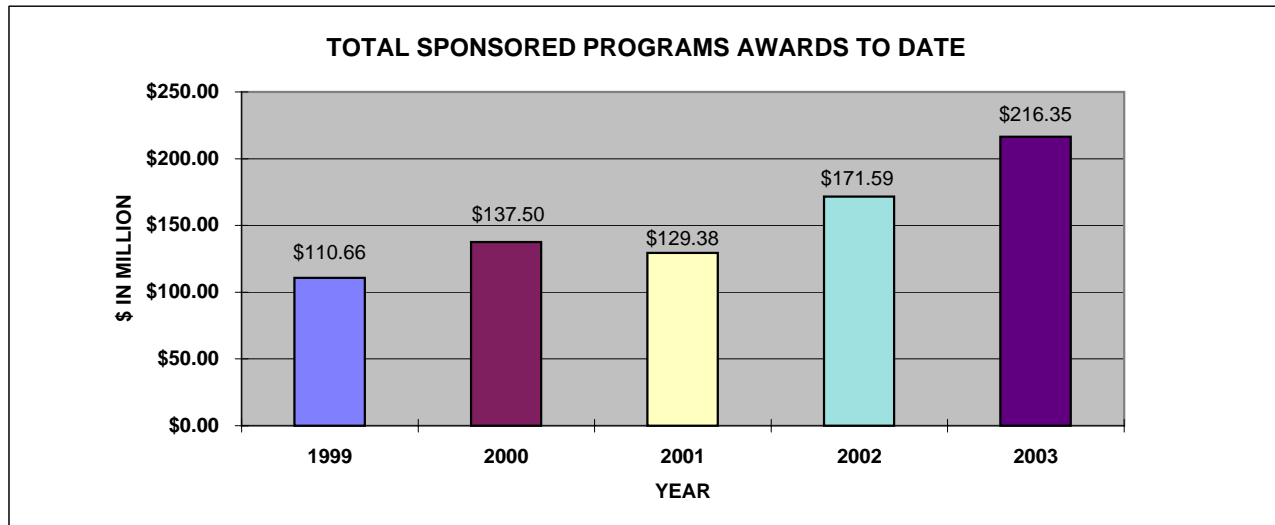
## HEALTH SCIENCES CENTER



|              | FY<br>2004<br>YEAR   | YEAR<br>%CHANGE | FY<br>2003<br>YEAR   |  | 2004<br>April       | MONTH<br>%CHANGE | 2003<br>April       |
|--------------|----------------------|-----------------|----------------------|--|---------------------|------------------|---------------------|
| RESEARCH     | \$ 47,579,230        | 16.44%          | \$ 40,861,506        |  | \$ 6,050,451        | 57.21%           | \$ 3,848,578        |
| INSTRUCTION  | \$ 16,298,663        | 22.12%          | \$ 13,346,865        |  | \$ 1,617,622        | 26.01%           | \$ 1,283,685        |
| OTHER        | \$ 8,735,954         | 17.96%          | \$ 7,405,632         |  | \$ 953,306          | 7.07%            | \$ 890,398          |
| <b>TOTAL</b> | <b>\$ 72,613,847</b> | <b>17.85%</b>   | <b>\$ 61,614,003</b> |  | <b>\$ 8,621,379</b> | <b>43.15%</b>    | <b>\$ 6,022,661</b> |

## HEALTH SCIENCES CENTER

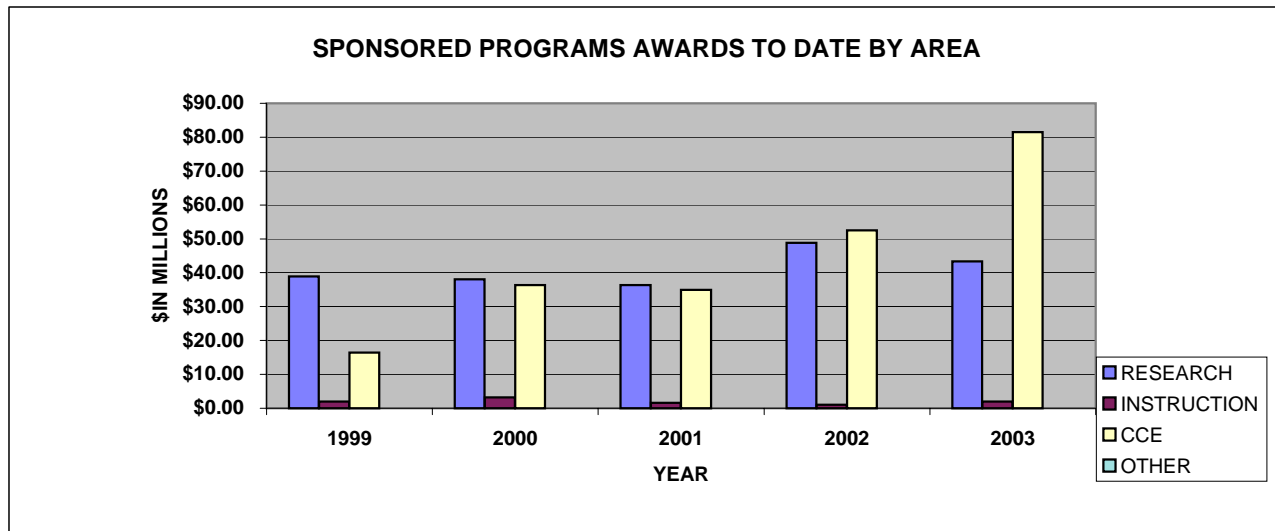
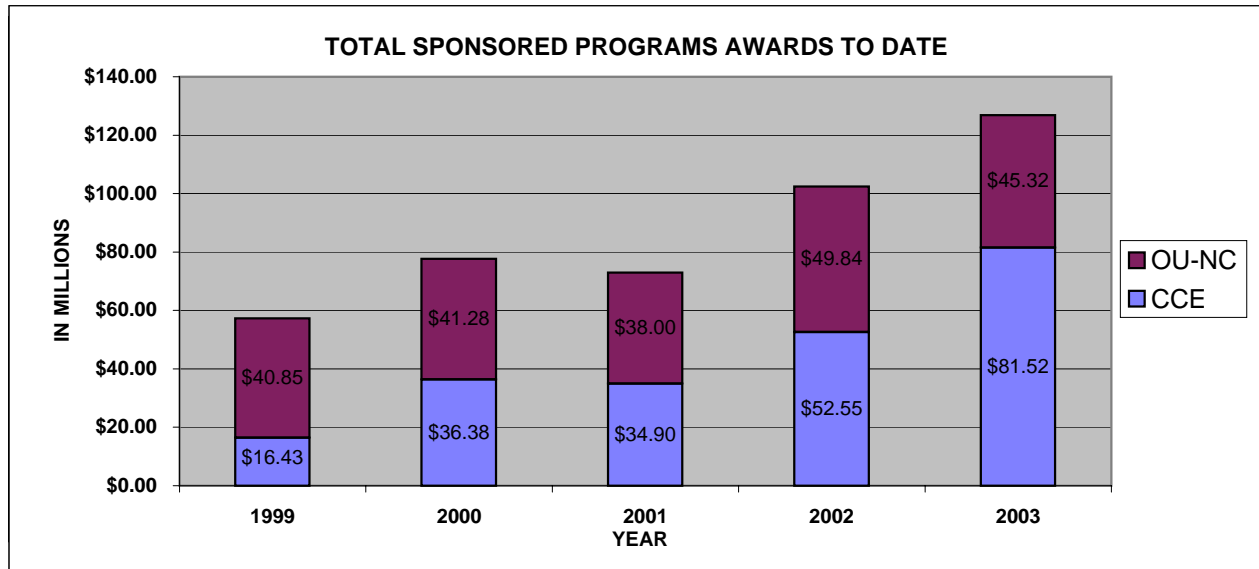
## NORMAN CAMPUS AND HEALTH SCIENCES CENTER



|              | FY<br>2004<br>YEAR    | YEAR<br>%CHANGE | FY<br>2003<br>YEAR    | 2004<br>April        | MONTH<br>%CHANGE | 2003<br>April        |
|--------------|-----------------------|-----------------|-----------------------|----------------------|------------------|----------------------|
| RESEARCH     | \$ 112,208,584        | 11.60%          | \$ 100,545,335        | \$ 6,800,158         | -32.54%          | \$ 10,080,118        |
| INSTRUCTION  | \$ 12,102,637         | 27.78%          | \$ 9,471,612          | \$ 1,472,534         | 7899.86%         | \$ 18,407            |
| CCE          | \$ 81,517,301         | 55.11%          | \$ 52,554,674         | \$ 2,138,729         | -19.05%          | \$ 2,642,198         |
| OTHER        | \$ 10,517,412         | 16.60%          | \$ 9,019,871          | \$ 453,126           | 46.92%           | \$ 308,413           |
| <b>TOTAL</b> | <b>\$ 216,345,934</b> | <b>26.08%</b>   | <b>\$ 171,591,492</b> | <b>\$ 10,864,547</b> | <b>-16.74%</b>   | <b>\$ 13,049,136</b> |



## NORMAN CAMPUS

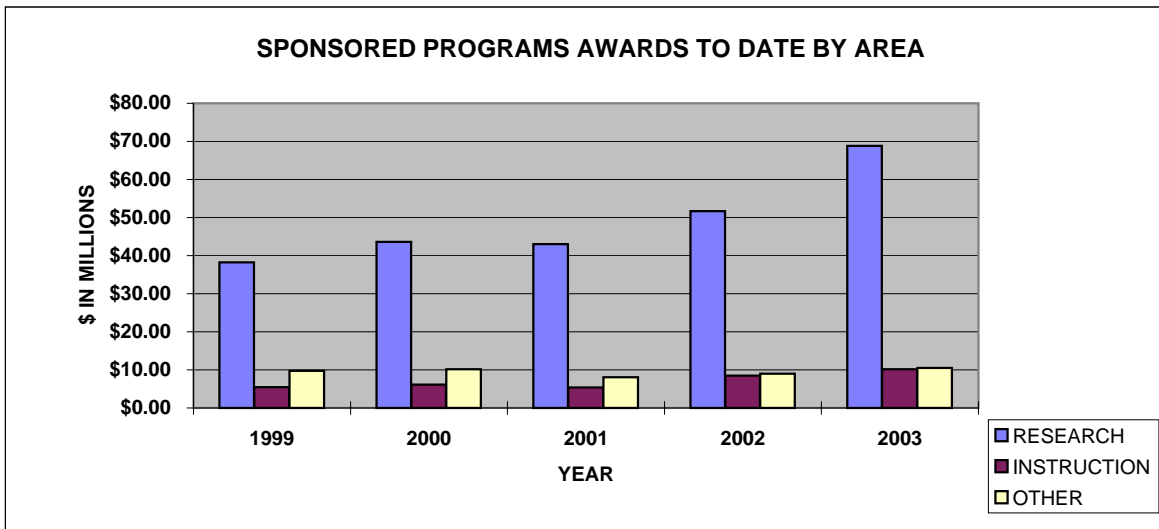
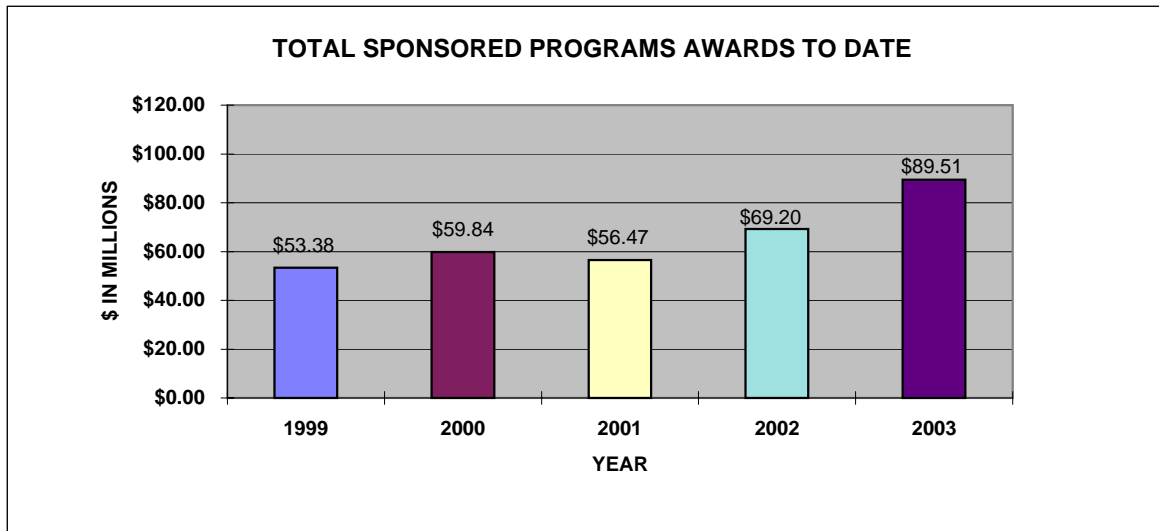


|              | FY 2004 YEAR          | YEAR %CHANGE  | FY 2003 YEAR          | 2004 April          | MONTH %CHANGE  | 2003 April          |
|--------------|-----------------------|---------------|-----------------------|---------------------|----------------|---------------------|
| RESEARCH     | \$ 43,375,856         | -11.19%       | \$ 48,841,682         | \$ 3,265,141        | -45.06%        | \$ 5,943,545        |
| INSTRUCTION  | \$ 1,946,834          | 95.51%        | \$ 995,761            | \$ 1,378,245        |                | \$ 7,279            |
| CCE          | \$ 81,517,301         | 55.11%        | \$ 52,554,674         | \$ 2,138,729        | -19.05%        | \$ 2,642,198        |
| OTHER        | \$ -                  |               | \$ -                  | \$ -                |                | \$ -                |
| <b>TOTAL</b> | <b>\$ 126,839,991</b> | <b>23.88%</b> | <b>\$ 102,392,117</b> | <b>\$ 6,782,115</b> | <b>-21.07%</b> | <b>\$ 8,593,022</b> |

## NORMAN CAMPUS



## HEALTH SCIENCES CENTER



|              | FY<br>2004<br>YEAR   | YEAR<br>%CHANGE | FY<br>2003<br>YEAR   | 2004<br>April       | MONTH<br>%CHANGE | 2003<br>April       |
|--------------|----------------------|-----------------|----------------------|---------------------|------------------|---------------------|
| RESEARCH     | \$ 68,832,728        | 33.13%          | \$ 51,703,653        | \$ 3,535,017        | -14.54%          | \$ 4,136,573        |
| INSTRUCTION  | \$ 10,155,803        | 19.82%          | \$ 8,475,851         | \$ 94,289           | 747.31%          | \$ 11,128           |
| OTHER        | \$ 10,517,412        | 16.60%          | \$ 9,019,871         | \$ 453,126          | 46.92%           | \$ 308,413          |
| <b>TOTAL</b> | <b>\$ 89,505,943</b> | <b>29.35%</b>   | <b>\$ 69,199,375</b> | <b>\$ 4,082,432</b> | <b>-8.39%</b>    | <b>\$ 4,456,114</b> |

## HEALTH SCIENCES CENTER

June 22-23, 2004

**HEALTH SCIENCES CENTER  
REPORT OF CONTRACTS AWARDED (OVER \$100K)**

**March 2004**

| <b>AWARD NO.</b> | <b>AGENCY</b>   | <b>TITLE</b>   | <b>VALUE</b> | <b>PERIOD</b> | <b>PI(S)</b>  |
|------------------|---|--|--------------|---------------|---|
| C1005504         | National Center for Research Resources                            | General Clinical Research Center                     | \$1,348 K    | 12 mos        | Dr. M. D. Andrews<br>Medicine Office of the Dean                |
| C1014902         | National Institute of Diabetes and Digestive and Kidney Diseases  | Statistics Center: Pediatric Type 2 Diabetes Therapy | \$1,393 K    | 12 mos        | Dr. K. C. Copeland<br>Pediatrics<br>Diabetes/Endocrinology      |
| C1021801         | National Center for Research Resources                            | Capillary DNA Sequencers for OUHSC Core Facility     | \$253 K      | 12 mos        | Dr. D. W. Dyer<br>Dept of Microbiology and Immunology           |
| C1023601         | Department of Labor   | Postgrad Training: Pharmacists Oncology Specialist   | \$149 K      | 24 mos        | Dr. H. Ozer<br>Cancer Center                                    |
| C1152303         | National Institute of Child Health and Human Development          | POMC Expression and Processing in Fetal Sheep        | \$262 K      | 24 mos        | Dr. D. A. Myers<br>Dept of Obstetrics and Gynecology            |
| C1157102         | National Institute of Allergy and Infectious Diseases             | Pore Formation by Cholesterol-Dependent Cytolysins   | \$270 K      | 24 mos        | Dr. R. K. Tweten<br>Dept of Microbiology and Immunology         |
| C3003201         | National Institute of General Medical Sciences                    | RPA Structure & Mechanism: Interaction w/ssDNA       | \$182 K      | 12 mos        | Dr. A. Botchkarev<br>Dept of Biochemistry and Molecular Biology |
| C3009704         | Oklahoma Department of Mental Health and Substance Abuse Services | FY2004 APRC & SICA Programs                          | \$113 K      | 12 mos        | Dr. S. F. Allen<br>Dept of Psychiatry and Behavioral Sciences   |
| C3014501         | National Eye Institute  | Ocular Proteomics of Rodent Retina                   | \$329 K      | 12 mos        | Dr. H. Matsumoto<br>Dept of Biochemistry and Molecular Biology  |

| <b>AWARD NO.</b> | <b>AGENCY</b>   | <b>TITLE</b>                                       | <b>VALUE</b>     | <b>PERIOD</b> | <b>PI(S)</b>  |
|------------------|---|--|------------------|---------------|---|
| C3015603         | National Institute on Drug Abuse                      | Prenatal Methamphetamine Exposure/Child Dvlpmnt    | \$298 K          | 12 mos        | Dr. P. Grant<br>CMT Dept of Pediatrics                        |
| C3019602         | National Heart, Lung and Blood Institute              | Stop Atherosclerosis:Native Diabetic Study (SANDS) | \$698 K          | 12 mos        | Dr. E. T. Lee<br>Center for American Indian Health Research   |
| C3021601         | National Institute of Allergy and Infectious Diseases | Resistant Enterococci in the GI Tract Consortium   | \$220 K          | 12 mos        | Dr. M. S. Gilmore<br>Dept of Ophthalmology                    |
| C3022202         | Maternal and Child Health Bureau                      | EMSC Partnership Grant                             | \$100 K          | 12 mos        | Dr. J. H. Stuemky<br>Pediatrics<br>Ambulatory Medicine        |
| C3022402         | National Institute of Mental Health                   | Project Safecare for Child Neglect                 | \$677 K          | 12 mos        | Dr. M. Chaffin<br>Center on Child Abuse and Neglect           |
| C5016402         | American Cancer Society                               | Assembly of Hepatitis B Virus Capsids              | \$194 K          | 12 mos        | Dr. A. Zlotnick<br>Dept of Biochemistry and Molecular Biology |
| C5019702         | Presbyterian Health Foundation                        | Joint Program w/OMRF: Genetic Research             | \$600 K          | 12 mos        | Dr. J. J. Ferretti<br>Office of the Provost                   |
| C7017102         | Aventis Pasteur Inc.                                  | Anti-Myosin Testing - Pneumococcal Vaccine         | \$144 K          | 12 mos        | Dr. M. W. Cunningham<br>Dept of Microbiology and Immunology   |
| C8058201         | Wyeth Pharmaceuticals Inc.                            | EAA-090: Adult Outpatients - Diabetic Neuropathy   | \$161 K          | 12 mos        | Dr. L. Olansky<br>Medicine<br>Endocrinology                   |
| C8058301         | Angstrom Pharmaceuticals, Inc.                        | A6 in Patients with Asymptomatic CA125             | \$141 K          | 12 mos        | Dr. M. A. Gold<br>Dept of Obstetrics and Gynecology           |
| C8058801         | Boehringer Ingleheim Pharmaceuticals, Inc.            | Aggrenox® vs Clopidogrel + Aspirin, w/w/o Micardis | \$156 K          | 12 mos        | Dr. J. R. Couch<br>Dept of Neurology                          |
| C8059001         | Takeda Pharmaceuticals North America, Inc.            | Type 2 Diabetes Mellitus:Pioglitazone-Glimepiride  | \$446 K          | 12 mos        | Dr. J. Saucedo<br>Medicine Cardiology                         |
| <b>Totals</b>    | <b>21</b>   |  | <b>\$8,134 K</b> |               |   |

June 22-23, 2004

**HEALTH SCIENCES CENTER  
REPORT OF CONTRACTS AWARDED (OVER \$100K)**

April 2004

| <b>AWARD NO.</b> | <b>AGENCY</b>   | <b>TITLE</b>                                       | <b>VALUE</b> | <b>PERIOD</b> | <b>PI(S)</b>  |
|------------------|---|--|--------------|---------------|---|
| C1019301         | Oklahoma Department of Mental Health and Substance Abuse Services | MH, SA and DV:Financial Impact-Oklahoma Economy    | \$200 K      | 9 mos         | Mr. M. Lapolla<br>Center for Health Policy Research Development |
| C1024101         | Office of the Secretary, Department of Health and Human Services  | Radiological and Chemical Terrorism Preparedness   | \$133 K      | 11 mos        | Ms. L. McGoodwin<br>Oklahoma Poison Control Center              |
| C1115702         | National Heart, Lung and Blood Institute                          | Myosin: A Link Between Streptococci and Heart      | \$431 K      | 11 mos        | Dr. M. W. Cunningham<br>Dept of Microbiology and                |
| C3001902         | National Cancer Institute   | Significance of GGT Expression in Tumors           | \$244 K      | 12 mos        | Dr. M. H. Hanigan<br>Dept of Cell Biology                       |
| C3003602         | National Institute of Allergy and Infectious Diseases             | Adhesive and Proteolytic Function of MDC-L         | \$217 K      | 12 mos        | Dr. J. J. Tomasek<br>Dept of Cell Biology                       |
| C3010001         | National Institute of General Medical Sciences                    | Functional Structure:Anti-Apoptotic Bcl-2-Membrane | \$213 K      | 12 mos        | Dr. J. Lin<br>Dept of Biochemistry and Molecular Biology        |
| C3015101         | National Eye Institute  | Retinal Circadian Signaling:Transgenic Frog Model  | \$147 K      | 12 mos        | Dr. A. F. Wiechmann<br>Dept of Cell Biology                     |
| C3015201         | National Institute of Child Health and Human Development          | Cortisol &Placental Estrogen Prostanoid Synthesis  | \$264 K      | 12 mos        | Dr. W. X. Wu<br>Dept of Obstetrics and Gynecology               |
| C3022601         | National Institute of Mental Health                               | HIV-1 gp120-Induced Endothelial Cell Dysfunction   | \$102 K      | 12 mos        | Dr. G. Kanmogne<br>Dept of Pathology                            |

| <b>AWARD NO.</b> | <b>AGENCY</b>  | <b>TITLE</b>                                       | <b>VALUE</b>     | <b>PERIOD</b> | <b>PI(S)</b>  |
|------------------|--|--|------------------|---------------|---|
| C3022701         | National Institute of Allergy and Infectious Diseases      | Toxoplasma gondii Regulation: Host Gene Expression | \$108 K          | 12 mos        | Dr. I. J. Blader<br>Dept of Microbiology and Immunology             |
| C3022801         | National Institute of Allergy and Infectious Diseases      | The Neuroimmunology of Viral Infection             | \$220 K          | 12 mos        | Dr. D. J. Carr<br>Dept of Ophthalmology                             |
| C3024001         | National Center for Complementary and Alternative Medicine | Towards Non-Invasive Therapy: Atrial Fibrillation  | \$183 K          | 9 mos         | Dr. B. J. Scherlag<br>Cardiac Arrhythmia Research Institute         |
| C3029201         | National Eye Institute                                     | Anti-Viral Gene Delivery in the Nervous System     | \$183 K          | 12 mos        | Dr. D. J. Carr<br>Dept of Ophthalmology                             |
| C3029301         | National Cancer Institute                                  | Tobacco Industry Tactics Aimed at Native Americans | \$259 K          | 12 mos        | Dr. L. A. Beebe<br>Dept of Biostatistics and Epidemiology           |
| C5016301         | American Cancer Society                                    | Regulation of EGFR Signaling                       | \$180 K          | 12 mos        | Dr. B. Ceresa<br>Dept of Cell Biology                               |
| C6152313         | Research to Prevent Blindness, Inc.                        | Unrestricted Grant                                 | \$110 K          | 12 mos        | Dr. D. W. Parke<br>Dept of Ophthalmology                            |
| C8059101         | AstraZeneca Pharmaceuticals LP                             | Intravenous Infusion:NXY-059 - Patients w/ICH      | \$128 K          | 12 mos        | Dr. J. R. Couch<br>Dept of Neurology                                |
| C8059901         | SmithKline Beecham Corporation                             | Paroxetine:COAT-Platelet-Cardiovascular Disease    | \$170 K          | 22 mos        | Dr. S. F. Hamilton<br>Pharmacy Clinical and Administrative Sciences |
| <b>Totals</b>    | <b>18</b>  |  | <b>\$3,492 K</b> |               |   |

## **RESOLUTION TO EXCLUDE KEY MANAGEMENT PERSONNEL AND DIRECTORS**

I, CHRIS A. PURCELL, do hereby certify that I am the Executive Secretary of the Board of Regents of The University of Oklahoma, organized and existing under the laws of the State of Oklahoma, and that the following is a true and correct copy of a resolution adopted by the Board of Regents of said University at a meeting held in Lawton, Oklahoma, on June 22, 2004, at which time a quorum was present.

WHEREAS, current Department of Defense Regulations contain a provision making it mandatory that the Chairman of the Board and all principle officers meet the personal clearance requirements established for a contractor's facility clearance; and,

WHEREAS, said Department of Defense Regulations permits the exclusion from the personal clearance requirements certain members of the Board of Regents and other officers, provided that this action is recorded in the minutes.

BE IT RESOLVED that the following named persons shall constitute the "Managerial Group" for the University of Oklahoma as described in the National Industrial Security Program Operating Manual (NISPOM).

David L. Boren – President  
Nancy Mergler – Senior Vice President and Provost, Norman Campus  
W. Arthur Porter – University Vice President for Technology Development Susan Wyatt  
Sedwick – Executive Director, Office of Research Services & Facility Security Officer

NOW THEREFORE BE IT DECLARED that the members of the Managerial Group do possess the required personnel security clearance.

BE IT RESOLVED that in the future, when any individual enters upon any duties as Chairman of the Board or as one of the principle officers of the Managerial Group, such as President, or any one occupying a similar position, such individual shall immediately make application for the required security clearance; and,

BE IT RESOLVED FURTHER that the following members of the Board of Regents shall not require, shall not have, and can be effectively excluded from access to all classified information in the possession of the University and do not occupy positions that would enable them to affect adversely policies or practices in the performance of classified contracts for the Department of Defense or the User Agencies of the National Industrial Security Program:

Stephen F. Bentley, Chairman, Board of Regents  
Christy Everest, Vice Chairman, Board of Regents  
Regent Paul D. Austin  
Regent Tom Clark  
Regent Jon R. Stuart  
Regent A. Max Weitzenhoffer  
Regent Larry R. Wade  
Chris A. Purcell, Vice President for University Governance and Executive Secretary,  
Board of Regents

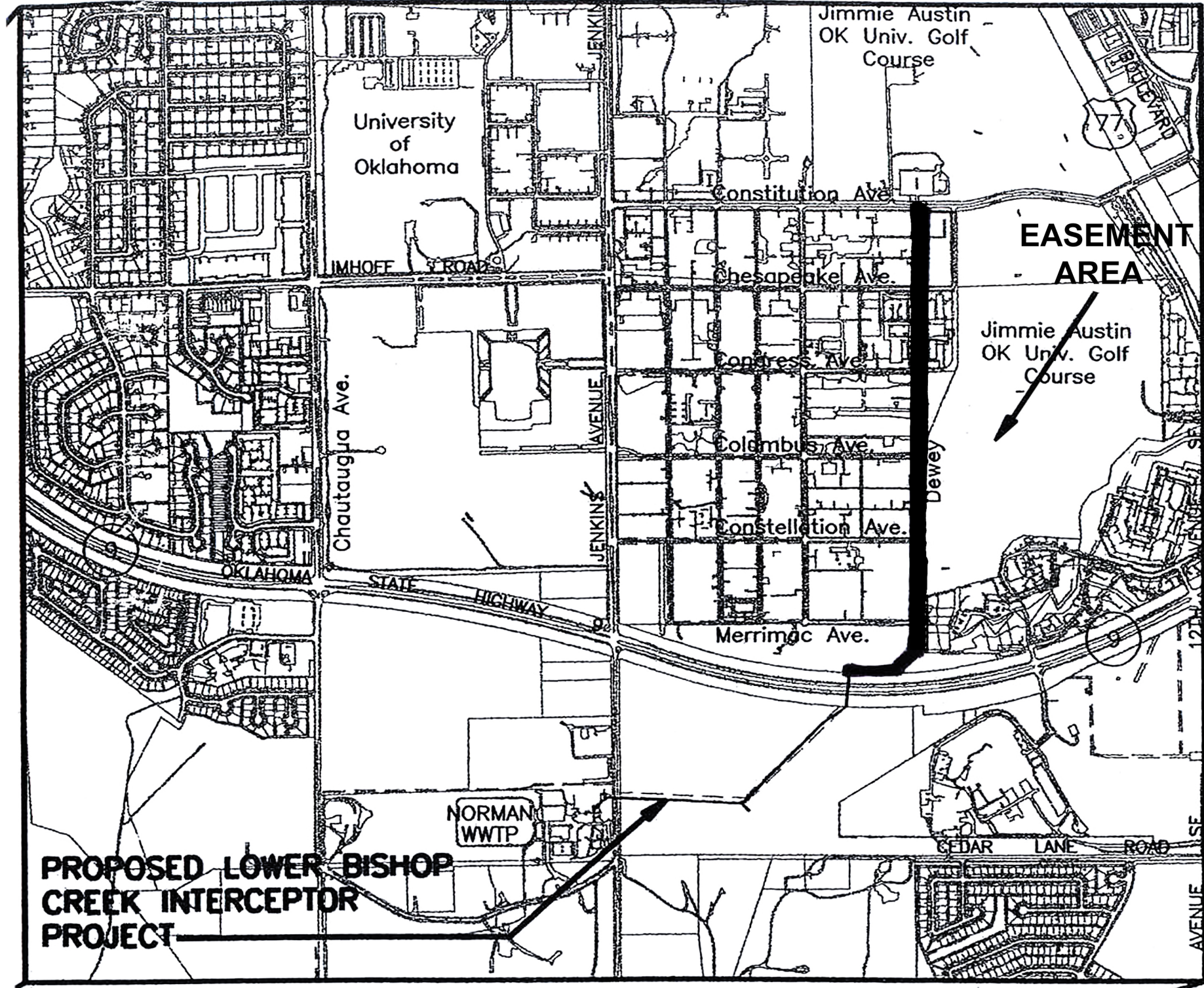


The authority and responsibility of any individual named herein shall cease immediately upon cessation of his or her appointment to and service in the position designated herein.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of the University of Oklahoma, this 23rd day of June, 2004.

---

CHRIS A. PURCELL  
Vice President for University Governance and  
Executive Secretary of the Board of Regents of  
The University of Oklahoma



University of Oklahoma

Jimmie Austin OK Univ. Golf Course

**EASEMENT AREA**

Jimmie Austin OK Univ. Golf Course

**PROPOSED LOWER BISHOP CREEK INTERCEPTOR PROJECT**

NORMAN WWTP

Chautaugua Ave.

JENKINS AVENUE

Dewey

12th AVENUE SE

IMHOFF ROAD

Constitution Ave.

Chesapeake Ave.

Congress Ave.

Columbus Ave.

Constellation Ave.

Merrimac Ave.

STATE HIGHWAY 9

CEDAR LANE ROAD

**Attachment**  
**STUDENT VACCINATIONS (ITEM AS INCLUDED IN MARCH 24-25, 2004 AGENDA)**

**ACTION PROPOSED:**

President Boren recommends the Board of Regents approve the categories of students listed below for exemption from providing written documentation of vaccinations as mandated in Sections 3242 and 3243 of Title 70 in the Oklahoma Statutes.

**BACKGROUND AND/OR RATIONALE:**

In May 2003, Senate Bill 787, addressing student vaccinations, was signed into law. The new sections of law, codified in the Oklahoma Statutes as Sections 3242 and 3243 of Title 70, require the following.

Section 3242 – 1) Universities must provide detailed information on the risks associated with meningococcal disease and the availability of vaccines to students who reside or plan to reside in on-campus students housing. 2) First-time enrollees who reside on campus are required to be vaccinated against meningococcal disease or sign a Certificate of Exemption.

Section 3243 – 1) All new students attending classes on campus are required to provide written documentation of vaccinations against hepatitis B and measles, mumps and rubella (MMR); 2) Universities are required to provide information to all new students regarding these illnesses and the risks and benefits of the vaccinations.

A student (or parent or guardian of a minor student) may decline vaccinations based on moral or religious reasons; or be exempted from providing written documentation of vaccinations, as designated by the Board of Regents. Accordingly, the Administration recommends the following categories of students be exempt.

1. All students who graduated from an Oklahoma high school and who are presumed to have met the legal requirements, where such vaccinations are mandatory by law.
2. Full or part-time students from states with similar statutory requirements from providing written documentation of vaccinations.
3. Concurrently enrolled high school students.
4. Students enrolled in higher education centers and other learning sites authorized by the Oklahoma State Regents for Higher Education (training centers, downtown consortium, business outreach classes and technology centers).
5. Adult students born before 1956.
6. Students transferring from another Oklahoma college or university after Fall 2004
7. Non-degree seeking students and students provisionally admitted (students taking nine credit hours or less).
8. Students who are active military.

In accordance with the statutes set forth in Sections 3242 and 3243, the current policy at OU will be expanded to include vaccinations. Informational materials have been developed for distribution to students, and were reviewed and approved for use by the Oklahoma State Department of Health and the Oklahoma State Regents for Higher Education. New procedures will be fully implemented for the 2004-2005 academic year.

**REGENTS' FUND**  
**QUARTERLY FINANCIAL REPORT**  
**March 31, 2004**

As of March 31, 2004, the Regents' Fund consisted of 166 individual funds. The funds, under the governance of The Board of Regents of The University of Oklahoma, are preserved through investment and spending strategies that provide a balance between reasonable current income and long-term growth. Future growth is needed to offset the impact of inflation and to maintain purchasing power for future generations.

**I. Policy Information**

During March 2004, the Boards investment manager for the CIF determined a change in both the custodian and manager of the fixed income portfolio was required to better position the fixed income allocation in the market place. This decision was made to improve performance in the coming market cycles and in accordance with the *Statement of Investment Policy*. As a result of the change in investment managers and the timing of the reinvestments, the asset allocation of the CIF will not conform to the target allocation during this reporting cycle.

- Highlights of the *Statement of Investment Policy* are described below.

**Target Asset Allocation**

| Asset Class            | Minimum % | Target % | Maximum % |
|------------------------|-----------|----------|-----------|
| U.S. Equities          | 40%       | 50%      | 60%       |
| International Equities | 5%        | 10%      | 15%       |
| Fixed Income           | 35%       | 40%      | 45%       |
| Cash Equivalents       | 0%        | 0%       | 5%        |

**Performance Measurement and Objectives**

The CIF is a long-term portfolio and should be judged with a long-term perspective. While short-term performance measures are meaningful with respect to due diligence and periodic monitoring of the fund, the performance of the CIF will be judged with the longest time horizon perspective in mind.

**Absolute Return Objective** - which shall be measured in real (i.e., net of inflation) rate-of-return terms and shall have the longest time horizon for measurement;

The Absolute Return Objective of the CIF is to seek an average total annual return equal to CPI and other costs plus 5%.

**Relative Return Objective** - which shall be measured as time-weighted rates of return versus market index benchmarks; and,

**Comparative Return Objective** - which shall measure performance as compared to a universe of similar investment funds.

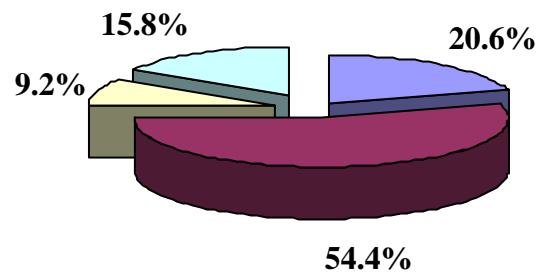
## II. Market Value

The total market value of the Regents' Fund at March 31, 2004 was \$71.1 million.

## III. Consolidated Investment Fund

- **Asset Allocation**

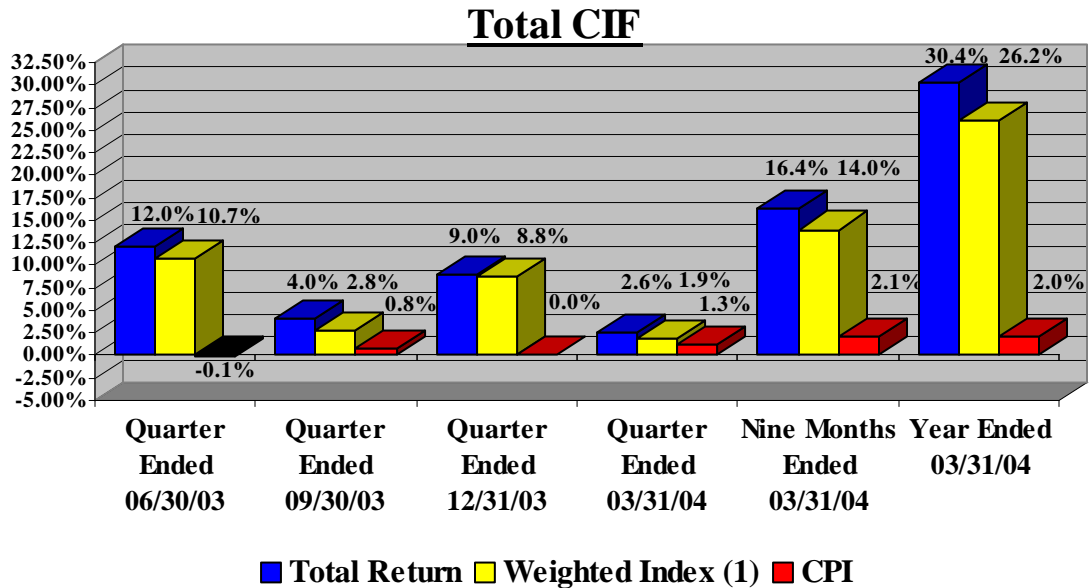
Cash and investments held by the CIF at March 31, 2004, had a market value of \$48.9 million, which is up \$8.7 million (21.8%) from June 30, 2003. The asset allocation of the CIF as of March 31, 2004 is summarized below.



■ Cash Equivalents ■ U.S. Equity ■ International Equity ■ Fixed Income

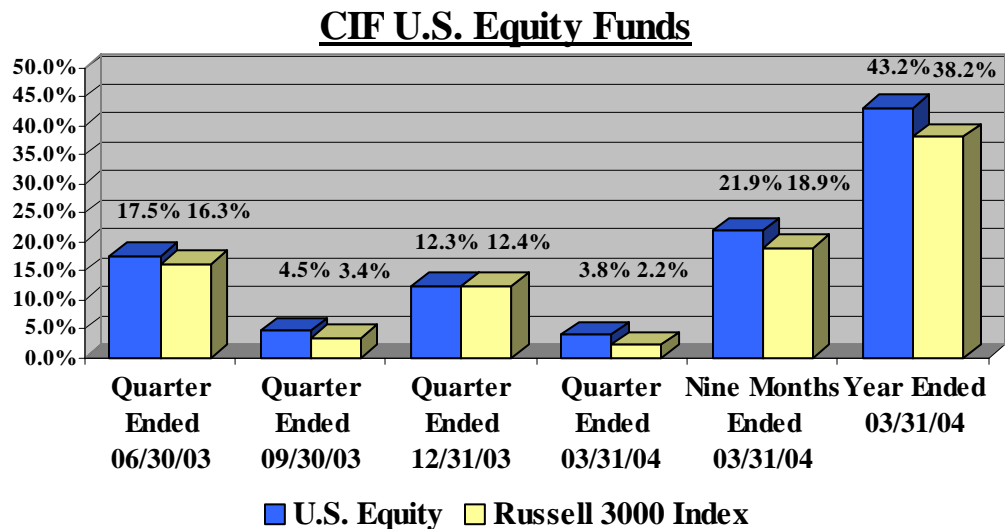
• **CIF Performance**

- As illustrated in the graph below, the total return on the CIF for the nine months ended March 31, 2004 of 16.4% exceeds the weighted index of 14.0% by 240 basis points. For the year ended March 31, 2004, the total return of 30.4% exceeds the weighted index of 26.2% by 420 basis points.



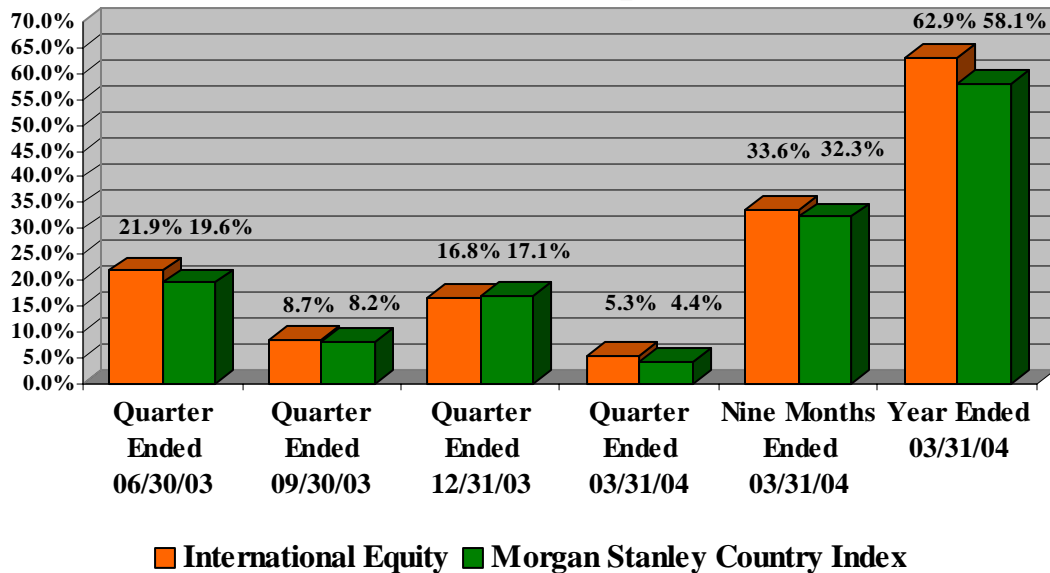
(1) The weighted index is a composite of indices represented by the Russell 3000, the Morgan Stanley Country Index (MSCI EAFE), and the Lehman Aggregate Bond Index.

- The US Equity return for the nine months ended March 31, 2004 of 21.9% exceeds the Russell 3000 of 18.9% by 300 basis points. For the year ended March 31, 2004, the return of 43.2% exceeds the benchmark of 38.2% by 500 basis points.



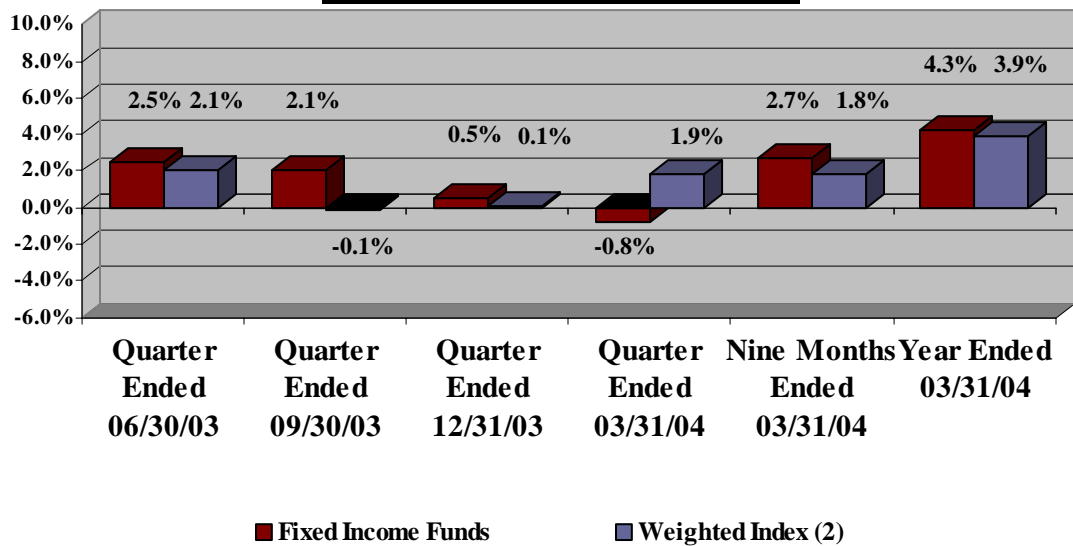
- The International Equity return for the nine months ended March 31, 2004 of 33.6% exceeds the benchmark of 32.3% by 130 basis points. For the year ended March 31, 2004, the return of 62.9% exceeds the benchmark of 58.1% by 480 basis points.

### CIF International Equity Funds



- The fixed income return for the nine months ended March 31, 2004 of 2.7% exceeds the weighted index of 1.8% by 90 basis points. For the year ended March 31, 2004, the return of 4.3% exceeds the weighted index of 3.9% by 40 basis points.

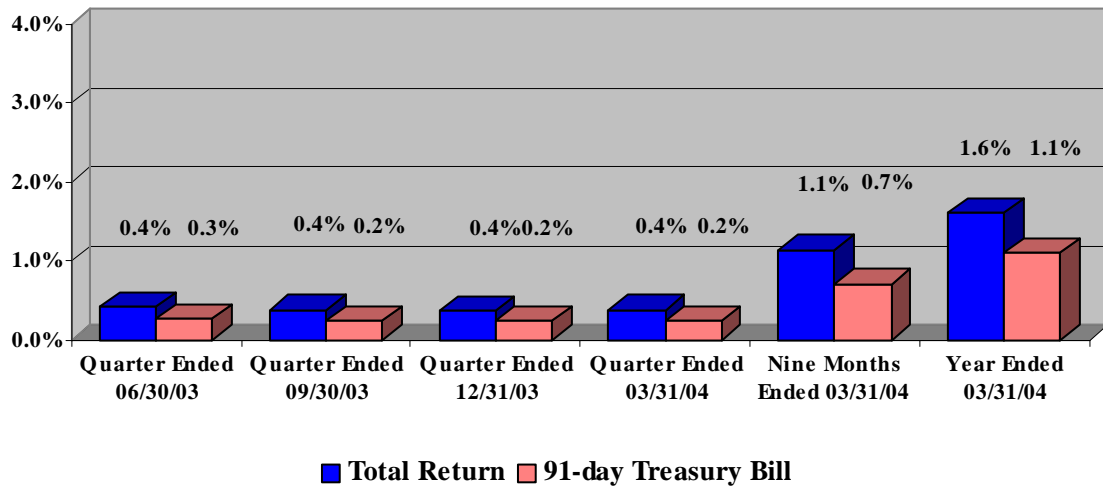
### CIF Fixed Income Funds



(2) The weighted index is a composite of indices represented by the Lehman Intermediate Aggregate Index and the Lehman Brothers Intermediate Government Index.

**IV. Short Term Investment Fund (STIF) Performance**

- The market value of STIF at March 31, 2004 was \$19.9 million, which is up by \$2.0 million (11.4%) from June 30, 2003.
- As indicated below, the total return on the STIF for the nine months ended March 31, 2004 of 1.1% exceeds the 91-day Treasury Bill rate of 0.7% by 40 basis points. For the year ending March 31, 2004, the total return of 1.6% exceeds the 91-day Treasury Bill rate of 1.1% by 50 basis points.





**V. Revenues and Expenditures**

During the nine months ended March 31, 2004, recognized revenues of \$18.7 million exceeded expenditures of \$5.3 million resulting in a net increase to market value of \$13.4 million. This increase is attributable primarily to appreciation on investments and cash gifts.

|                            | <u>2004</u>          | <u>2003</u>           |
|----------------------------|----------------------|-----------------------|
| <b>Revenues</b>            |                      |                       |
| Investment Income          | \$ 5,936,085         | \$ (2,627,706)        |
| Cash Gifts                 | 12,433,692           | 7,629,017             |
| Interest                   | 280,171              | 270,468               |
| Oil and Gas Royalties      | 40,210               | 44,622                |
| Other Income               | 12,433               | 11,726                |
| Total Revenues             | <u>18,702,591</u>    | <u>5,328,127</u>      |
| <b>Expenditures</b>        |                      |                       |
| Departmental Support       | 4,227,900            | 7,562,376             |
| Scholarships               | 705,842              | 741,608               |
| Operating Expenses         | 124,199              | 93,899                |
| Development Support        | 153,219              | 167,874               |
| Investment Fees            | 93,045               | 61,724                |
| Other Expenditures         | 45,713               | 35,580                |
| Total Expenditures         | <u>5,349,918</u>     | <u>8,663,061</u>      |
| Net Change in Market Value | <u>\$ 13,352,673</u> | <u>\$ (3,334,934)</u> |

**VI. Cash Gifts and Contributions**

The following cash gifts and contributions were received during the nine months ended March 31, 2004.

|   |              |
|---|--------------|
| • Athletic Seating Priorities Program   | \$ 7,311,562 |
| • A gift from the Estate of Frances P. Olson to establish the Francis Palmer Olson, M.D. Endowment Fund                           | 3,000,000    |
| • A gift from the University Hospitals Trust to establish the Oklahoma Medicaid Professorship for Medical Social Work Services #2 | 500,000      |
| • A gift from the College of Pharmacy at the OU Health Sciences Center to establish the Endowed Chair for the College of Pharmacy | 500,000      |
| • A gift from Aramark Athletic for the benefit of the Athletic Seating Priorities Program   | 400,000      |

June 22-23, 2004

|  |    |         |
|--|----|---------|
| • A gift from the Morris E. and Lucille R. Opler Living Trust to establish the Morris E. and Lucille R. Opler Endowment Fund   | \$ | 150,800 |
| • A gift from the College of Medicine at the OU Health Sciences Center to establish the Professorship of Psychiatric Education |    | 138,761 |
| • A gift from the OU Medical Center for the benefit of the HSC General Support Fund  |    | 112,500 |
| • A gift from the Chevron Texaco Exploration Production Co. to establish the Oklahoma Petroleum Information Center             |    | 64,000  |
| • A gift from the Estate of Homa Wood for the benefit of the Homa Wood Alumni and Development Fund                             |    | 55,785  |
| • A gift from the Stanley White Foundation to benefit the Stanley E. White Directorship of the Entrepreneurship Center         |    | 50,000  |
| • A gift from the Aaron Alexander Trust to benefit the Aaron Alexander Fund  |    | 21,348  |
| • A gift from the Donald E. Hall Trust for the benefit of the Hall Scholarship Fund  |    | 40,000  |
| • A gift from the Estate of Mary Violet Maurice to establish the Elizabeth Roemer Endowed Scholarship Fund                     |    | 20,000  |
| • A gift from the Estate of Mary L. Finley to establish the Mary L. Finley Memorial Scholarship in Voice Performance           |    | 17,958  |
| • A gift from the Davey O'Brien Foundation for the benefit of the Athletic Seating Priorities Capital Fund                     |    | 10,000  |
| • A gift from Judith Barnett for the benefit of Archaeology Expeditions  |    | 6,000   |
| • A gift from the Chevrolet Motor Fund for the benefit of the OU General Scholarship Fund                                      |    | 5,000   |
| • A gift from the Drumright Family Trust to establish the Florence Drumright Library Fund                                      |    | 5,000   |
| • A gift from Jeanne Cooper for the benefit of the Laurence L Jones Scholarship Fund   |    | 3,323   |
| • A gift from the Exxonmobile Foundation for the benefit of the Roy B. Adams Engineering Physics Scholarship Fund              |    | 2,400   |
| • A gift from Roy B. Adams for the benefit of the Roy B. Adams Engineering Physics Scholarship Fund                            |    | 2,200   |

June 22-23, 2004

|  |                      |
|--|----------------------|
| • A gift from The Oklahoma Children’s Health Foundation, Inc. to benefit the Harris D. Riley Pediatrics Fund | \$ 2,175             |
| • A gift from the Reservoir Visualization, Inc. to benefit the Oklahoma Petroleum Information Center         | 1,500                |
| • Various gifts of \$1,000 and under   | 13,380               |
| TOTAL GIFTS  | <u>\$ 12,433,692</u> |

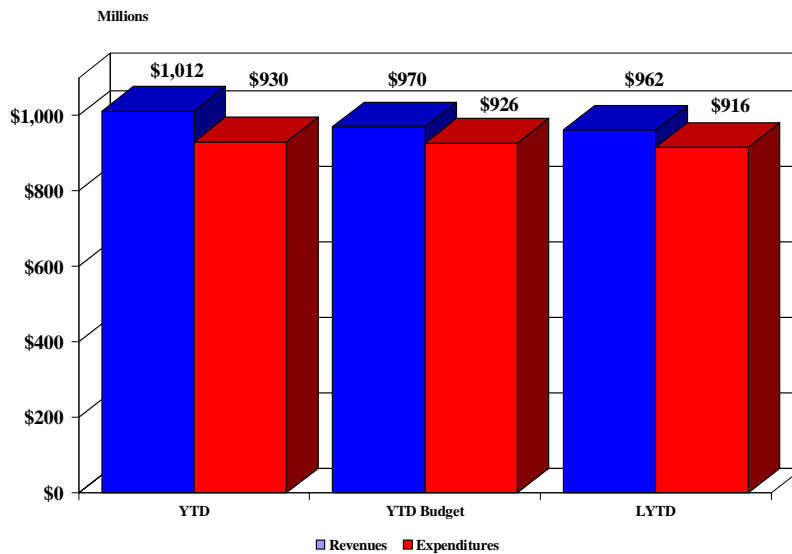
## QUARTERLY FINANCIAL ANALYSIS for the Nine Months Ended March 31, 2004

### EXECUTIVE SUMMARY

(For more detailed information, see the Quarterly Financial Analysis (QFA) report which was provided separately.)

#### ALL FUNDS, COMBINED

Revenues, prior year carry forward, and distributions from reserves of \$1.0 billion (86.1% of budget) exceeded expenditures of \$929.6 million (79.2% of budget). [See page 1 of the QFA.]

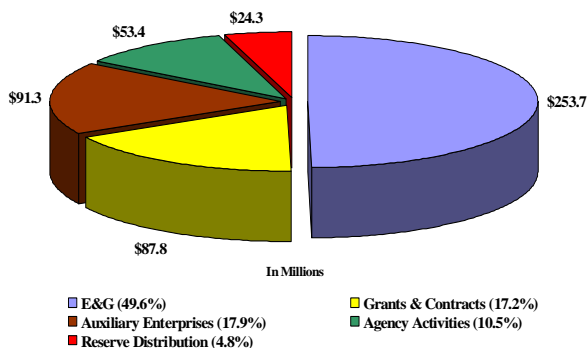


#### ALL FUNDS, BY CAMPUS

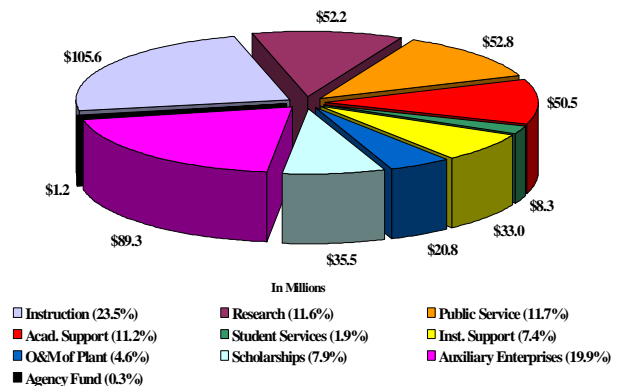
##### Norman Campus

Revenues, prior year carry forward, and distributions from reserves of \$510.5 million (85.6% of budget) exceeded expenditures of \$449.2 million (75.4% of budget). [See page 2 of the QFA.]

##### Revenues



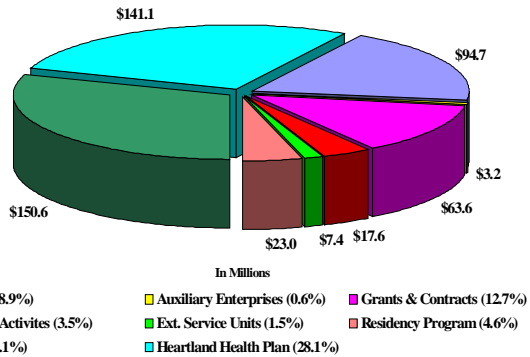
##### Expenditures



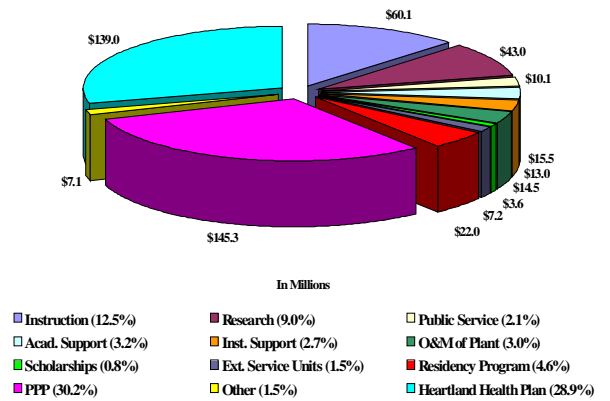
**Health Sciences Center**

Revenues and distributions from reserves of \$501.2 million (86.6% of budget) exceeded expenditures of \$480.4 million (83.0% of budget). [See page 8 of the QFA.]

**Revenues**



**Expenditures**

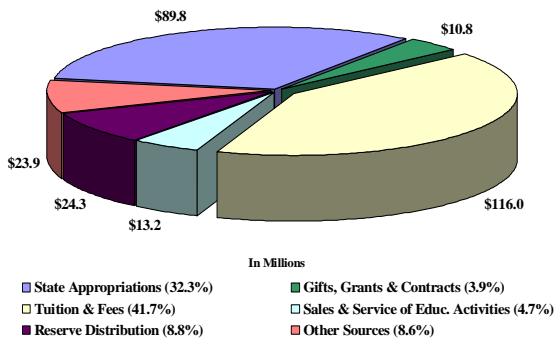


**EDUCATIONAL & GENERAL**

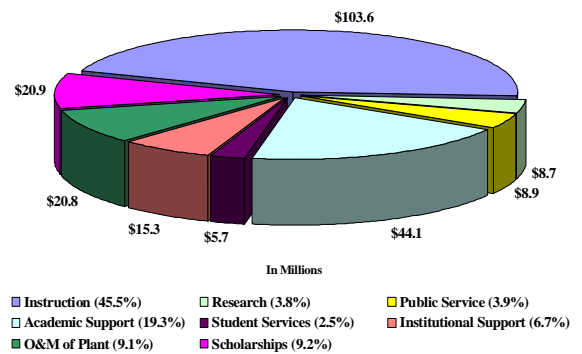
**Norman Campus**

Revenues, prior year carry forward, and distributions from reserves of \$278.0 million (88.9% of budget) exceeded expenditures of \$228.0 million (72.9% of budget). [See page 3 of the QFA.]

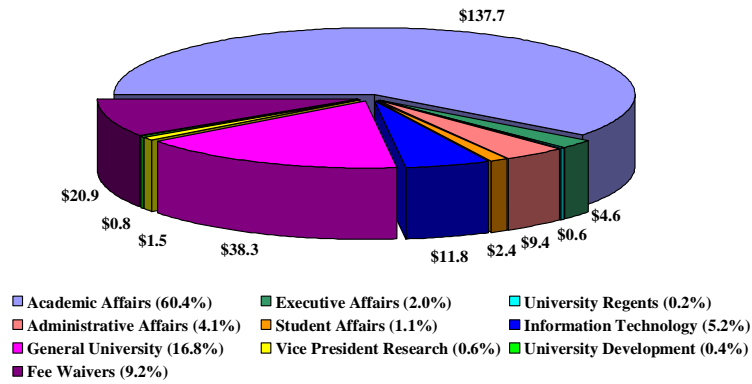
**Revenues**



**Expenditures By Function**



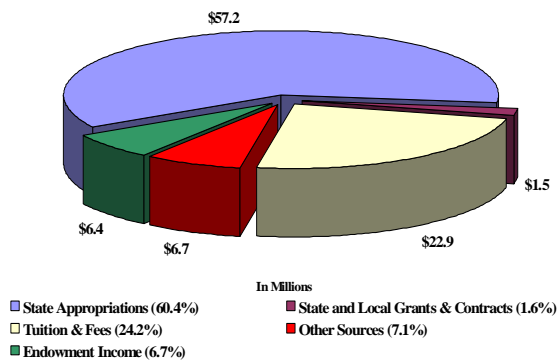
### Expenditures by Organizational Area



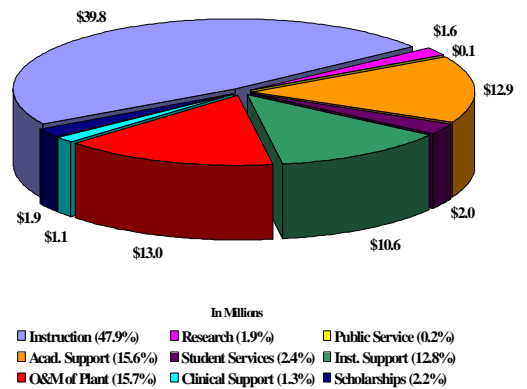
### Health Sciences Center

Revenues and distributions from reserves of \$94.7 million (71.7% of budget) exceeded expenditures of \$83.0 million (62.8% of budget). [See page 9 of the QFA.]

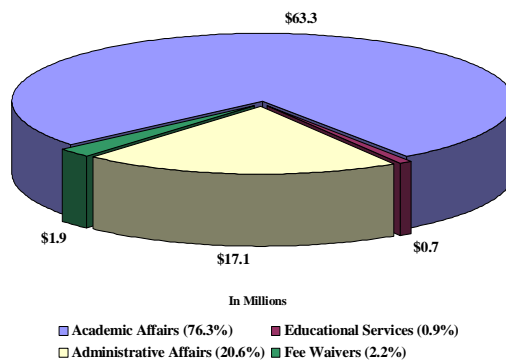
#### Revenues



#### Expenditures by Function



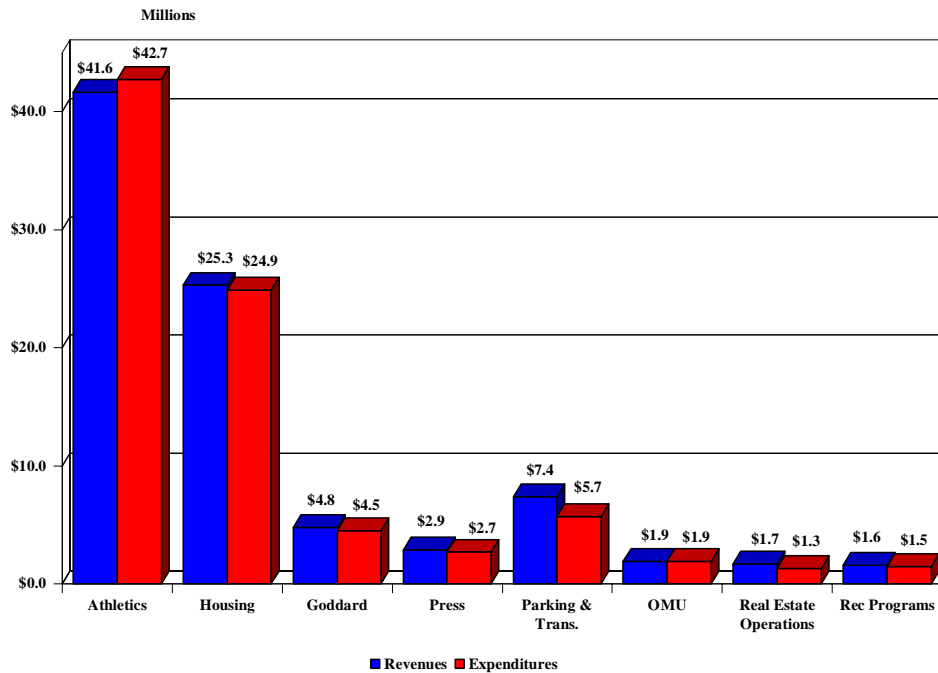
### Expenditures by Organizational Area



### AUXILIARY ENTERPRISES

Revenues and expenditures for major auxiliary enterprises (year-to-date revenues of \$1.5 million or more) are detailed below. [See page 5 of the QFA.]

#### Norman



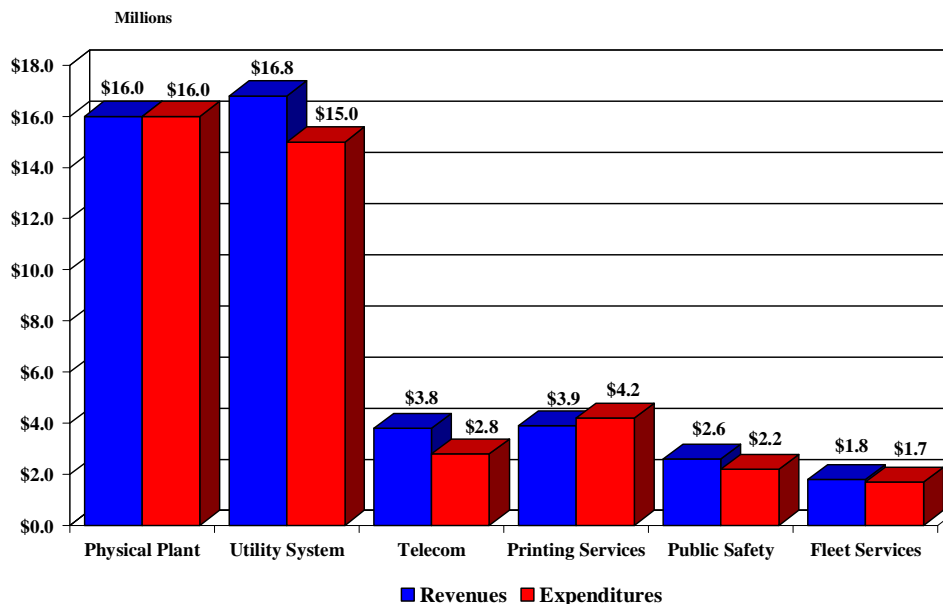
#### Health Sciences Center

There were no auxiliary enterprises which were reporting revenues of \$1.5 million or more. [See page 11 of the QFA.]

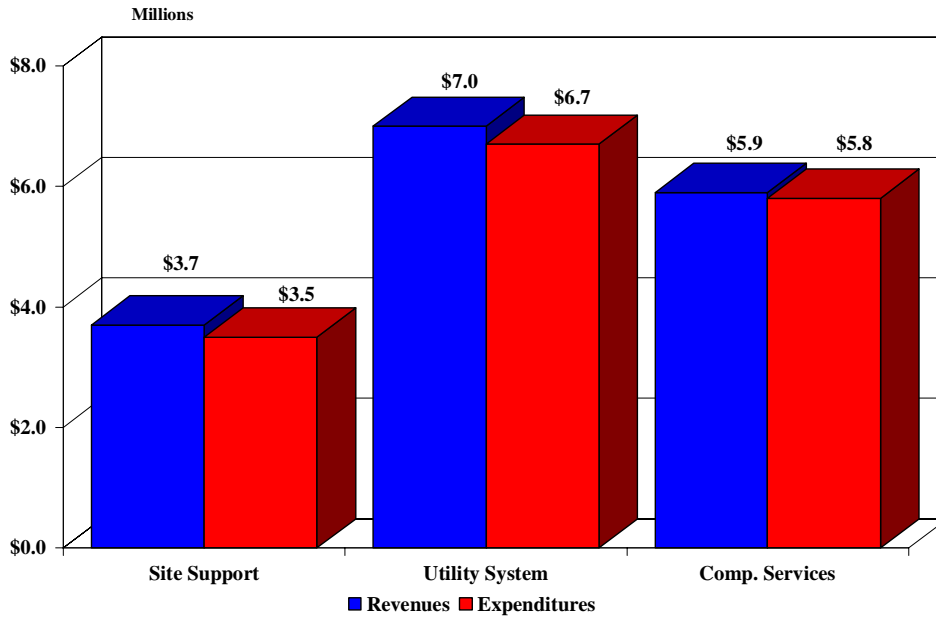
### SERVICE UNITS

Revenues and expenditures for major service units (year-to-date revenues of \$1.5 million or more) are detailed below.

#### Norman [See page 6 of the QFA.]



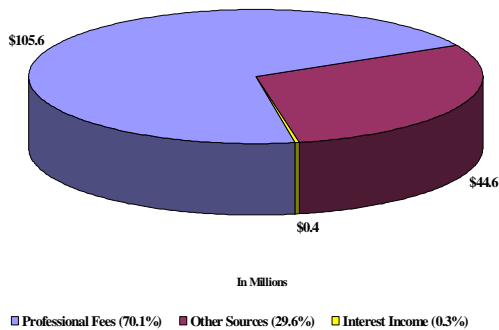
**Health Sciences Center** [See page 12 of the QFA.]



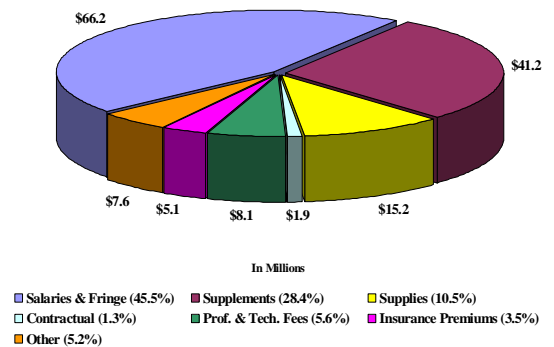
**Professional Practice Plan (PPP)**

PPP revenues and distributions from reserves of \$150.6 million (90.7% of current budget) exceeded expenditures of \$145.3 million (87.5% of budget). [See page 13 of the QFA.]

**Revenues**



**Expenditures**

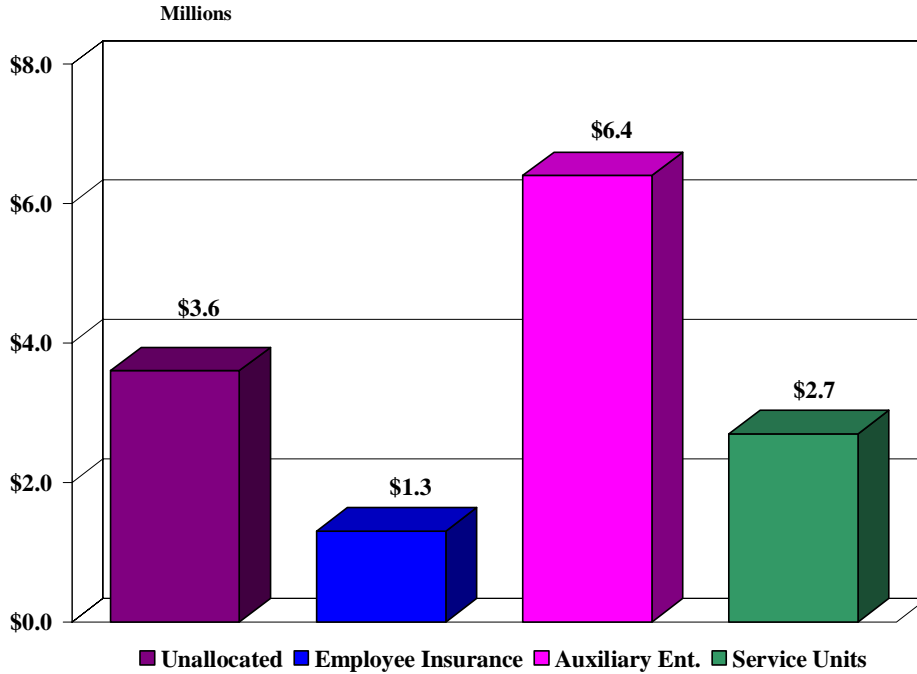




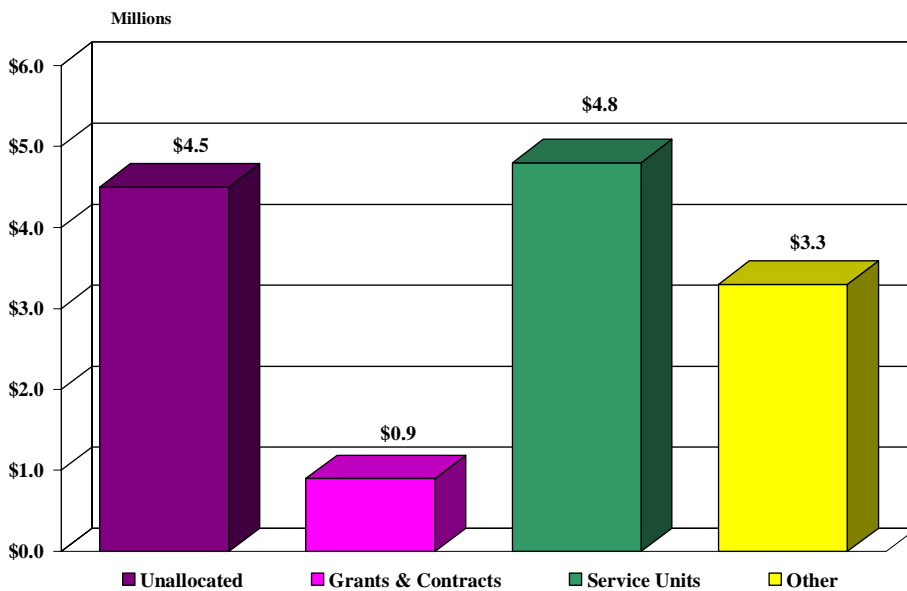
**RESERVES**

Reserves for the Norman Campus and the Health Sciences Center totaled \$14.0 million and \$13.5 million, respectively, at March 31, 2004. [See page 15 of the QFA.]

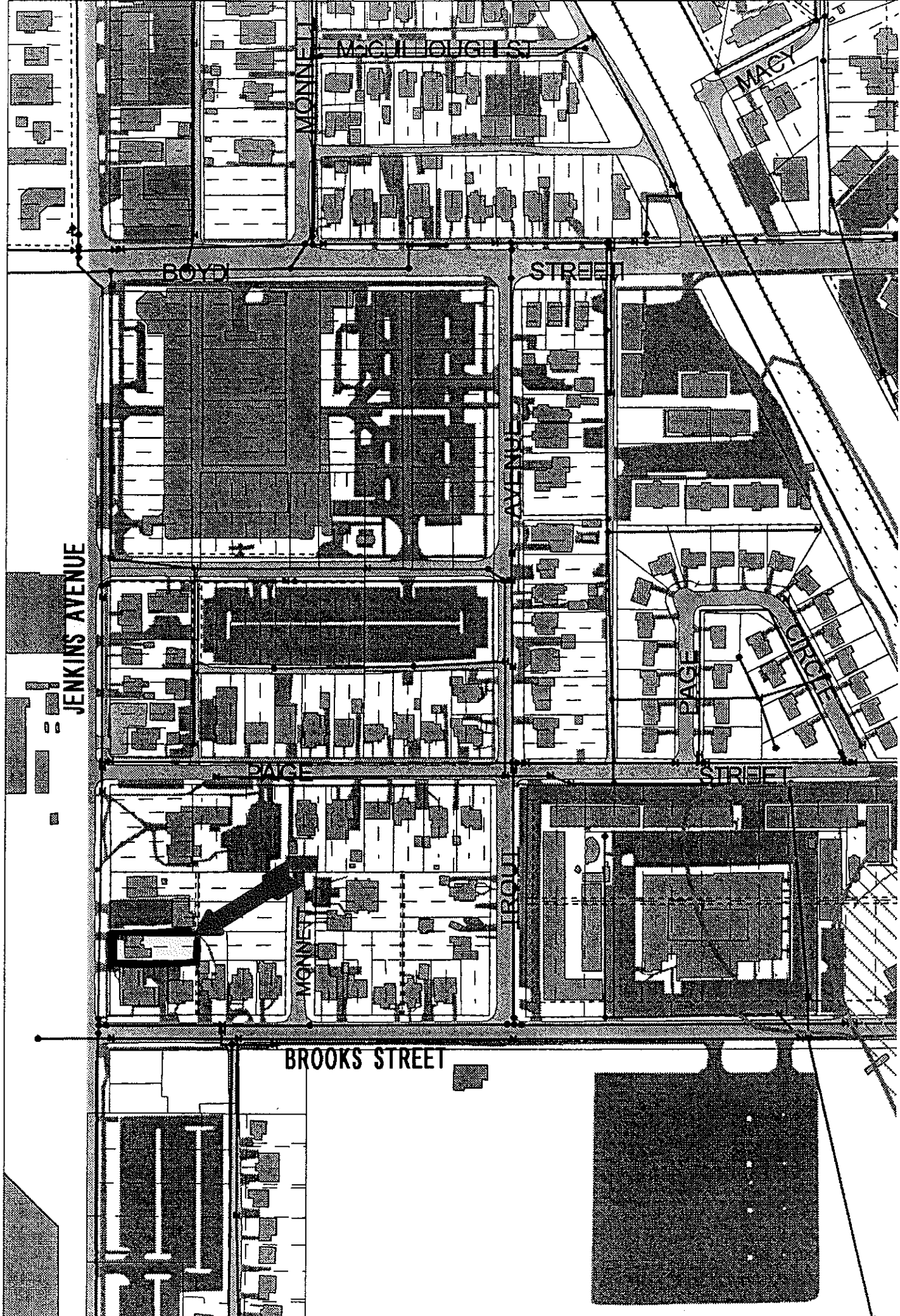
**Norman Campus**



**Health Sciences Center**







# CAMERON UNIVERSITY

## Sick Leave Policy

### Policy Statement

To protect against loss of earnings for absences due to short-term illness or disability, Cameron University has established a uniform sick leave policy for all benefits eligible employees.

### Contents

- Who should know this Policy?
- Responsibilities
- Procedure
- Contacts
- Forms
- Policy History

### Who Should Know This Policy

|                    |                                      |
|--------------------|--------------------------------------|
| ✓ President        | ✓ Faculty                            |
| ✓ Provost          | ✓ Other Accounting/Finance Personnel |
| ✓ Vice President   | Students                             |
| ✓ Dean             | Other Groups                         |
| ✓ Department Chair | ✓ All Employees                      |
|                    |                                      |
|                    |                                      |

### Responsibilities

|                                 |   |
|---------------------------------|---|
| <b>Responsible for Policy</b>   |   |
| University Officer Responsible: |   |
| Glen P. Pinkston                | Vice President for Business and Finance |

---

## Procedure

---

**STATEMENT OF PURPOSE:** In support of the above policy statement, the following procedures and information are provided:

### **A. Definitions**

1. Sick leave is defined for the purpose of this policy as absence from a regular work schedule caused by personal illness or temporary disability, or by the sickness or temporary disability of a member of the immediate family.
2. Immediate family is defined as spouse, dependent children or parents.
3. Benefits eligible employees are defined, for provisions of this policy, as employees holding a regular appointment and working 50 percent time or more. The sick leave benefit is not provided to employees classified with student or temporary titles or classified as a part-time employee employed to work less than 20 hours per week.

### **B. Qualifying for Payment of Sick Leave**

1. Benefits eligible employees will accrue sick leave.
2. Sick leave starts accruing from the day of employment and can be used, consistent with this policy, to the extent that it has been accrued.
3. Benefits eligible employees working less than 40 hours a week will accrue sick leave benefits on a pro-rata basis.

### **C. Sick Leave Plan**

1. No payment shall be made at any time for unused sick leave.
2. Employees who terminate employment with the University shall forfeit all unused sick leave.
3. Employees who transfer from one department to another department within the University will take the balance of unused accumulated sick leave to the new department.
4. Employees who transfer employment between institutions of higher education within the state of Oklahoma are eligible to have all earned sick leave transferred. The employee will notify the supervisor of the existence of a sick leave balance within thirty (30) days of employment.
5. An appointment ending date which was on record at the inception of an illness or disability will supersede any leave without pay, return from leave, or job guarantee considerations in this policy.
6. Employees who became members of the Oklahoma Teachers' Retirement System (OTRS) prior to July 1, 1992, may be able to use unused sick leave to receive additional service credit for OTRS retirement benefits.
7. The possibility of additional service credit is governed by rules and regulations of OTRS and is not awarded or regulated by Cameron University. Cameron University facilitates the possibility of additional service credit by maintaining centralized records of sick leave accrual and usage.

8. Benefits and provisions under this sick leave policy are to be in coordination with appropriate provisions of policies covering Workers' Compensation, Family and Medical Leave Act, and Long-Term Disability.

**D. Sick Leave Accrual**

1. All benefits eligible employees working 40 hours per week shall accrue sick leave with pay at the rate of 12 hours per month over the member's appointment period not to exceed a maximum accrual of 1,440 hours.
2. Sick leave may be granted at a proportionate rate for regular faculty and staff not working 40 hours a week provided they are working 20 hours or more per week.

**E. Use of Sick Leave**

1. Sick leave is available, to the extent that it is earned, for personal illness or incapacity of the employee or the employee's immediate family.
2. Seventy-two (72) hours per fiscal year of earned sick leave may be used for occasions which require the employee to care for a member of the immediate family who is ill or incapacitated.
3. The supervisor will require the staff member to furnish certification of illness or disabling injury if the period of absence requested exceeds three (3) consecutive workdays. Falsification of such information shall be cause for dismissal with appropriate adjustment in pay.
4. The supervisor may require the employee to furnish satisfactory proof of the need to care for a member of the immediate family who is ill or incapacitated if the period requested exceeds three (3) consecutive work days.
5. Timely notification of absence due to personal or immediate family illness or injury shall be given to the appropriate supervisor by the staff member or his/her representative on the first day after the employee returns to work. Failure to give such notice may be considered as cause for disciplinary action.
6. All sick leave used shall be reported with appropriate documentation by staff to the supervisor. Classified staff will report sick leave used on their monthly Timesheet (T1) and administrative/professional and faculty personnel shall report any sick leave used on the Leave Request Form (L1).
7. Sick leave may be used for personal or an immediate family member's appointments with a doctor, dentist or other recognized licensed medical practitioner. Whenever, possible, such appointments should be scheduled in coordination with the work schedule. In no case shall the length of time exceed the extent of time required to complete such appointment.
8. In the case of illness while on paid vacation, the employee shall not be allowed to use sick leave to cover the period of illness unless the illness can be certified by a physician as a serious health condition.
9. Sick leave accrual may not be anticipated. Employees may use only the amount of sick leave which has been earned and credited prior to or within that pay period.

**F. Maternity Leave**

1. Illness due to pregnancy is treated as any other temporary disability.
2. In requesting maternity leave, sick leave may be used when there is a medical justification for the employee's absence.
3. For those employees qualifying for Family and Medical Leave, additional leave beyond that determined as medically justifiable for the employee's absence, will be granted for the care of a healthy infant through utilization of earned annual leave and leave without pay. All leave, for these purposes may not exceed a total of 12 weeks.
4. Employees who do not qualify for Family and Medical Leave will be extended sick leave when there is medical justification for the employee's absence only. The option of whether to grant additional leave, beyond that which has been determined as medically justifiable for the employee's absence, will be at the discretion of the supervisor. Additional leave, if granted, will be either annual leave or leave without pay.
5. Employees shall not be penalized in their condition of employment because they require time away from work for purposes.

**G. Exhaustion of Sick Leave**

1. Sick leave cannot be taken in advance of accrual. Reporting of sick leave taken in excess of that accrued will result in automatic adjustments to annual leave or compensatory leave balances as part of the payroll process. In no case will an employee be paid for leave in excess of the total number of leave hours available.
2. At any time in which the supervisor becomes aware that the staff member's total leave balance is reduced to zero, the supervisor should notify the Personnel and Payroll offices.

**H. Requests for Extended Leave without Pay (Short-Term)**

1. For those categories of benefits eligible employees that qualify, medical leaves that extend longer than six months will be covered under Long-Term Disability.
2. Employees who are unable to work due to illness or injury that is not service-connected, and who have exhausted all accrued sick leave and annual leave, may request a leave of absence without pay.
3. Employees who are not eligible for coverage under the Family and Medical Leave Act and who have exhausted all accrued sick leave and annual leave, may request a leave of absence without pay. The need for such leave shall be certified by a licensed medical practitioner and will be determined on a case-by-case basis by the supervisor and the Vice President for Business and Finance and/or the appropriate Vice President.
4. The supervisor may require medical certification of the employee's ability to continue to work or to return to work. Periodic medical recertification during such a leave may also be required.
5. During this period of medical leave without pay, the employee will be billed for medical and life insurance premiums. Failure to make timely payments for premiums during the months in which the employee is billed may result in cancellation of insurance.

### **I. Sick Leave Records**

1. Administrative/professional employees are required to report sick leave taken even though they do not report hours of work under the Fair Labor Standards Act.
2. For faculty members there shall be no reduction in pay or use of sick leave recorded for illnesses of short duration, generally not exceeding two consecutively scheduled class meeting.
3. Leave accrued, leave taken, and current accrual balances as maintained in the payroll system are reported to employees on the monthly Statement of Earnings and Deductions.

---

### **Contacts**

---

Policy Questions: Corlis McPhaul, Director of Personnel, 580-581-2245

---

### **Forms**

---

In support of this policy, the following forms are included:

---

### **Policy History**

---

T1 – Time Sheet  
L1 – Leave Request Form  
(Found on share drive (W:))

### **Policy**

Issue Date: March 24, 2004

Reviewed, no revision:

Revised:



## Statement of Revenues and Expenditures - All Funds

For the Period Ended March 31, 2004 with Comparative Totals for the Period Ended March 31, 2003.

|   | (1)                          | (2)                                    | (3)                        | (4)                         | (5)  | (6)                             | (7)  |
|---|------------------------------|--|----------------------------|-----------------------------|--|---------------------------------|--|
|   | Original<br>Annual<br>Budget | Current<br>Revised<br>Annual<br>Budget | Current<br>Y-T-D<br>Actual | Previous<br>Y-T-D<br>Actual | Expected<br>Percentage<br>of Current<br>Budget | Percent of<br>Current<br>Budget | Percent of<br>Previous Yr<br>Current<br>Budget |
| <b>Revenues:</b>                              |                              |  |                            |                             |  |                                 |  |
| Unrestricted                                  | 28,425,901                   | 28,620,184                             | 23,003,502                 | 22,449,978                  | 80.9%  | 80.4%                           | 81.5%  |
| Restricted                                    | 9,471,355                    | 10,270,449                             | 7,724,454                  | 7,372,308                   | 75.9%  | 75.2%                           | 76.6%  |
| Auxiliary Enterprises                         | 3,782,753                    | 3,782,753                              | 3,084,989                  | 2,755,053                   | 84.7%  | 81.6%                           | 87.8%  |
| Subtotal Revenues                             | 41,680,009                   | 42,673,386                             | 33,812,945                 | 32,577,339                  | 80.0%  | 79.2%                           | 80.8%  |
| Budgeted Reserve                              | 1,541,683                    | 1,363,098                              | 1,363,098                  | 946,492                     | 100.0%   | 100.0%                          | 100.0%   |
| Total Revenues                                | 43,221,692                   | 44,036,484                             | 35,176,043                 | 33,523,831                  | 76.7%  | 79.9%                           | 73.5%  |
| <b>Expenditures:</b>                          |                              |  |                            |                             |  |                                 |  |
| Instruction                                   | 18,543,611                   | 18,759,527                             | 11,551,157                 | 12,692,753                  | 66.1%  | 61.6%                           | 70.6%  |
| Research                                      | 558,728                      | 634,592                                | 200,863                    | 352,366                     | 41.7%  | 31.7%                           | 51.7%  |
| Public Service                                | 1,143,485                    | 1,288,701                              | 748,841                    | 751,464                     | 59.3%  | 58.1%                           | 60.5%  |
| Academic Support                              | 1,595,114                    | 1,600,395                              | 1,007,299                  | 926,389                     | 67.2%  | 62.9%                           | 71.6%  |
| Student Services                              | 3,144,034                    | 3,165,392                              | 2,003,572                  | 1,889,944                   | 62.6%  | 63.3%                           | 61.9%  |
| Institutional Support                         | 3,911,516                    | 4,094,876                              | 2,206,137                  | 2,302,035                   | 50.4%  | 53.9%                           | 47.0%  |
| Operations & Maint of Plant                   | 4,571,135                    | 4,571,135                              | 2,999,622                  | 3,004,339                   | 66.7%  | 65.6%                           | 67.9%  |
| Scholarships & Fellowships                    | 5,971,316                    | 6,139,113                              | 5,949,974                  | 5,515,220                   | 105.3%   | 96.9%                           | 113.7%   |
| Auxiliary Enterprises                         | 4,085,229                    | 4,085,229                              | 2,705,738                  | 2,344,334                   | 68.1%  | 66.2%                           | 69.9%  |
| Total Expenditures                            | 43,524,168                   | 44,338,960                             | 29,373,203                 | 29,778,844                  | 68.8%  | 66.2%                           | 71.3%  |
| Current Revenues Over/(Under)<br>Expenditures | (302,476)                    | (302,476)                              | 5,802,840                  | 3,744,987                   |  |                                 |  |
| Auxiliary Prior Year Carryover                | 4,860,839                    | 4,860,839                              | 4,860,839                  | 4,113,440                   |  |                                 |  |
| Fund Balance                                  | 4,558,363                    | 4,558,363                              | 10,663,679                 | 7,858,427                   |  |                                 |  |

## Statement of Revenues and Expenditures - Education &amp; General, Part I - Unrestricted

For the Period Ended March 31, 2004 with Comparative Totals for the Period Ended March 31, 2003.

|   | (1)                          | (2)                                    | (3)                        | (4)                         | (5)  | (6)                             | (7)   |
|---|------------------------------|--|----------------------------|-----------------------------|--|---------------------------------|---|
|   | Original<br>Annual<br>Budget | Current<br>Revised<br>Annual<br>Budget | Current<br>Y-T-D<br>Actual | Previous<br>Y-T-D<br>Actual | Expected<br>Percentage<br>of Current<br>Budget | Percent of<br>Current<br>Budget | Percent of<br>Previous Yr.<br>Current<br>Budget |
| <b>Revenues:</b>                                      |                              |  |                            |                             |  |                                 |   |
| State Appropriations                                  | 17,638,016                   | 17,786,601                             | 13,402,368                 | 13,975,121                  | 75.6%  | 75.4%                           | 75.9%   |
| Tuition & Fees  | 9,720,148                    | 9,720,148                              | 8,830,183                  | 7,410,834                   | 93.1%  | 90.8%                           | 95.4%   |
| Grants, Contracts, & Reimbursements                   | 750,087                      | 795,785                                | 558,882                    | 842,381                     | 89.3%  | 70.2%                           | 108.3%  |
| Endowment Income                                      | 82,000                       | 82,000                                 | 0                          | 0                           | 0.0%   | 0.0%                            | 0.0%  |
| Organized Activity                                    | 0                            | 0                                      | 1,100                      | 5,200                       | 0.0%   | 0.0%                            | 26.0%   |
| Other Sources   | 235,650                      | 235,650                                | 210,969                    | 216,442                     | 87.6%  | 89.5%                           | 85.7%   |
| <b>Total Revenues</b>                                 | <b>28,425,901</b>            | <b>28,620,184</b>                      | <b>23,003,502</b>          | <b>22,449,978</b>           | <b>80.5%</b>                                   | <b>80.4%</b>                    | <b>80.6%</b>                                    |
| <b>Budgeted Reserve</b>                               | <b>1,541,683</b>             | <b>1,363,098</b>                       | <b>1,363,098</b>           | <b>946,492</b>              | <b>100.0%</b>                                  | <b>100.0%</b>                   | <b>100.0%</b>                                   |
| <b>Budgeted Resources</b>                             | <b>29,967,584</b>            | <b>29,983,282</b>                      | <b>24,366,600</b>          | <b>23,396,470</b>           | <b>81.3%</b>                                   | <b>81.3%</b>                    | <b>81.3%</b>                                    |
| <b>Expenditures by Function:</b>                      |                              |  |                            |                             |  |                                 |   |
| Instruction   | 18,241,247                   | 18,256,945                             | 11,419,373                 | 12,557,635                  | 66.8%  | 62.5%                           | 71.0%   |
| Research  | 123,042                      | 123,042                                | 73,114                     | 75,824                      | 61.6%  | 59.4%                           | 63.8%   |
| Public Service  | 325,064                      | 325,064                                | 238,032                    | 244,410                     | 74.4%  | 73.2%                           | 75.5%   |
| Academic Support                                      | 1,568,014                    | 1,568,014                              | 985,556                    | 907,583                     | 67.2%  | 62.9%                           | 71.5%   |
| Student Services                                      | 1,834,992                    | 1,834,992                              | 1,261,748                  | 1,208,286                   | 68.4%  | 68.8%                           | 68.0%   |
| Institutional Support                                 | 3,304,090                    | 3,304,090                              | 2,172,940                  | 2,281,358                   | 68.9%  | 65.8%                           | 72.0%   |
| Operation & Maint of Plant                            | 4,571,135                    | 4,571,135                              | 2,999,622                  | 3,004,339                   | 66.7%  | 65.6%                           | 67.9%   |
| <b>Total Expenditures</b>                             | <b>29,967,584</b>            | <b>29,983,282</b>                      | <b>19,150,385</b>          | <b>20,279,435</b>           | <b>67.2%</b>                                   | <b>63.9%</b>                    | <b>70.5%</b>                                    |
| <b>Current Revenues Over/(Under)<br/>Expenditures</b> | <b>0</b>                     | <b>0</b>                               | <b>5,216,215</b>           | <b>3,117,035</b>            |  |                                 |   |
| <b>Expenditures by Organizational Area:</b>           |                              |  |                            |                             |  |                                 |   |
| <b>Academic Affairs:</b>                              |                              |  |                            |                             |  |                                 |   |
| School of Business                                    | 2,300,063                    | 2,192,023                              | 1,471,480                  | 1,593,097                   | 68.8%  | 67.1%                           | 70.4%   |
| School of Education & Behavioral Sciences             | 2,713,358                    | 2,739,007                              | 1,826,668                  | 2,073,381                   | 69.4%  | 66.7%                           | 72.0%   |
| School of Liberal Arts                                | 4,770,219                    | 5,195,067                              | 3,344,151                  | 3,580,062                   | 68.1%  | 64.4%                           | 71.9%   |
| School of Science & Technology                        | 3,608,430                    | 3,837,163                              | 2,554,608                  | 2,696,116                   | 68.8%  | 66.6%                           | 71.1%   |
| Other Instructional Expense                           | 3,587,928                    | 3,139,406                              | 1,422,099                  | 1,716,088                   | 55.5%  | 45.3%                           | 65.6%   |
| Educational Outreach                                  | 643,116                      | 529,820                                | 332,162                    | 391,743                     | 69.6%  | 62.7%                           | 76.4%   |
| Research  | 123,042                      | 123,042                                | 73,114                     | 75,824                      | 61.6%  | 59.4%                           | 63.8%   |
| Broadcast & Media Svcs                                | 325,064                      | 325,064                                | 238,032                    | 244,410                     | 74.4%  | 73.2%                           | 75.5%   |
| Athletics   | 618,133                      | 627,231                                | 468,206                    | 507,148                     | 75.9%  | 74.6%                           | 77.1%   |
| Libraries   | 1,479,143                    | 1,477,993                              | 920,547                    | 851,040                     | 67.0%  | 62.3%                           | 71.7%   |
| Ancillary Support                                     | 88,871                       | 90,021                                 | 65,008                     | 56,543                      | 69.9%  | 72.2%                           | 67.6%   |
| Admission/Records                                     | 856,231                      | 835,505                                | 596,331                    | 455,299                     | 74.7%  | 71.4%                           | 77.9%   |
| Fiscal Operations                                     | 1,033,438                    | 1,048,956                              | 777,854                    | 552,262                     | 78.9%  | 74.2%                           | 83.6%   |
| Student Affairs                                       | 978,761                      | 999,487                                | 665,417                    | 752,987                     | 64.8%  | 66.6%                           | 63.1%   |
| Executive Management                                  | 1,297,115                    | 1,285,597                              | 756,169                    | 940,440                     | 62.2%  | 58.8%                           | 65.6%   |
| Development   | 415,775                      | 426,157                                | 300,579                    | 247,988                     | 69.6%  | 70.5%                           | 68.6%   |
| General University                                    | 5,128,897                    | 5,114,515                              | 3,337,960                  | 3,545,007                   | 67.1%  | 65.3%                           | 68.9%   |
| <b>Total Expenditures/Area</b>                        | <b>29,967,584</b>            | <b>29,986,054</b>                      | <b>19,150,385</b>          | <b>20,279,435</b>           | <b>67.2%</b>                                   | <b>63.9%</b>                    | <b>70.5%</b>                                    |

## Statement of Revenues and Expenditures - Education &amp; General, Part II - Restricted

For the Period Ended March 31, 2004 with Comparative Totals for the Period Ended March 31, 2003.

|   | (1)                          | (2)                                    | (3)                        | (4)                         | (5)  | (6)                             | (7)   |
|---|------------------------------|--|----------------------------|-----------------------------|--|---------------------------------|---|
|   | Original<br>Annual<br>Budget | Current<br>Revised<br>Annual<br>Budget | Current<br>Y-T-D<br>Actual | Previous<br>Y-T-D<br>Actual | Expected<br>Percentage<br>of Current<br>Budget | Percent of<br>Current<br>Budget | Percent of<br>Previous Yr.<br>Current<br>Budget |
| <b>Revenues:</b>                            |                              |  |                            |                             |  |                                 |   |
| Federal Grants & Contracts                  | 7,342,996                    | 7,782,467                              | 6,551,383                  | 6,220,614                   | 83.4%  | 84.2%                           | 82.6%   |
| State & Local Grants & Contracts            | 1,123,089                    | 1,285,691                              | 246,898                    | 398,993                     | 19.5%  | 19.2%                           | 19.7%   |
| Private Grants & Contracts                  | 1,005,270                    | 1,202,291                              | 926,173                    | 752,701                     | 538.5%   | 77.0%                           | 999.9%  |
| <b>Total Revenues</b>                       | <b>9,471,355</b>             | <b>10,270,449</b>                      | <b>7,724,454</b>           | <b>7,372,308</b>            | <b>75.9%</b>                                   | <b>75.2%</b>                    | <b>76.6%</b>                                    |
| <b>Expenditures by Function:</b>            |                              |  |                            |                             |  |                                 |   |
| Instruction                                 | 302,364                      | 502,582                                | 131,784                    | 135,118                     | 38.2%  | 26.2%                           | 50.2%   |
| Research                                    | 435,686                      | 511,550                                | 127,749                    | 276,542                     | 37.1%  | 25.0%                           | 49.1%   |
| Public Service                              | 818,421                      | 963,637                                | 510,809                    | 507,054                     | 54.1%  | 53.0%                           | 55.2%   |
| Academic Support                            | 27,100                       | 32,381                                 | 21,743                     | 18,806                      | 71.8%  | 67.1%                           | 76.4%   |
| Student Support                             | 1,309,042                    | 1,330,400                              | 741,824                    | 681,658                     | 54.6%  | 55.8%                           | 53.3%   |
| Institutional Support                       | 607,426                      | 790,786                                | 33,197                     | 20,677                      | 2.7%   | 4.2%                            | 1.2%  |
| Operation & Maint of Plant                  | 0                            | 0                                      | 0                          | 0                           | 0.0%   | 0.0%                            | 0.0%  |
| Scholarships                                | 5,971,316                    | 6,139,113                              | 5,949,974                  | 5,515,220                   | 105.3%   | 96.9%                           | 113.7%  |
| <b>Total Expenditures by Function</b>       | <b>9,471,355</b>             | <b>10,270,449</b>                      | <b>7,517,080</b>           | <b>7,155,075</b>            | <b>73.7%</b>                                   | <b>73.2%</b>                    | <b>74.3%</b>                                    |
| <b>Current Revenues Over/(Under)</b>        |                              |  |                            |                             |  |                                 |   |
| Expenditures                                | 0                            | 0                                      | 207,374                    | 217,233                     |  |                                 |   |
| <b>Expenditures by Organizational Area:</b> |                              |  |                            |                             |  |                                 |   |
| Student Support                             | 449,013                      | 449,013                                | 270,258                    | 258,770                     | 60.4%  | 60.2%                           | 60.6%   |
| McNair Post-Baccalureate                    | 385,908                      | 385,908                                | 189,727                    | 137,631                     | 43.3%  | 49.2%                           | 37.4%   |
| AHEC Grant                                  | 218,949                      | 275,170                                | 131,174                    | 136,707                     | 53.9%  | 47.7%                           | 60.1%   |
| SW OK Economic Development                  | 74,963                       | 157,337                                | 65,568                     | 56,146                      | 39.5%  | 41.7%                           | 37.3%   |
| U S Fish & Wildlife                         | 17,524                       | 17,524                                 | 5,917                      | 6,892                       | 32.7%  | 33.8%                           | 31.7%   |
| Upward Bound                                | 420,050                      | 420,098                                | 222,610                    | 219,636                     | 51.3%  | 53.0%                           | 49.5%   |
| Talent Search                               | 423,470                      | 423,470                                | 248,625                    | 236,393                     | 59.1%  | 58.7%                           | 59.6%   |
| Fire Support                                | 221,086                      | 221,086                                | 16,962                     | 133,765                     | 75.0%  | 7.7%                            | 73.4%   |
| A R I Grant                                 | 29,053                       | 59,638                                 | 27,865                     | 23,876                      | 41.2%  | 46.7%                           | 35.6%   |
| JFETS/Telos                                 | 0                            | 19,450                                 | 0                          | 0                           | 0.0%   | 0.0%                            | 0.0%  |
| National Science Foundation                 | 39,308                       | 119,270                                | 14,749                     | 22,761                      | 27.1%  | 12.4%                           | 41.8%   |
| Perkins Vo-Tech                             | 77,836                       | 79,112                                 | 77,550                     | 63,770                      | 96.0%  | 98.0%                           | 94.0%   |
| ASCOG                                       | 2,800                        | 3,164                                  | 3,164                      | 2,931                       | 100.0%   | 100.0%                          | 20.7%   |
| US Dept of Agriculture                      | 5,445                        | 5,445                                  | 0                          | 23,766                      | 100.0%   | 0.0%                            | 81.4%   |
| CASI Research                               | 8,933                        | 8,569                                  | 2,557                      | 37,191                      | 100.0%   | 29.8%                           | 64.7%   |
| T E A M S                                   | 0                            | 100,000                                | 4                          | 0                           | 0.0%   | 0.0%                            | 0.0%  |
| OCAST (Halliburton)                         | 23,672                       | 23,672                                 | 23,109                     | 15,933                      | 83.3%  | 97.6%                           | 50.9%   |
| OCAST (AST/MultiMedia)                      | 63,497                       | 63,497                                 | 33,137                     | 2,338                       | 100.0%   | 52.2%                           | 3.3%  |
| OCAST (Eagle Systems)                       | 12,279                       | 12,279                                 | 3,674                      | 7,985                       | 100.0%   | 29.9%                           | 36.3%   |
| OCAST (DRC Systems)                         | 0                            | 0                                      | 0                          | 18,487                      | 0.0%   | 0.0%                            | 103.7%  |
| OCAST (Tec-Masters)                         | 42,620                       | 42,620                                 | 14,869                     | 12,197                      | 33.3%  | 34.9%                           | 31.8%   |
| OCAST (Telos-OK)                            | 16,163                       | 16,163                                 | 5,054                      | 551                         | 100.0%   | 31.3%                           | 0.0%  |
| Western OK State College                    | 0                            | 169,130                                | 11,973                     | 0                           | 3.5%   | 7.1%                            | 0.0%  |
| Oklahoma Humanities                         | 989                          | 1,087                                  | 448                        | 12,562                      | 100.0%   | 41.2%                           | 99.5%   |
| EPSCOT                                      | 450                          | 450                                    | 0                          | 344                         | 100.0%   | 0.0%                            | 43.3%   |
| Small Business                              | 10,340                       | 10,510                                 | 0                          | 0                           | 0.0%   | 0.0%                            | 0.0%  |
| N A S A - Others                            | 1,876                        | 1,876                                  | 1,507                      | 626                         | 100.0%   | 80.3%                           | 22.9%   |
| Comanche Nation Tribal College              | 0                            | 29,450                                 | 0                          | 0                           | 50.0%  | 0.0%                            | 0.0%  |
| Science/Tech Grants                         | 380                          | 380                                    | 240                        | 0                           | 100.0%   | 63.2%                           | 0.0%  |
| OK-LSAMP (Louis Stokes)                     | 2,090                        | 37,000                                 | 8,132                      | 17,750                      | 34.9%  | 22.0%                           | 47.8%   |
| Summer Bridge Program                       | 1,910                        | 1,910                                  | 0                          | 9,023                       | 100.0%   | 0.0%                            | 82.5%   |
| N A S A - OU                                | 11,962                       | 11,962                                 | 8,077                      | 7,182                       | 100.0%   | 67.5%                           | 25.4%   |
| America Counts/Reads                        | 130                          | 130                                    | 0                          | 1,489                       | 100.0%   | 0.0%                            | 92.0%   |
| Service Learning                            | 2,137                        | 2,137                                  | 0                          | 924                         | 100.0%   | 0.0%                            | 30.2%   |
| Cardiomyocytes                              | 0                            | 27,721                                 | 0                          | 0                           | 0.0%   | 0.0%                            | 0.0%  |
| Inactive Accounts                           | 64,938                       | 64,938                                 | 0                          | 0                           | 0.0%   | 0.0%                            | 0.0%  |
| Federal Workstudy                           | 200,964                      | 200,964                                | 139,150                    | 147,749                     | 73.9%  | 69.2%                           | 78.6%   |
| General University                          | 669,304                      | 669,206                                | 42,205                     | 24,480                      | 3.9%   | 6.3%                            | 1.4%  |
| Student Aid                                 | 5,971,316                    | 6,139,113                              | 5,948,775                  | 5,515,220                   | 105.3%   | 96.9%                           | 113.7%  |
| <b>Total Expenditures by Org Area</b>       | <b>9,471,355</b>             | <b>10,270,449</b>                      | <b>7,517,080</b>           | <b>7,155,075</b>            | <b>73.7%</b>                                   | <b>73.2%</b>                    | <b>74.3%</b>                                    |

## Statement of Revenues and Expenditures - Student Activities

For the Period Ended March 31, 2004 with Comparative Totals for the Period Ended March 31, 2003.

|                                   | (1)                          | (2)                                    | (3)                        | (4)                         | (5)                                      | (6)                          | (7)                                      |
|-----------------------------------|------------------------------|--|----------------------------|-----------------------------|--|------------------------------|--|
|                                   | Original<br>Annual<br>Budget | Current<br>Revised<br>Annual<br>Budget | Current<br>Y-T-D<br>Actual | Previous<br>Y-T-D<br>Actual | Expected<br>Percent<br>Current<br>Budget | Percent<br>Current<br>Budget | Percent<br>Previous<br>Current<br>Budget |
| <b>Revenues:</b>                  |                              |  |                            |                             |  |                              |  |
| Student Activity Fee              | 638,000                      | 638,000                                | 546,318                    | 466,153                     | 87%                                      | 86%                          | 88%                                      |
| Ticket Sales                      | 17,183                       | 17,183                                 | 16,108                     | 15,125                      | 89%                                      | 94%                          | 84%                                      |
| Other                             | 25,760                       | 25,760                                 | 48,244                     | 50,697                      | 173%                                     | 187%                         | 159%                                     |
| <b>Total Revenues</b>             | <b>680,943</b>               | <b>680,943</b>                         | <b>610,669</b>             | <b>531,975</b>              | <b>91%</b>                               | <b>90%</b>                   | <b>92%</b>                               |
| <b>Expenditures:</b>              |                              |  |                            |                             |  |                              |  |
| Collegian                         | 31,800                       | 31,800                                 | 17,362                     | 19,738                      | 70%                                      | 55%                          | 85%                                      |
| Cheerleaders                      | 1,000                        | 1,000                                  | 588                        | 1,205                       | 65%                                      | 59%                          | 72%                                      |
| Intramurals                       | 3,000                        | 3,000                                  | 295                        | 3,580                       | 27%                                      | 10%                          | 44%                                      |
| Biological Science                | 1,900                        | 1,900                                  | 800                        | 3,304                       | 43%                                      | 42%                          | 44%                                      |
| Physical Science                  | 3,390                        | 3,390                                  | 1,313                      | 0                           | 19%                                      | 39%                          | 0%                                       |
| Agriculture                       | 3,140                        | 3,140                                  | 852                        | 0                           | 14%                                      | 27%                          | 0%                                       |
| Student Government                | 10,700                       | 10,700                                 | 9,104                      | 6,327                       | 70%                                      | 85%                          | 56%                                      |
| Student Activities                | 82,556                       | 82,556                                 | 56,270                     | 17,350                      | 88%                                      | 68%                          | 107%                                     |
| Wichita                           | 0                            | 0                                      | 1,196                      | 11,986                      | 36%                                      | 0%                           | 72%                                      |
| Honors Program                    | 2,500                        | 2,500                                  | 3,182                      | 869                         | 71%                                      | 127%                         | 15%                                      |
| Military Science                  | 7,370                        | 7,370                                  | 5,727                      | 818                         | 58%                                      | 78%                          | 39%                                      |
| Senior Day                        | 1,500                        | 1,500                                  | 1,095                      | 1,120                       | 74%                                      | 73%                          | 75%                                      |
| Recruitment/Orientation/Placement | 6,200                        | 6,200                                  | 3,488                      | 2,042                       | 40%                                      | 56%                          | 24%                                      |
| CU/TV                             | 10,000                       | 10,000                                 | 6,562                      | 7,435                       | 63%                                      | 66%                          | 61%                                      |
| Mathematical Science              | 5,000                        | 5,000                                  | 2,449                      | 0                           | 24%                                      | 49%                          | 0%                                       |
| School of Business                | 1,800                        | 1,800                                  | 463                        | 0                           | 13%                                      | 26%                          | 0%                                       |
| Technology                        | 2,350                        | 2,350                                  | 0                          | 0                           | 0%                                       | 0%                           | 0%                                       |
| Library                           | 615                          | 615                                    | 0                          | 0                           | 0%                                       | 0%                           | 0%                                       |
| Athletics                         | 424,026                      | 424,026                                | 384,295                    | 369,519                     | 92%                                      | 91%                          | 93%                                      |
| Other                             | 90,823                       | 90,823                                 | 100,220                    | 82,519                      | 97%                                      | 110%                         | 84%                                      |
| <b>Total Expenditures</b>         | <b>689,670</b>               | <b>689,670</b>                         | <b>595,259</b>             | <b>527,812</b>              | <b>87%</b>                               | <b>86%</b>                   | <b>87%</b>                               |
| Current Revenues Over/(Under)     | (8,727)                      | (8,727)                                | 15,410                     | 4,163                       | 4%                                       | 3%                           | 4%                                       |
| Prior Year Carry Over             | 392,676                      | 392,676                                | 392,676                    | 320,386                     | 100%                                     | 100%                         | 100%                                     |
| <b>Fund Balance</b>               | <b>383,949</b>               | <b>383,949</b>                         | <b>408,086</b>             | <b>324,549</b>              | <b>109%</b>                              | <b>106%</b>                  | <b>111%</b>                              |

## Statement of Revenues and Expenditures - Misc Auxiliary

For the Period Ended March 31, 2004 with Comparative Totals for the Period Ended March 31, 2003.

|  | (1)                          | (2)                                    | (3)                        | (4)                         | (5)                                      | (6)                          | (7)                                      |
|--|------------------------------|--|----------------------------|-----------------------------|--|------------------------------|--|
|  | Original<br>Annual<br>Budget | Current<br>Revised<br>Annual<br>Budget | Current<br>Y-T-D<br>Actual | Previous<br>Y-T-D<br>Actual | Expected<br>Percent<br>Current<br>Budget | Percent<br>Current<br>Budget | Percent<br>Previous<br>Current<br>Budget |
| <b>Revenues:</b>                         |                              |  |                            |                             |  |                              |  |
| KCCU                                     | 340,000                      | 340,000                                | 129,620                    | 269,878                     | 56%                                      | 38%                          | 73%                                      |
| Concessions                              | 10,000                       | 10,000                                 | 9,382                      | (11,540)                    | 133%                                     | 94%                          | 172%                                     |
| Library Photocopy                        | 20,000                       | 20,000                                 | 28,484                     | 14,911                      | 129%                                     | 142%                         | 115%                                     |
| Educational Outreach                     | 25,000                       | 25,000                                 | 60,054                     | 35,826                      | 192%                                     | 240%                         | 143%                                     |
| Camps                                    | 179,660                      | 179,660                                | 27,521                     | 70,108                      | 33%                                      | 15%                          | 51%                                      |
| Other                                    | 235,100                      | 235,100                                | 252,697                    | 158,567                     | 87%                                      | 107%                         | 67%                                      |
| <b>Total Revenues</b>                    | <b>809,760</b>               | <b>809,760</b>                         | <b>507,758</b>             | <b>537,750</b>              | <b>66%</b>                               | <b>63%</b>                   | <b>69%</b>                               |
| <b>Expenditures:</b>                     |                              |  |                            |                             |  |                              |  |
| Telephone                                | 0                            | 0                                      | 146                        | 298                         | 15%                                      | 0%                           | 30%                                      |
| Auxiliary Operations                     | 38,000                       | 38,000                                 | 3,356                      | 33,671                      | 110%                                     | 9%                           | 210%                                     |
| KCCU                                     | 340,000                      | 340,000                                | 226,421                    | 306,403                     | 74%                                      | 67%                          | 82%                                      |
| Farm Acct                                | 5,000                        | 5,000                                  | 2,008                      | 2,568                       | 41%                                      | 40%                          | 43%                                      |
| Auxiliary Operations Administrative Cost | 0                            | 0                                      | 2,317                      | (213)                       | 0%                                       | 0%                           | 0%                                       |
| Educational Outreach                     | 25,000                       | 25,000                                 | 13,276                     | 12,565                      | 52%                                      | 53%                          | 50%                                      |
| Library Photocopy                        | 20,000                       | 20,000                                 | 9,079                      | 10,186                      | 62%                                      | 45%                          | 78%                                      |
| Post Office                              | 1,500                        | 1,500                                  | 1,348                      | 1,450                       | 81%                                      | 90%                          | 72%                                      |
| Carpool                                  | 67,734                       | 67,734                                 | 92,545                     | 40,131                      | 102%                                     | 137%                         | 67%                                      |
| Maintenance Service                      | 20,000                       | 20,000                                 | 23,471                     | 14,175                      | 73%                                      | 117%                         | 28%                                      |
| Student Affairs                          | 0                            | 0                                      | 0                          | 42                          | 2%                                       | 0%                           | 4%                                       |
| Concessions                              | 9,000                        | 9,000                                  | 10,547                     | 8,343                       | 92%                                      | 117%                         | 67%                                      |
| Sports Publications                      | 10,000                       | 10,000                                 | 8,264                      | 7,487                       | 92%                                      | 83%                          | 101%                                     |
| Business Office                          | 400                          | 400                                    | 346                        | 272                         | 63%                                      | 86%                          | 39%                                      |
| Print Shop                               | 78,000                       | 78,000                                 | 20,352                     | 47,921                      | 31%                                      | 26%                          | 36%                                      |
| Instructional Technology                 | 250                          | 250                                    | 0                          | 294                         | 29%                                      | 0%                           | 59%                                      |
| Camps                                    | 169,660                      | 169,660                                | 138,596                    | 159,514                     | 83%                                      | 82%                          | 85%                                      |
| Other                                    | 0                            | 0                                      | 0                          | 496                         | 0%                                       | 0%                           | 0%                                       |
| <b>Total Expenditures</b>                | <b>784,544</b>               | <b>784,544</b>                         | <b>552,071</b>             | <b>645,605</b>              | <b>71%</b>                               | <b>70%</b>                   | <b>72%</b>                               |
| <b>Current Revenues Over/(Under)</b>     |                              |  |                            |                             |  |                              |  |
| Expenditures                             | 25,216                       | 25,216                                 | (44,313)                   | (107,855)                   | -5%                                      | -9%                          | -4%                                      |
| <b>Prior Year Carry Over</b>             | <b>776,022</b>               | <b>776,022</b>                         | <b>776,022</b>             | <b>740,283</b>              | <b>100%</b>                              | <b>100%</b>                  | <b>100%</b>                              |
| <b>Fund Balance</b>                      | <b>801,238</b>               | <b>801,238</b>                         | <b>731,708</b>             | <b>632,428</b>              | <b>97%</b>                               | <b>91%</b>                   | <b>102%</b>                              |

Cameron University  
Statement of Revenues and Expenditures - Housing System

Schedule 4.3CU

For the Period Ended March 31, 2004 with Comparative Totals for the Period Ended March 31, 2003.

|                                      | (1)                          | (2)                                    | (3)                        | (4)                         | (5)                                      | (6)                          | (7)                                      |
|--------------------------------------|------------------------------|--|----------------------------|-----------------------------|--|------------------------------|--|
|                                      | Original<br>Annual<br>Budget | Current<br>Revised<br>Annual<br>Budget | Current<br>Y-T-D<br>Actual | Previous<br>Y-T-D<br>Actual | Expected<br>Percent<br>Current<br>Budget | Percent<br>Current<br>Budget | Percent<br>Previous<br>Current<br>Budget |
| <b>Revenues:</b>                     |                              |  |                            |                             |  |                              |  |
| Cafeteria                            | 516,000                      | 516,000                                | 419,111                    | 417,990                     | 85%                                      | 81%                          | 88%                                      |
| Vending                              | 73,000                       | 73,000                                 | 65,902                     | 79,833                      | 112%                                     | 90%                          | 133%                                     |
| Bookstore                            | 233,800                      | 233,800                                | 155,791                    | 149,491                     | 70%                                      | 67%                          | 73%                                      |
| Shepler Center                       | 447,900                      | 447,900                                | 386,821                    | 420,750                     | 92%                                      | 86%                          | 98%                                      |
| Student Phones                       | 22,500                       | 22,500                                 | 22,631                     | 22,560                      | 107%                                     | 101%                         | 113%                                     |
| Cable/Computer Hookup                | 29,700                       | 29,700                                 | 28,459                     | 28,368                      | 88%                                      | 96%                          | 80%                                      |
| Utilities                            | 7,000                        | 7,000                                  | 7,797                      | 5,791                       | 0%                                       | 0%                           | 0%                                       |
| <b>Total Revenues</b>                | <b>1,329,900</b>             | <b>1,329,900</b>                       | <b>1,086,512</b>           | <b>1,124,783</b>            | <b>87%</b>                               | <b>82%</b>                   | <b>92%</b>                               |
| <b>Expenditures:</b>                 |                              |  |                            |                             |  |                              |  |
| Cafeteria                            | 449,000                      | 449,000                                | 441,448                    | 370,013                     | 94%                                      | 98%                          | 89%                                      |
| Vending                              | 23,517                       | 23,517                                 | 21,012                     | 13,311                      | 73%                                      | 89%                          | 57%                                      |
| Bookstore                            | 1,000                        | 1,000                                  | 1,380                      | 21,306                      | 100%                                     | 138%                         | 62%                                      |
| Shepler Center                       | 532,856                      | 532,856                                | 402,003                    | 343,178                     | 69%                                      | 75%                          | 62%                                      |
| Student Phones                       | 22,500                       | 22,500                                 | 14,204                     | 16,576                      | 87%                                      | 63%                          | 111%                                     |
| Cable/Computer Hookup                | 29,700                       | 29,700                                 | 29,304                     | 30,030                      | 92%                                      | 99%                          | 85%                                      |
| Utilities                            | 239,000                      | 239,000                                | 184,075                    | 155,724                     | 77%                                      | 77%                          | 77%                                      |
| <b>Total Expenditures</b>            | <b>1,297,573</b>             | <b>1,297,573</b>                       | <b>1,093,426</b>           | <b>950,137</b>              | <b>79%</b>                               | <b>84%</b>                   | <b>74%</b>                               |
| <b>Current Revenues Over/(Under)</b> |                              |  |                            |                             |  |                              |  |
| Expenditures                         | 32,327                       | 32,327                                 | (6,914)                    | 174,646                     | 8%                                       | -3%                          | 18%                                      |
| <b>Prior Year Carry Over</b>         | <b>192,138</b>               | <b>192,138</b>                         | <b>192,138</b>             | <b>86,865</b>               | <b>50%</b>                               | <b>100%</b>                  | <b>0%</b>                                |
| <b>Fund Balance</b>                  | <b>224,465</b>               | <b>224,465</b>                         | <b>185,224</b>             | <b>261,511</b>              | <b>475%</b>                              | <b>83%</b>                   | <b>868%</b>                              |

## Statement of Revenues and Expenditures - Facility Fee

For the Period Ended March 31, 2004 with Comparative Totals for the Period Ended March 31, 2003.

|   | (1)                          | (2)                                    | (3)                        | (4)                         | (5)                                      | (6)                          | (7)                                      |
|---|------------------------------|--|----------------------------|-----------------------------|--|------------------------------|--|
|   | Original<br>Annual<br>Budget | Current<br>Revised<br>Annual<br>Budget | Current<br>Y-T-D<br>Actual | Previous<br>Y-T-D<br>Actual | Expected<br>Percent<br>Current<br>Budget | Percent<br>Current<br>Budget | Percent<br>Previous<br>Current<br>Budget |
| Revenues:                                     |                              |  |                            |                             |  |                              |  |
| Facility Fee                                  | 803,000                      | 803,000                                | 754,077                    | 422,492                     | 100%                                     | 94%                          | 106%                                     |
| Other   | 42,650                       | 42,650                                 | 29,134                     | 37,813                      | 71%                                      | 68%                          | 73%                                      |
| Total Revenues                                | 845,650                      | 845,650                                | 783,211                    | 460,305                     | 97%                                      | 93%                          | 102%                                     |
| Expenditures:                                 |                              |  |                            |                             |  |                              |  |
| Fitness Center                                | 130,553                      | 130,553                                | 112,351                    | 89,351                      | 73%                                      | 86%                          | 60%                                      |
| Fitness Center Repair and Maintenance         | 43,889                       | 43,889                                 | 14,109                     | 33,908                      | 62%                                      | 32%                          | 93%                                      |
| Living and Learning Center                    | 150,000                      | 150,000                                | 0                          | 0                           | 0%                                       | 0%                           | 0%                                       |
| Parking Lot Renovation                        | 0                            | 0                                      | 0                          | 8,550                       | 2%                                       | 0%                           | 3%                                       |
| Shepler Renovation                            | 750,000                      | 750,000                                | 0                          | 0                           | 0%                                       | 0%                           | 0%                                       |
| Student Union Project                         | 125,000                      | 125,000                                | 250,870                    | 2,626                       | 138%                                     | 201%                         | 75%                                      |
| Student Union Maintenance                     | 16,000                       | 16,000                                 | 4,355                      | 0                           | 14%                                      | 27%                          | 0%                                       |
| Total Expenditures                            | 1,215,442                    | 1,215,442                              | 381,686                    | 134,435                     | 31%                                      | 31%                          | 31%                                      |
| Current Revenues Over/(Under)<br>Expenditures | (369,792)                    | (369,792)                              | 401,525                    | 325,870                     | 65%                                      | 61%                          | 71%                                      |
| Prior Year Carry Over                         | 3,203,050                    | 3,203,050                              | 3,203,050                  | 2,883,965                   | 100%                                     | 100%                         | 100%                                     |
| Fund Balance                                  | 2,833,258                    | 2,833,258                              | 3,604,575                  | 3,209,835                   | 119%                                     | 127%                         | 111%                                     |

## Statement of Revenues and Expenditures - Auxiliary Enterprise Summary

For the Period Ended March 31, 2004 with Comparative Totals for the Period Ended March 31, 2003.

|   | (1)                          | (2)                                    | (3)                        | (4)                         | (5)                                      | (6)                          | (7)                                      |
|---|------------------------------|--|----------------------------|-----------------------------|--|------------------------------|--|
|   | Original<br>Annual<br>Budget | Current<br>Revised<br>Annual<br>Budget | Current<br>Y-T-D<br>Actual | Previous<br>Y-T-D<br>Actual | Expected<br>Percent<br>Current<br>Budget | Percent<br>Current<br>Budget | Percent<br>Previous<br>Current<br>Budget |
| <b>Revenues:</b>                              |                              |  |                            |                             |  |                              |  |
| Student Activities                            | 680,943                      | 680,943                                | 610,669                    | 531,975                     | 91%                                      | 90%                          | 92%                                      |
| Misc Auxiliaries                              | 809,760                      | 809,760                                | 507,758                    | 537,750                     | 66%                                      | 63%                          | 69%                                      |
| Housing System                                | 1,329,900                    | 1,329,900                              | 1,086,512                  | 1,124,783                   | 87%                                      | 82%                          | 92%                                      |
| Facility Fee                                  | 845,650                      | 845,650                                | 783,211                    | 460,305                     | 97%                                      | 93%                          | 102%                                     |
| Cultural and Scholastic Lecture Fee           | 116,500                      | 116,500                                | 96,839                     | 100,240                     | 88%                                      | 83%                          | 92%                                      |
| <b>Total Revenues</b>                         | <b>3,782,753</b>             | <b>3,782,753</b>                       | <b>3,084,989</b>           | <b>2,755,053</b>            | <b>85%</b>                               | <b>82%</b>                   | <b>88%</b>                               |
| <b>Expenditures:</b>                          |                              |  |                            |                             |  |                              |  |
| Student Activities                            | 689,670                      | 689,670                                | 595,259                    | 527,812                     | 87%                                      | 86%                          | 87%                                      |
| Misc Auxiliaries                              | 784,544                      | 784,544                                | 552,071                    | 645,605                     | 71%                                      | 70%                          | 72%                                      |
| Housing System                                | 1,297,573                    | 1,297,573                              | 1,093,426                  | 950,137                     | 79%                                      | 84%                          | 74%                                      |
| Facility Fee                                  | 1,215,442                    | 1,215,442                              | 381,686                    | 134,435                     | 31%                                      | 31%                          | 31%                                      |
| Cultural and Scholastic Lecture Fee           | 98,000                       | 98,000                                 | 83,296                     | 86,345                      | 75%                                      | 85%                          | 64%                                      |
| <b>Total Expenditures</b>                     | <b>4,085,229</b>             | <b>4,085,229</b>                       | <b>2,705,738</b>           | <b>2,344,334</b>            | <b>68%</b>                               | <b>66%</b>                   | <b>70%</b>                               |
| Current Revenues Over/(Under)<br>Expenditures | (302,476)                    | (302,476)                              | 379,251                    | 410,719                     | 17%                                      | 15%                          | 18%                                      |
| Prior Year Carry Over                         | 4,860,839                    | 4,860,839                              | 4,860,839                  | 4,320,775                   | 100%                                     | 100%                         | 100%                                     |
| <b>Fund Balance</b>                           | <b>4,558,363</b>             | <b>4,558,363</b>                       | <b>5,240,090</b>           | <b>4,731,494</b>            | <b>115%</b>                              | <b>115%</b>                  | <b>115%</b>                              |