

ADMINISTRATIVE POLICIES of HOWARD PAYNE UNIVERSITY

Updated August 14, 2018

These policies supersedes all other previous Administrative Policies

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ADMINISTRATIVE POLICY APPROVAL PROTOCOL

The policies included in this manual are subject to change at any time. All administrative policies are approved by the president, who has the authority to amend this manual or to waive application of a policy. Moreover, any amendments or waivers must be in writing. Interpretations or clarifications of the policies in this manual will be made by the president.

The protocol by which these policies are approved is as follows.

Proposed policies originate from the university administrative council, deans council, faculty assembly, staff council, or human resources as necessitated by common practice in the workplace.

Once drafted, the proposed policy is discussed within the administrative council and recommended to the president. If approved, the president has the discretion to edit the policy as necessary. At the president's sole discretion, proposed policy may be approved without discussion by the administrative council.

Once approved by the president, the president directs the associate vice president for business and human resources to add the policy to the Administrative Policy Manual, attaching sequential pagination and noting the policy approval date.

As an approved policy is added or revised, university personnel will be notified of the change and the updated Administrative Policy Manual will be available on the university network. This notification originates from the associate vice president for business and human resources. *(Added by the Interim President, August 14, 2018)*

INTRODUCTION FROM THE PRESIDENT

ADMINISTRATIVE POLICIES of HOWARD PAYNE UNIVERSITY
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The objective of these *Administrative Policies of Howard Payne University* is to help all University personnel understand the goals and responsibilities of this institution and to provide policies by which individuals can make the greatest contributions with respect to their specifically assigned duties. It is also designed to help employees fulfill the requirements of the *Howard Payne University Policies Adopted by the Board of Trustees*, included as an addendum to these *Administrative Policies of Howard Payne University*.

All employees of Howard Payne University are required to read and abide by the policies included in this manual. Compliance with these policies will ensure that similar situations are handled in a consistent fashion. This manual supersedes all previously adopted manuals.

This manual is not a contract. Texas law states that employment is *employment at will*, which applies to all phases of the employment relationship. It means that absent a statute or an express agreement (such as an employment contract) to the contrary, either party in an employment relationship may modify any of the terms or conditions of employment, or terminate the relationship altogether, for any reason, or no particular reason at all, with or without advance notice.

The policies in this manual are subject to change at any time. No person, other than the president, has authority to amend this manual or to waive application of a policy. Moreover, any amendments or waivers must be in writing. Interpretations or clarifications of the policies in this manual will be made by the president.

Statements in this manual regarding compensation and benefits are not contractual in nature and are subject to change without notice.

The gender of the pronouns in this manual is of no significance.

Dr. Paul W. Armes
Howard Payne University, Interim President
August 14, 2018

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SECTION 1.0 HISTORY AND GENERAL INFORMATION

1.1 Name of the University

Howard Payne University was named for Edward Howard Payne, a Baptist deacon of Fulton, Missouri, and brother-in-law of Dr. John D. Robnett, founder and second president of the school.

1.2 History of the University

Howard Payne College was founded by the Pecan Valley Baptist Association at Indian Creek, Texas, on June 30, 1889. J.D. Robnett, pastor of the First Baptist Church of Brownwood, was a leader in the movement and became president of the first Board of Trustees. Robnett busied himself in raising funds for the school during the summer of 1889. Visiting Missouri in August, he succeeded in securing a sizeable pledge from his brother-in-law, Edward Howard Payne, and before November 1, 1889, the Board of Trustees resolved to name the school Howard Payne College.

The first session opened on September 16, 1890, with A. J. Emerson as president and a faculty of twelve. A separate preparatory department furnished instruction below the freshman level.

The school granted its first academic degree in 1895 and continued as a degree-conferring institution until 1900. It operated as a member of the Baptist-correlated system of schools with junior college status from 1900 to 1914, when it again became a senior college.

The school was built on seven acres of land near the business district of Brownwood. Endowment funds before 1934 amounted to less than \$100,000.00. In 1934, John G. Hardin included the college in a bequest of \$305,000 which became available upon Hardin's death in 1939. The endowment was increased by an additional one million dollars upon the death of J. A. Walker in 1942.

In 1953, Daniel Baker College, which originally had been a Presbyterian College and in 1950 had become the Episcopal College of the Southwest, became a part of Howard Payne. The Douglas MacArthur Academy of Freedom and the Girling Center for Social Justice stand on the original campus of Daniel Baker.

In 1974, Howard Payne College became Howard Payne University upon approval of the Baptist General Convention of Texas.

Presidents of Howard Payne University and their terms of office are listed below:

1890 – 1893	Andrew Jackson Emerson
1893 – 1896	John D. Robnett
1896 – 1908	James Harvey Grove
1908 – 1910	John Strother Humphreys (Acting President)
1910 – 1911	Robert H. Hamilton
1911 – 1913	John Strother Humphreys
1913 – 1914	James Milton Carroll
1915 – 1917	Anderson E. Baten (Vice President and Acting President)
1917 – 1919	Judson Allen Tolman
1919 – 1922	Lee Johnston Mims
1922 – 1923	William R. Hornburg (Vice President and Acting President)
1923 – 1929	Edgar Godbold
1929 – 1955	Thomas H. Taylor
1955 – 1973	Guy D. Newman
1973 – 1979	Roger L. Brooks
1979 – 1980	Charles A. Stewart (Chief Executive Officer)
1980 – 1985	Ralph A. Phelps, Jr.

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1985 – 1997	Don Newbury
1997 – 2002	Rick Gregory
2002 – 2003	Russell Dilday (Interim President)
2003 – 2009	Lanny Hall
2009 - Present	William N. Ellis

1.3 Purpose, Mission, Vision, Core Values and Curriculum

The charter of Howard Payne University contains the following statement: “The purpose of said corporation is the encouragement, support, maintenance, and promotion of education under Christian influence and auspices, with the view to the development of the best type of character, and to the advancement of the gospel of our Lord and Savior, Jesus Christ, and the extension of the Kingdom of God among men.”

Mission Statement

Howard Payne University is a Christ-centered academic community dedicated to excellence by developing and equipping the whole person for intellectual inquiry, personal and professional integrity, and service to God and humanity. (Adopted by the Howard Payne University Board of Trustees, July 27, 2010).

Vision Statement

Howard Payne University aspires to be a premier Christian university, intentionally engaging the life of the mind and the life of the Spirit. (Adopted by the Howard Payne University Board of Trustees 10/28/2016).

Core Values

Howard Payne University is an educational community that supports the following Core Values:

- God is the loving Creator of all things and the Author of all truth;
- Because God is the author of all truth, open inquiry is an act of intellect and of faith and is to be wholly embraced;
- Because open inquiry is an act of intellect and of faith, such efforts must proceed from rigorous academic standards and genuine commitment to Jesus Christ as Savior and Lord;
- For open inquiry to contain rigorous academic standards and genuine Christian commitment, there must be at all times a supportive learning environment that affirms human dignity for all as created in the image of God; and
- Committing oneself to the teachings of Jesus will result in Christ-centered, God-honoring and humanity-serving life choices characterized by honesty, integrity, healthy lifestyles and personal responsibility.

Undergirding and inextricably intertwined in the Core Values of the University is the affirmation of traditional Christian and Baptist beliefs:

- The Bible is the divinely inspired record of God’s revelation of Himself to man. Holy Scripture has God for its Author, salvation for its end and truth without any mixture of error for its content. The Bible is the true center of Christian union and the supreme standard by which all human conduct should be evaluated. (Scripture: Exodus 24:4; Deuteronomy 4:1-2, 17:18-19; Joshua 1:8; Psalm 119:11, 105; Isaiah 40:8; Matthew 5:17-18; John 5:39; John 17:17; Acts 17:11; Romans 15:4; 2 Timothy 3:15-17; Hebrews 4:12; 1 Peter 1:24-25)

- There is only one God and He has chosen to reveal Himself through the Trinity: Father, Son and Holy Spirit. God is omnipotent, omniscient and omnipresent. (Scripture: Genesis 1:1-2; Exodus 6:2-3; Exodus 20:1-6; Deuteronomy 6:4; 1 Samuel 10:6; 1 Samuel 11:6; 1 Chronicles 29:10-12; Psalm 19:1-3; Psalm 24:1; Psalm 51:11;

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Psalm 73:24-26; Isaiah 43:3, 15; Isaiah 64:8; Jeremiah 10:10; Amos 4:13; Matthew 6:9; Matthew 7:11; Matthew 28:19; Mark 1:9-11; John 1:1-18; John 4:24; John 5:19-47; John 14:1-30; John 17:1-8; Acts 1:7-8; Romans 8:14-16; 1 Corinthians 8:6; Galatians 4:6; Ephesians 4:6; Philippians 2:5-11; Hebrews 1:1-3; 1 John 4:2, 13, 14-15; 1 John 5:7)

- The sacredness of humanity is evident in that mankind was created in the image of God and that Christ died for everyone; therefore every person possesses dignity and is worthy of respect and Christian love. Through the exercise of free will, humanity sinned against God, resulting in separation from God and the introduction of sin into the human race. With a nature and environment inclined to sin, those capable of moral action become transgressors and are under condemnation. (Scripture: Genesis 1:26-30, 31; Genesis 2:7, 18-22; Genesis 9:6; Psalm 1:1-6; Psalm 8:3-6; Isaiah 6:5; Isaiah 53:6; Ezekiel 18:20; Romans 1:19-32; Romans 3:10-18, Romans 3:23; Ephesians 2:10)

- Given humanity's need for redemption, God provided a way for humanity to be reconciled to their Creator. God's one plan of salvation is by grace through faith in the atoning sacrifice of Jesus Christ. (Scripture: Matthew 1:21; Matthew 16:21-26; John 3:16-18; John 10:10; John 14:6; Romans 1:16-18; Romans 6:23; Romans 8:1; Ephesians 2:8-9; 1 John 1:7-9; 1 John 4:9-10). Adopted by Board of Trustees, March 22, 2016).

Curriculum

The educational program of the University is presented to residential and commuting students at its main campus in Brownwood, Texas, and to commuting students in New Braunfels and El Paso, Texas. The instructional programs are presented through a variety of media, including traditional face to face lectures, laboratory experiences, and through electronic delivery.

The University operates distance learning programs, including the Master of Education and Master of Criminal Justice degrees. Various academic programs engage in service learning that includes a public outreach component. These are addressed in the learning outcomes of individual programs. Howard Payne University is not a research institution and does not include research in its Mission Statement.

Student Body

Howard Payne University strives to have a diverse student body. While the University recruits primarily in Texas and the Southwest, the student body is comprised of men and women from many states and from other countries. Seeking to be an advocate of human equality, the University welcomes students from a wide range of socioeconomic, cultural, and ethnic backgrounds, including both traditional and nontraditional students with varying academic interests and abilities.

Faculty

In its pursuit of excellence in academic endeavors, Howard Payne University employs as its faculty individuals who exemplify a commitment to Christian ideals and who are dedicated to the search for and dissemination of truth. Howard Payne University seeks gifted teachers from throughout the United States and the world who are dedicated to teaching, advising students in a professional context, serving the communities of the University and its locale, and continuing to grow in their profession as scholars and teachers

1.4 Institutional Identity

Founded in 1889 for the purpose of preparing students for Christian ministry, Howard Payne University remains dedicated to honoring Christ and serving His Church by providing an educational experience that integrates faith and learning. While remaining true to its historic vision, the University has expanded its original scope to include a full array of undergraduate and graduate programs. Students, faculty, staff, and administration work together under the shared values of academic excellence, service to others, and Christian integrity. The University also offers selected graduate and undergraduate course work by electronic means and at extended learning centers responsive to the academic needs of the communities served.

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At Howard Payne University, specialized, professional or vocational education is built on a liberal arts foundation. The general education portion of the curriculum is designed to give the student a comprehensive understanding of himself and the universe in which he lives.

Howard Payne University is affiliated with Texas Baptists. Howard Payne University strives to follow the teachings of the Bible and the religious tenets of the Baptist General Convention of Texas. Beyond organic relations to a church body, Howard Payne strives to be a Christian university in the fullest sense of that term. Its employees, philosophy, programs, objectives and general atmosphere should be genuinely Christian. There is no conflict between education at its best and true Christianity, for truth in its fullness will free man from the shackles that bind and restrict him.

1.5 Administrative Organization of the University

Howard Payne University (hereafter, University except for titles) is governed by a Board of Trustees lawfully formed by Articles of Incorporation. The Board functions according to duly established Bylaws. The Baptist General Convention of Texas elects nineteen trustees and the Howard Payne University Board of Trustees elects seventeen Trustees. The Board of Trustees employ, evaluate and discharge a president. The Board is responsible for establishing broad policies by which the president will administer the University.

In his or her capacity as Chief Executive Officer, the president employs personnel as necessary to discharge the duties of the administrative functions of the University. These administrators have decision-making authority within their functional areas, but coordinate their efforts with each other. All personnel of the University are responsible to the president.

While the administrative structure of the University is modified from time to time, the current organization of the administration is represented in the Howard Payne University Organizational Chart. This document is available on the University's campus network (see Computer Information and Telephone Systems) and is placed as APPENDIX B of these Administrative Policies.

1.5.1 Administrative Officers of the University

1.5.1.a. President

The trustees elect the president of the University and charge him with the responsibility of operating the school in accordance with policies adopted by the board. He is answerable to them regarding all issues affecting the University—academics, students, business, religion, fund raising, and athletics. He recommends an annual budget and is responsible for the business affairs of the school. He appoints faculty members and is the spokesman to the board for the faculty and to the faculty for the board. Areas of direct responsibility include:

Board of Trustees: Cultivating and coordinating the University's normal activities with the board of trustees.

Administrative Council: The president leads the Administrative Council, comprised of the officers of the University and any other employee asked to serve by the president. The president delegates various responsibilities to such officers and staff members as he sees fit for the orderly operation of the University.

University Master Plan: Organizing, developing, evaluating, implementing and revision of the University master plan.

Marketing and Communications: General administrative direction for developing and maintaining a positive and identifiable University image through the effective use of all types of media.

The following administrative officers are responsible for the operation of the office or offices under their direction as specified and for the execution of duties assigned:

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1.5.1.b. Provost and Chief Academic Officer

The provost and chief academic officer (provost) reports directly to the president and areas of direct responsibility include:

Academic Affairs: Overall supervision for the academic program of the University. All academic deans report to the provost, as do members of the academic faculty.

Faculty: Recommending personnel to the president for election to the faculty, as well as faculty promotions and salary increases. Responsible for assigning teaching responsibilities and classrooms, and to arrange the schedule of classes and examinations. Serves as chairman of the Curriculum Committee and as an *ex officio* member of all academic-related committees.

Enrollment Management: General administrative direction for these academic support services.

Admissions and Recruitment: General administrative direction for these academic support services.

Retention and Advising: General administrative direction for these academic support services.

Accreditation: Ensuring the University maintains its accreditation with the Southern Association of Colleges and Schools.

Library, Registrar and University Records: General administrative direction for these academic support services.

Information Technology Services: General administrative direction for information technology services support for the entire University.

Institutional Effectiveness: General administrative direction for the University's institutional effectiveness program.

Institutional Research, Extended Education, and Academic Testing: General administrative direction for these supporting academic functions supporting the entire University.

Educational Purchases: Shared responsibility with the vice president for finance and administration for acquiring instructional equipment and supplies.

Budget Responsibility: Submitting an annual budget recommendation for all accounts assigned to the provost by the president. Responsible for the authorization and monitoring of all expenditures from the University budget accounts assigned by the president.

1.5.1.c. Vice President for Finance and Administration

The vice president for finance and administration reports directly to the president and areas of direct responsibility include:

General Business, Human Resources, and Financial Matters: General administrative direction for all business matters including general accounting, the annual audit, human resources, payroll, purchasing, and inventory.

Financial Aid: General administrative direction of the Office of Student Financial Aid.

Budget Responsibility: General administrative direction for the authorization and monitoring of all expenditures from the University budget in collaboration with the Administrative Council, subject to presidential approval.

Equipment: General administrative direction for the purchase of all equipment, the annual fixed asset inventory, and approves any sale, transfer, or disposition of University equipment.

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Property Management: The acquisition, sale, rent and/or leasing of properties supporting all University operations.

Facilities and Planning: General administrative direction for all facilities and planning departments and services, including maintenance, central plant, housekeeping, custodial, motor pool and warehousing.

University Services: General administrative direction for scheduling, usage of and audio/visual support for selected facilities, as well as summer camp administration.

Major University Events: General administrative direction supporting all major University events.

Bookstore and Food Service: General administrative direction for all contracted services including the bookstore and food service.

1.5.1.e. Vice President for Development

The vice president for development reports directly to the president and areas of direct responsibility include general administrative direction for:

Development: Directing the staff and daily operations for all fund-raising activities supporting the University, including but not limited to the Annual Fund, Planned Giving, Endowments and Capital Campaigns.

Alumni Relations: Cultivating and maintaining relations with all alumni of the University.

Church Relations: Ensuring the University maintains good relations with churches and other Christian organizations that support the University.

1.5.1.f. Vice President for Student Life and Dean of Students

The vice president for student life and dean of students reports directly to the president and areas of direct responsibility include:

Student Life: Directing, planning and supervising the various divisions of all student services including student activities and organizations, counseling services, chapel, intramurals, the wellness center, cheerleading, health services, student housing, and student conduct.

Athletics: General administrative direction for the functions and personnel of the athletic department.

Department of Public Safety: General administrative direction for the Department of Public Safety.

Support Services: General administrative direction for all mail, printing and duplicating services.

1.5.2 Administrative Council

The president chairs the Administrative Council and chooses its members. The Administrative Council collaborates on University-wide issues and helps coordinate efforts between the main administrative areas.

1.6 Academic Organization of the University

1.6.1 Provost and Chief Academic Officer

Reports to the president; responsible for the University's program of instruction.

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1.6.2 Deans Council

The Deans Council includes Deans of the Schools of Business, Christian Studies, Education, Humanities, Music and Fine Arts, Nursing, Science and Mathematics, Extended Education, General Education and Advising, Institutional Research and Effectiveness, Accreditation Liaison, and the Library. It is responsible for:

Instructional Management: Provides leadership for the school in maintaining instructional practices of the highest quality.

Student Academic Advising: Assigns students majoring in disciplines within the school to faculty members for academic advising, monitors the effectiveness of the advising process, and oversees student referrals to University support services available to assist academic and personal growth.

Academic Monitoring and Budget Control: Monitors budget expenditures for respective schools and is responsible for ensuring departmental expenditures do not exceed the authorized budget.

Student/Faculty Relations: Provides counseling and conflict resolution guidance when disagreements occur between students and faculty members.

Faculty Relations: Provides counseling and conflict resolution guidance when disagreements occur between faculty members (other than issues addressed in the Policy Against Discrimination and Harassment).

Monitoring of Instructional Facilities: Each dean monitors the location and facilities for classes within the school to ensure that conditions and facilities serve to enhance and maximize the proper instruction of students.

Faculty Recruitment: Deans may recommend, advise and assist in the selection and employing of faculty for the schools.

1.6.3 Department Heads

These persons serve as immediate supervisors of faculty and they monitor assigned budget accounts for their respective departments.

1.6.4 Academic Program Coordinators

Academic Program Coordinators are full-time faculty who have at least a master's degree and eighteen hours of graduate courses in their discipline, and are thereby academically qualified to teach in their respective disciplines. In consultation with their School deans, they are responsible for program coordination as well as for curriculum development and review. In addition to teaching in their disciplines, these faculty assist their respective Department Heads and School deans in representing the discipline to students and to other members of the University community. They serve the academic structure of the University in decision making, in annual planning, in course scheduling, and in faculty recruitment. Academic Program Coordinators are appointed by the School deans in consultation with the Provost.

1.6.5 Graduate Curriculum Committee

The Deans' Council, serving as the Graduate Curriculum Committee (GCC), will review the actions taken by the graduate faculty to assure appropriate consistency throughout the schools regarding the application of the curriculum. If the GCC recognizes that a proposed action will create an undue hardship on other areas of the University curriculum or if the graduate faculty is proposing a change that is not generally consistent with the application of the curriculum throughout the University, the GCC will refer the action back to the graduate faculty for further consideration. After its review, the GCC will report to the Faculty Assembly the actions taken by the graduate faculty by posting approved school actions on the Faculty Assembly Black Board Bulletin Board. In addition to this review and comment function related to actions proposed by school faculty, the GCC will consider changes that

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impact the entire University curriculum in proposals from the graduate faculty. If approved, proposals of this nature will be recommended by the GCC to the Faculty Assembly. *(Revised by the President May 14, 2018)*

1.6.6 Directors of Particular Graduate Programs

A director will be appointed for each program of graduate study at the University. These persons will work closely with the deans of each school in which graduate programs reside. The director will function in many ways as the department head's function in the undergraduate programs. Directors of the particular graduate programs will give leadership in annual program review, curriculum design, faculty enlistment and training, student recruitment and advisement, and general administrative oversight.

1.7 Accreditation

The University is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award degrees at the associate, baccalaureate, and master's levels. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of the University.

The University is an accredited institutional member of the National Association of Schools of Music and is accredited by the International Assembly for Collegiate Business Education. The Commission on Accreditation of the Council on Social Work Education has granted the University accreditation for the baccalaureate Social Work Program.

Although individual publications may highlight specific aspects of the University, it is important that such emphasis be accomplished in a manner in which the overall character and nature of the University not be misrepresented. This is especially the case in the professional accreditations held by the University, in which the University must describe itself in identical terms to each recognized accrediting body with regard to purpose, governance, programs, degrees, diplomas, certificates, personnel, finances, and constituencies, and must keep each institutional accrediting body apprised of any change in its status with one or another accrediting body.

1.8 University-Related Entities

Any entity proposed to be organized separately from the University, and formed primarily for the purpose of supporting the University or its programs, must be approved and monitored by the University's Board of Trustees. Such approval and subsequent monitoring shall be based upon the following: (1) the legal authority and operating control of the University is clearly defined with respect to that entity; (2) the relationship of that entity to the University and the extent of any liability arising out of that relationship is clearly described in a formal, written manner; and (3) the University demonstrates that (a) the president of the University controls any fund-raising activities of that entity, or (b) the fund-raising activities of that entity are defined in a formal, written manner which assures that those fund-raising activities further the mission of the University. *Adopted 7/30/2013 by the Howard Payne University Board of Trustees*

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SECTION 2.0 HUMAN RESOURCES, COMPENSATION, and BENEFITS

2.1 Policy Against Discrimination and Harassment

The University is committed to providing a work environment free of illegal discrimination and harassment.

The University is committed to the principle of equal opportunity in education and employment. The University does not illegally discriminate against individuals on the basis of race, color, ethnic or national origin, disability, age, veteran status, genetic information, or gender/sex (except where gender is a bona fide occupational qualification), in its employment, admissions, educational programs and activities. Sexual harassment and sexual violence are types of sex discrimination. This policy applies to conduct on and off campus and protects students, employees and visitors. The University may discriminate on the basis of religion in employment in order to fulfill its mission, and preference may be given to Baptists. All employees are subject to disciplinary action, including dismissal, for violations of this policy.

The U.S. Department of Education has granted the University exemptions from certain provisions of Title IX based on the religious tenets of the Baptist General Convention of Texas regarding marriage, sex outside of marriage, sexual orientation, gender identity (including but not limited to transgender status), pregnancy, and abortion.

The following employee has been designated as the University's Title IX Coordinator to handle inquiries and complaints regarding the University's nondiscrimination policies with respect to student and employment matters:

Mr. Bill Fishback
Associate Vice President for Business and Human Resources
Howard Payne University
1000 Fisk Street, Room 210
Brownwood, Texas 76801
bfishback@hputx.edu

The following employee has been designated as the University's Title IX Sub-Coordinator to handle inquiries and complaints regarding the University's nondiscrimination policies with respect to student and employment matters. In the event that the Title IX Coordinator is the subject of the complaint or is unavailable, the Sub-Coordinator shall perform the functions assigned to the Title IX Coordinator in this policy:

Dr. Magen Bunyard
Vice President for Student Life and Dean of Students
Howard Payne University
1000 Fisk Street, Mabee University Center
Brownwood, Texas 76801
mbunyard@hputx.edu

2.1.1 Definitions

"Discrimination" is conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their employment because of their gender, race, national origin, age, disability, or color.

"Harassment" as used in this policy refers to verbal and/or physical conduct (i) that is severe or pervasive, (ii) that is based on an individual's gender, race, national origin, age, disability, color, or religion, veteran status or genetic information and (iii) that unreasonably interferes with the individual's work or academic activities, or that creates an intimidating, hostile, or offensive University environment. Such harassment may violate the law and is contrary to the Christian standards of conduct expected of all members of the University community. Unlawful harassment includes, but is not limited to, offensive or unwanted touching, acts of intimidation or humiliation, slurs and derogatory comments, and visual display of offensive graphics or literature.

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"Sexual Harassment" Sex discrimination encompasses sexual harassment and sexual violence, both of which are prohibited under Title IX. Sexual harassment is unwelcome conduct of a sexual nature. It includes but is not limited to unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, or offensive displays or distribution of sexually-oriented material. Sexual violence, as that term is used in these policies, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including but not limited to rape, sexual assault, sexual battery, threats, peeping, taking nude photos, unwanted touching and sexual coercion.

Such conduct is unwelcome when it is not solicited by an individual and is regarded by him or her as unwanted to offensive. Sexual harassment is wrongful regardless of whether the parties are of the same gender or of the opposite gender.

A violation of this policy occurs when:

- a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or education; or
- b. Submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting that individual; or
- c. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating hostile or offensive employment, educational or living environment.

2.1.2 Complaint Procedure

Students with discrimination or harassment complaints shall follow the procedure described in the Prohibition of Harassment and Discrimination policy. Employees shall comply with the following procedure:

When any employee or student believes that he or she has been subjected to harassment or discrimination in violation of this policy, the individual is encouraged to inform the alleged offender that the conduct in question is unwelcome or offensive. If this approach is unsuccessful or otherwise not feasible, the individual may pursue either informal or formal means of resolution.

2.1.2.a. Prompt Resolution of Complaints

The University is committed to providing prompt and equitable resolution to all complaints from employees or students alleging any act of harassment prohibited by Title IX.

2.1.2.b. Student Complaints

Students with any complaint of harassment should contact the person listed above in this policy.

2.1.2.c. Employee Complaints

Employees with any complaint of harassment should contact the person listed above in this policy.

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2.1.3 Counseling and Informal Resolution

Any individual may seek advice or information on matters related to harassment or discrimination without having to lodge a formal complaint. Persons who are uncertain about whether they are being subjected to discrimination or harassment may seek guidance from the Title IX Coordinator or the Sub-Coordinator if appropriate, the human resources officer may suggest informal means of resolution, including counseling the accused. The aim of informal discussions is not to determine whether there was intent to harass, but to stop the offensive behavior as promptly as possible at the lowest possible level.

In the event a complaint is lodged against the human resources officer, the vice president for finance and administration will serve in all roles assigned to the human resources officer in this policy.

Use of the informal resolution process is not a prerequisite to filing a formal complaint.

2.1.4 Formal Complaint Process

Formal complaints of harassment or discrimination shall be presented to one of the Title IX Coordinators. Formal complaints shall be signed and in writing. Oral complaints do not constitute formal complaints. The signed, written complaint shall contain specific facts that describe the alleged violation(s). An investigation shall commence as soon as possible upon receipt of the signed, written complaint. The Title IX Coordinator shall provide a copy of the written complaint to the accused along with a statement advising the accused that retaliation against the complaining party is prohibited. The accused shall be given an opportunity to submit a written response, including written statements from witnesses having direct knowledge related to the complaint, within forty-eight hours of receiving a copy of receipt of the written complaint.

The human resources officer or other impartial administrator may serve as the investigator. The investigator shall interview the complaining party, the accused, and other persons who may possess relevant information. The investigator also should gather and examine documents and other relevant evidence. The human resources officer or other impartial administrator serving as the investigator will take all reasonable steps possible to investigate and respond to the complaint as confidentially as possible, with the facts made available only to those who have a legitimate need to know for purposes of investigation or resolution of the matter.

The investigator shall prepare a written investigation summary. A copy of the summary shall be provided to the complaining party, the accused, the Title IX Coordinator, and other appropriate administrators, including the accused's supervisor. The appropriate administrators shall determine appropriate corrective action or discipline, if any. The complaining party and the accused shall receive written notification of the final disposition of the complaint.

2.1.5 Timely Reporting of Complaints

Employees are encouraged to report concerns about harassment or discrimination as promptly as possible. A delay in reporting may impair the University's ability to investigate and address the harassment or discrimination.

2.1.6 Supervisor's Responsibility

Any supervisor who receives a report of harassment or discrimination or becomes aware of harassment or discrimination in his or her department shall promptly notify the Title IX Coordinator.

2.1.7 Formal Hearing

If the complaining party or accused is dissatisfied with the outcome of the investigation, he or she may request a formal hearing. The request for a formal hearing must be sent within five business days of final disposition of the complaint. The request for a formal hearing shall be made in writing and shall be submitted to the Title IX Coordinator. The request shall specify the reasons why the party is dissatisfied with the outcome of the investigation.

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The party shall identify all remedies requested. Within ten business days of the request for a hearing, the Title IX Coordinators shall convene a hearing. The Title IX Coordinator shall serve as chairperson of a grievance committee composed of five members. The other four members will be chosen by the University president. In disputes involving faculty, the provost shall serve as one of the committee members. Under no circumstances shall the individual investigating the complaint serve as a committee member.

The Title IX Coordinator serving as chairperson of the grievance committee shall provide the complaining party and the accused party with written notice of the date, time, and place of hearing. The complaining party and the accused party shall have the opportunity to address the committee personally and present witnesses or other evidence. Witnesses shall not be allowed to be in the hearing room except when they are providing evidence. No attorney or representatives for the complaining party or the accused party may attend the hearing at any time. The grievance committee may establish reasonable timelines for presentations.

All formal hearings shall be closed to the public. Upon completion of the hearing, the chair of the committee shall, within seven business days, submit a written report of the committee's findings based on a preponderance of the evidence and recommendations to the complaining party, the accused party, and the president of the University. The chairperson of the grievance committee and the University will make every effort to balance their obligations under Title IX, FERPA, and privacy statutes when disclosing the committee's findings.

All deadlines in this policy may be extended for good cause or by mutual agreement.

2.1.8 Acceptance of Hearing Committee's Report

The president of the University shall review the committee's report and accept, reject, or modify the committee's recommendations. The president's decision is final. The parties and appropriate administrators shall be notified in writing of the president's decision.

2.1.9 Confidentiality of Complaints

The University strives to balance the privacy interests of both the complaining party and the accused party. All proceedings and records shall be treated as confidentially as possible under the law. Dissemination of information relating to a complaint or investigation will be limited to those with a legitimate need to know. The University reserves the right to share with the complaining party the final disposition of a complaint and any discipline that has been assigned.

2.1.10 Retaliation is Prohibited

No employee may retaliate against any individual who files a good faith complaint under this policy. Retaliation also is prohibited against witnesses who participate in an investigation or who provide assistance to the complaining party.

2.1.11 Preventing Recurrence and Correcting Discriminatory Effects of Harassment

The University will provide specific remedies to the victim of harassment. Said remedies will be determined on a case-by-case basis, but may include, but not limited to counseling, support services such as tutoring, and allowing a student victim to retake a course.

2.1.12 Conducting an Investigation Related to a Criminal Complaint

Even though the police or other law enforcement agencies may be conducting a criminal investigation related to a harassment complaint filed with the Title IX Coordinator, the University will continue to conduct its own investigation according to the policies listed above. The University may temporarily delay its investigation while law enforcement gathers evidence, but will resume its own fact-finding once law enforcement has completed their evidence gathering. During the delay, the University will take all reasonable steps necessary to ensure the safety of

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the complainant, the accused, witnesses, students, employees and visitors while they are on University property or attending University sponsored events.

Regardless of whether or not law enforcement conducts an investigation related to the complaint, the University will conduct an investigation of the complaint according to the policies listed above.

2.2 Sexual Assault

As a private or independent University of higher education, as those terms are defined by Section 61.003 of the Texas Higher Education Coordinating Board, the University shall abide by Texas S.B. No. 968 and SECTION 1. Section 51.9363, Education Code by implementing this sexual assault policy effective January 1, 2018.

This policy is applicable to each enrolled student and each employee of the University. The University shall make the University's sexual assault policy available to students, faculty, and staff members by:

1. Including the policy in the University's Student Handbook and Administrative Policies of Howard Payne University; and
2. Creating and maintaining a web page on the University's Internet website dedicated solely to the policy.

The University shall require each entering freshman or undergraduate transfer student to participate in a program on the University's sexual assault policy before or during the first semester or term in which the student is enrolled at the University. The University shall establish the format and content of the program.

The University shall develop and implement a public awareness campaign to inform enrolled students and employees of the University of the University's sexual assault policy. As part of the campaign, the University shall provide information for enrolled students and employees of the University regarding the protocol for reporting incidents of sexual assault by including the name, office location, and contact information of the University's Title IX coordinators, by:

1. E-mailing the information to each student at the beginning of each semester or other academic term; and
2. Including the information in the program session.

As part of the protocol for responding to reports of sexual assault, the University shall:

1. To the greatest extent practicable based on the number of counselors employed by the University, ensure that each alleged victim or alleged perpetrator of an incident of sexual assault and any other person who reports such an incident are offered counseling provided by a counselor who does not provide counseling to any other person involved in the incident; and
2. Notwithstanding any other law, allow an alleged victim or alleged perpetrator of an incident of sexual assault to drop a course in which both parties are enrolled without any academic penalty.

Each biennium, the University shall review the University's sexual assault policy and, with approval of the University's governing board, revise the policy as necessary.

2.2.1 Behavior Expectations and Sanctions

The University is exempt from certain regulator provisions of Title IX and may discriminate based on religion in employment in order to fulfill its mission.

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The University is also exempt from certain regulator provisions of Title IX pertaining to student rules of behavior. The University welcomes all students into a safe and supportive environment in which to discuss and learn about a variety of issues, including those of sexuality and gender. The University affirms the biblical understanding of sexuality and gender as gifts from God and not subject to change at an individual's discretion.

Using the Bible and Baptist General Convention of Texas affirmed documents as the foundation for institutional policies and practices, the University affirms fidelity in marriage, purity/celebrity in singleness, marriage as a union between a man and a woman, and God's creation of male and female through biological gender assignments. University students and employees are expected to conduct themselves in accordance with these standards of Christian morality. Students and employees who engage in behaviors that violate these standards including, but not limited to, sexual activity outside of marriage, sexual activity with a person of the same sex, dating violence, sexual assault, sexual abuse, sexual harassment and stalking are subject to disciplinary sanctions up to and including:

1. For students - expulsion from the University, and
2. For employees - termination of employment.

2.2.2 Definitions of Prohibited Behavior

1. Dating violence is defined as abuse or violence, or a threat of abuse or violence, against a person with whom the actor has or has had a social relationship of a romantic or intimate nature.

2. Sexual assault is defined as sexual contact or intercourse with a person without the person's consent, including sexual contact or intercourse against the person's will or in a circumstance in which the person is incapable of consenting to the contact or intercourse.

3. Sexual harassment is defined as unwelcome, sex-based verbal or physical conduct that:

a. In the employment context, unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment; or

b. In the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from educational programs or activities.

4. Stalking is defined as a course of conduct directed at a person that would cause a reasonable person to fear for the person's safety or to suffer substantial emotional distress.

2.2.3 Electronic Reporting Option for Certain Offenses

The University shall provide an option for an enrolled student or an employee of the University to report electronically to the University an allegation of sexual harassment, sexual assault, dating violence, or stalking committed against or witnessed by the student or employee, regardless of the location at which the alleged offense occurred. The electronic reporting option must:

1. Enable a student or employee to report the alleged offense anonymously; and
2. Be easily accessible through a clearly identifiable link on the University's Internet website home page.

The University may contract with a third-party vendor to provide the electronic reporting option.

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2.2.4 Amnesty for Students Reporting Certain Incidents

The University may not take any disciplinary action against a student enrolled at the University who in good faith reports to the University being the victim of, or a witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking for a violation by the student of the University's code of conduct occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the University's disciplinary process regarding the incident, if any.

This section does not apply to a student who reports the student's own commission or assistance in the commission of sexual harassment, sexual assault, dating violence, or stalking.

The University may investigate to determine whether a report of an incident of sexual harassment, sexual assault, dating violence, or stalking was made in good faith. The University has discretion to determine good faith, but in no event will good faith exist if the student is found responsible for sexual harassment, sexual assault, dating violence, or stalking at or near the time of the incident.

A determination that a student is entitled to amnesty under this policy is final and may not be revoked.

This policy may not be construed to limit the University's ability to provide amnesty from application of the University's policies in circumstances not described by this policy.

2.3 Disabilities and Workplace Accommodations

2.3.1 Americans with Disabilities Act (ADA)

The University complies with the Americans with Disabilities Act (ADA). The University provides reasonable accommodation to otherwise qualified employees who are disabled or become disabled, and need assistance to perform the essential functions of their position. The interactive process shall be used to determine what, if any, reasonable accommodation will be made.

2.3.2 The Interactive Process

The interactive process is an ongoing dialogue between the employee and appropriate representatives of the University about possible options for reasonably accommodating the employee's disability. Options may include, but are not limited to, a modified work schedule, a leave of absence, reassignment, modified equipment, assistive devices, modification of existing facilities, and restructuring the job. Both the University and the employee are expected to participate in the interactive process.

During the interactive process the University considers information related to the essential functions of the job, functional limitations, possible accommodations, the reasonableness of possible accommodations, and implementation of a reasonable accommodation. This information will be used by the University to determine what, if any, reasonable accommodation will be made.

2.3.3 Medical Documentation and Medical Inquiries

The employee is responsible for providing medical documentation to assist the University in understanding the nature of the employee's functional limitations. If the employee provides documentation that is insufficient to substantiate the existence of a disability and the need for reasonable accommodation, then the University may require the employee, at University expense, to visit a health care professional selected by the University. Documentation may be insufficient if (1) it fails to specify the existence of an ADA-protected disability; (2) it fails to explain the need for a reasonable accommodation; (3) the documentation was written by someone who does not have the expertise to give an opinion about the employee's condition or the limitations imposed by it; (4) the information fails to specify the functional limitations due to the disability; or (5) other factors indicate that the information is not credible or fraudulent. In the event of insufficient documentation, the University will request that the employee

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provide proper documentation. If the employee does not provide proper documentation within the time allowed, then the University may require that the employee be examined by a University-appointed provider.

2.4 Drug, Alcohol and Tobacco Policy

2.4.1 Prohibited Conduct – Drugs and Alcohol

The University strives to maintain a drug and alcohol free environment. Criminal convictions are not required for sanctions to be imposed on employees of the University. This policy applies to all employees of the University regardless of rank or position and includes temporary and part-time employees. The human resources office is responsible for administration of this policy as it relates to employees.

The University expects its employees to obey the law. Therefore, a violation of alcohol or drug laws while admitted to or working for the University, wherever that violation occurs, is a violation of this policy. Employees are required to report a violation of this policy by another employee to an officer of the University or to the human resources officer.

Violation of this policy may result in any sanction deemed appropriate by the University, including, but not limited to, required participation in a drug or alcohol treatment or rehabilitation program, suspension, expulsion from school or termination of employment. The University may refer any violation of the law to the proper law enforcement authorities.

The possession, use, sale, offer to sell, distribution, manufacture, or being under the influence of any alcoholic beverage, inhalant, or controlled substance on any University property, at any University activity, or by members of a University-approved student organization is prohibited. The unauthorized use or possession of prescription drugs or over-the-counter drugs on any University property is also prohibited. This policy also prohibits the possession, use, sale, offer to sell, distribution, or manufacture of drug-related paraphernalia. Without limiting the foregoing, this prohibition specifically includes any University-sponsored trip.

An employee who uses or possesses a drug authorized by and in the manner prescribed by a licensed physician through a prescription specifically for that employee's use will not be considered to have violated this policy.

Violation of this policy may result in disciplinary sanctions up to and including termination. At the University's discretion, an employee may be asked to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.

"Drug" or "drugs" means a controlled substance as defined by the Texas Controlled Substances Act and a dangerous drug as defined by the Dangerous Drug Act, including but not limited to: marijuana, narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate; alcohol or alcoholic beverage; abusable glue, aerosol paint, or other chemical substance for inhalation; and any other intoxicant or illegal, controlled, or unauthorized substance that may cause addiction, alter moods, behavior, or brain function, and/or affect coordination or memory.

As a practical matter of enforcement and in order to prevent disagreements regarding violations of the alcohol policy and health hazards, empty alcoholic beverage containers are not permitted on campus. Such containers, if observed by staff, will result in students and employees being charged with an alcohol violation.

Information about a drug and alcohol counseling and rehabilitation program is available through the Office of Student Life.

In compliance with the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226), the University supports the reports prepared by the Surgeon General and asserts that drugs and alcohol have proven to be hazardous to the health and well-being of students and employees.

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2.4.2 Testing Policy

The University may require an employee, as a condition of employment, to undergo drug and/or alcohol testing if the University has a reasonable belief that the employee has violated the Drug and Alcohol policy. Such reasonable belief may be based on, but not limited to, the presence of some or all of the following: alcohol or marijuana odor; red/glassy eyes; unusual drowsiness; slurred and/or incoherent speech; unusually aggressive behavior; disorientation or inability to concentrate; lack of coordination in walking or performing other tasks. Indicators of unlawful drug or alcohol use also may include erratic or continuing poor attendance and/or involvement in a work-related accident that results in actual damage to University property or physical injury to another person; such occurrences may, in conjunction with other evidence, give rise to reasonable suspicion warranting drug or alcohol testing. A reasonable suspicion to test also may arise when the University receives reliable information from a credible person indicating that the employee has violated or is violating this policy; such information will be carefully evaluated in conjunction with other available evidence before being used as a basis for drug or alcohol testing.

The University may require an employee, as a condition of continued employment, to undergo drug and/or alcohol testing following any work related injury sustained by the employee during the course of the employee's work on University property, while driving any vehicle on behalf of the University, or at a University sponsored event held off University property. Further, the University will require an employee, as a condition of continued employment, to undergo drug and/or alcohol testing following any work related accident or injury in which an employee's action or inaction results in an injury to another individual or to University property.

Drug and/or alcohol testing may be required by urinalysis, hair testing, blood test, breathalyzer, or any other screening device as required or permitted by law and designated and paid for by the University. All information from drug or alcohol testing will be treated confidentially except to the extent required by law.

The testing process will involve preparation of two specimens. If an employee tests positive for use of illegal drugs on one specimen, a confirming test will be automatically conducted on the second specimen. If any testing procedure indicates that an employee has used illegal drugs or alcohol in violation of this policy, the applicant or employee may elect to provide, in writing, information to rebut and/or explain the results of the test. This information will be evaluated by a physician or other qualified medical personnel at the facility or laboratory that performed the testing.

Employees who are asked to undergo testing must do so promptly, under the supervision of the University. An employee is subject to termination if he or she (i) refuses to submit to a drug and/or alcohol test in accordance with this policy, (ii) unduly delays reporting to the testing site during working hours, or (iii) refuses to fill out and sign the written consent form agreeing to permit the University to receive the testing results. An employee who switches or alters any sample submitted for testing will be subject to termination.

2.4.3 Medical Examinations and Medical Inquiries

The University may seek information about a current employee's medical condition when it is *job related and consistent with business necessity*. This means that the University must have a reasonable belief based on objective evidence that: (i) an employee will be unable to perform the essential functions of his or her job because of a medical condition; or (ii) the employee will pose a direct threat because of a medical condition. In these situations, the inquiries or examinations must not exceed the scope of the specific medical condition and its effect on the employee's ability, with or without reasonable accommodation, to perform essential job functions or to work without posing a direct threat.

The determination that an employee poses a direct threat must be based on an individualized assessment of the employee's present ability to perform safely the essential functions of the job. This assessment must be based on a reasonable medical judgment that relies on the most current medical knowledge and/or best objective evidence. Any medical examination, however, must be limited to determining whether the employee can perform his/her job without posing a direct threat, with or without reasonable accommodation. The University must pay all costs associated with the employee's visit(s) to its health care professional.

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2.4.4 Health Risks Associated with Drug or Alcohol Use

Narcotics such as opium, morphine, and heroin can cause euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. The symptoms of an overdose of narcotics are slow and shallow breathing, clammy skin, convulsions, coma, and possible death. Persons experiencing withdrawal from addiction to narcotics can experience watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills, and sweating.

Depressants such as barbiturates and Quaaludes can cause slurred speech, disorientation, and drunken behavior. An overdose of a depressant can result in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, and possible death. Withdrawal symptoms include anxiety, insomnia, tremors, delirium, convulsions, and possible death.

Stimulants such as cocaine and crack can cause increased alertness or euphoria, an increased pulse rate and blood pressure, insomnia, and loss of appetite. An overdose of stimulants results in agitation, an increase in body temperature, hallucinations, convulsions, and possible death. Withdrawal symptoms include apathy, long periods of sleep, irritability, depression, and disorientation.

Hallucinogens such as LSD and amphetamines cause illusions and hallucinations, and poor perception of time and distance. The effects of an overdose include psychosis and possible death.

Marijuana and hashish can cause euphoria, increased appetite, relaxed inhibitions, and disoriented behavior. The effects of an overdose include fatigue, paranoia, and possible psychosis. Withdrawal symptoms include insomnia, hyperactivity, and decreased appetite.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

2.4.5 Criminal Sanctions

City, County, and State Law –

Texas Penal Code Sec. 49.02 (As added by Acts 1993, 73rd Legislature): Being intoxicated in public such that one is a danger to oneself or others is punishable by a fine of up to \$500.

Texas Alcoholic Beverage Code Sec. 1.05, 101.31: It is illegal to possess or distribute alcoholic beverages in a dry area. Violation of this law carries a penalty of up to \$1,000 and/or up to one year in prison.

Texas Alcoholic Beverage Code Sec. 106.02, 106.04-106.05: The purchase, possession, or consumption of alcoholic beverages by a person under 21 years of age subjects that person to a fine of up to \$500 for the first offense and up to \$2,000 for the second offense.

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Texas Alcoholic Beverage Code Sec. 106.06: Furnishing alcoholic beverages to a minor is punishable by a fine of up to \$2,000 and potential imprisonment of up to 180 days in jail. (Amended by Acts 1997, 75th Legislature).

Texas Penal Code Sec. 49.04 (Added by Acts 1993, 73rd Legislature): Driving under the influence of alcohol is punishable by a fine of up to \$2,000 and/or three days to two years in prison for the first offense and up to a \$4,000 fine and 60 days to five years in prison for subsequent offenses.

Texas Alcoholic Beverage Code Sec. 106.07: A person under 21 years of age who misrepresents his or her age for the purpose of purchasing alcoholic beverages may be punished by a fine of up to \$500.

Texas Health and Safety Code Sec. 481.106- 107: The illegal distribution, possession, or use of controlled substances may be punished by five years to life in prison and up to a \$20,000 fine.

Texas Health and Safety Code Sec. 481.112-120 and 481.121 (c) and (d): The delivery or possession of controlled substances with the intent to manufacture controlled substances is punishable by a jail term of ten years to life and up to a \$100,000 fine.

Texas Health and Safety Code Sec. 481.121(a) and (b): The possession of marijuana may be punished by six months to 20 years in prison and/or up to a \$10,000 fine depending on the amount of marijuana involved.

Texas Health and Safety Code Sec. 481.122: The distribution of marijuana to a minor is punishable by two to 20 years in prison and/or up to a \$10,000 fine.

Federal Law –

21 United States Code 844(a): 1st conviction: Up to one year imprisonment and fined at least \$1,000 but not more than \$100,000, or both. After one prior drug conviction: At least 15 days in prison, not to exceed two years, and fined at least \$2,500 but not more than \$250,000, or both. After two or more prior drug convictions: At least 90 days in prison, not to exceed three years, and fined at least \$5,000 but not more than \$250,000, or both. Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in prison, not to exceed 20 years, and fined up to \$250,000, or both, if:

- (a) 1st conviction and the amount of crack possessed exceeds five grams
- (b) 2nd crack conviction and the amount of crack possessed exceeds three grains
- (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds one gram.

21 United States Code 853(a) (2) and 881 (a) (7): Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment. (See special sentencing provisions re: crack.)

21 United States Code 881 (a) (4): Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

21 United States Code 884a: Civil fine of up to \$10,000 (pending adoption of final regulations).

21 United States Code 853a: Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses.

18 United States Code 922(g): Ineligible to receive or purchase a firearm.

Miscellaneous: Revocation of certain federal licenses and benefits (e.g., pilot licenses, public housing tenancy, etc.) are vested within the authorities of individual federal agencies.

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2.4.6 Prohibition of Use of Tobacco and Tobacco Products

Smoking and use of smokeless tobacco have been documented to be injurious to one's health and to violate the health and rights of non-smokers.

Use of tobacco and tobacco products inside any University building or within 20 feet of any building entrance is prohibited. Because of the desire to protect the health and lives of everyone in the University community, smoking is banned in all University facilities and vehicles (including rented or leased vehicles).

2.5 Prohibition of Weapons and Fireworks

The policy described in this section does not apply to peace officers licensed by the federal government, the State of Texas or University Department of Public Safety officers whose job description requires them to carry a firearm.

In accordance with provisions of SB11 signed into law by the governor of Texas, the University prohibits all employees, students, and visitors from carrying any handgun in or on University property or at a University sponsored activity or event.

A University employee who possesses a concealed handgun license (CHL) in accordance with Chapter 411 of the Texas Government Code may possess or store a handgun and ammunition only in a locked, privately owned motor vehicle in a parking lot, garage, or other parking area provided by the University, but may not possess a handgun inside a building, portion of a building or athletic facility owned by the University or used for a University sponsored event. A University employee who possesses a CHL may possess or store a handgun in a University owned, rented or leased vehicle or in their personal vehicle while conducting University business. Under no circumstance is a University student permitted to possess a firearm on University property or at a University sponsored activity or event.

The University prohibits all employees, students, and visitors from possessing any illegal firearm or knife, pellet guns, BB guns, air rifles (unless required for use in an official University course in which a student is enrolled and taught by an employee of the University), electroshock weapons, guns that fire plastic projectiles of any type, and fireworks in or on University property or at a University sponsored activity or event.

2.6 Employee Standards of Conduct

2.6.1 Compliance with University Policies and Supervisory Directives

Employees of the University should conduct themselves in a manner that is Christian and that will not embarrass themselves or the University.

In matters of employee standards of conduct, employees shall comply with the *Howard Payne University Policies Adopted by the Board of Trustees* (included as an addendum to this policy manual), all University policies, departmental procedures, and supervisory directives, whether written or oral. A violation of policies, procedures, or supervisory directives may result in discipline, up to and including termination.

Discipline decisions, including termination decisions, will depend upon the totality of circumstances and gravity of the situation in question.

2.6.1.a. Code of Employee Ethics and Conduct

The University is strongly committed to maintaining the highest level of standards and Christian values in conducting all aspects of its academic programs and business operations, while providing a quality education for its students. As such, the University values the contributions of all employees and expects each to adhere to the highest level of integrity by not participating in dishonest, unethical or illegal activities while conducting University business or

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representing the University either on-campus or off-campus. This policy applies to all University employees, including all full-time or part-time faculty, support and administrative staff, officers and adjunct faculty members.

While employees will no doubt routinely face ethical dilemmas and decisions in the scope of their employment, each employee is personally responsible for his or her actions. The attached page lists several areas of unethical conduct that should be strictly avoided. While this is not an all-inclusive list, the University has a no-tolerance philosophy for dishonest, unethical or illegal acts and will enforce this policy. It is mandatory that all employees assume responsibility to understand these policies completely and be able to recognize a proposal or personal act that would constitute a violation. Employees are encouraged to seek guidance in making ethical decisions and choices and are free to direct questions regarding interpretation of this policy to an officer of the University. Violations can result in disciplinary action, including termination of employment and criminal prosecution.

In an effort to deter and prevent dishonest, unethical or illegal activities, the University encourages employees to immediately report any suspected activity to any one of the following offices: president, vice presidents or human resources.

Examples of acts that violate this policy include, but are not limited to:

1. Consuming, storing, possessing or being under the influence of alcoholic beverages or illicit drugs while on duty or while on any University property or at any University event
2. Illegally storing, possessing or using firearms or weapons on any University property or at a University-sponsored event
3. Conducting or participating in any illegal activities, including gambling or betting
4. Utilizing the University's computer network or computers for obtaining or sharing pornographic or inappropriate materials or conducting inappropriate activities
5. Violating the University's Computer Use Policy or misusing the campus email system or other computer resources
6. Removing and/or not returning University assets, supplies, property or resources from the campus premises without express administrative permission
7. Selling or disposing of University assets, supplies, property or resources without following University policy
8. Consuming University supplies, services or resources for personal usage or non-University activities
9. Misusing the campus post office by regularly processing personal incoming and outgoing mail at University expense
10. Charging personal items to a University credit card or vendor account
11. Receiving personal gain by charging University purchases to a personal credit card to earn vendor award points, rebates or discounts
12. Failing to remit revenues, fees, reimbursements, gifts, contributions or funds belonging to the University or student organizations in the employee's possession to the Business Office for timely deposit
13. Failing to secure revenues, fees, gifts, contributions or funds belonging to the University or student organization that are temporarily in the employee's custody
14. Soliciting funds or contributions on behalf of the University without obtaining prior approval from the University's Advancement Office
15. Accepting bribes, kickbacks or gratuities
16. Falsifying an employee timesheet or other payroll documents
17. Misusing the University's paid leave benefits
18. Failing to be productive during the workday
19. Failing to report suspicious or illegal activity to his/her supervisor or the University's Department of Public Safety
20. Falsifying University records, documents, purchases or expense reports
21. Knowingly submitting inaccurate invoices for payment
22. Purchasing goods or services or committing funds from the University's budget without prior written approval
23. Failing to follow University policies and procedures
24. Violating board adopted policies

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25. Engaging in destructive or disruptive behavior that intentionally undermines achievement of University goals and objectives
26. Releasing, sharing or selling confidential or proprietary information
27. Displaying inappropriate, unprofessional, or dishonest behavior
28. Misrepresenting or falsifying credentials
29. Misrepresenting progress toward academic or professional requirements
30. Misrepresenting communication between the University and other organizations
31. Violating the University's Conflict of Interest Policy
32. Purchasing items from or for related parties, including family and friends, with University funds
33. Utilizing the campus computer systems or network for personal gain or business endeavors unrelated to the University
34. Soliciting political contributions on campus or publicly endorsing a candidate during working hours or in a manner that makes it appear the endorsement is on behalf of the University
35. Reporting fraudulent workers compensation claims
36. Hiring friends, relatives or acquaintances without regard to qualifications
37. Violating copyright laws, pertaining to printed materials, software and music
38. Trespassing or breaking into controlled areas without permission
39. Accessing restricted computer files without permission
40. Failing to properly secure University assets that are under the employee's care and control
41. Failing to properly protect covered data and information described in the Information Security Plan policy
42. Duplicating, trading, and/or not returning keys that access University facilities or vehicles

2.6.2 Relationships in the Workplace

The University strives to be a family-friendly workplace based on its mission as a Christian university and is committed to maintaining an environment in which members of the University community can work together to further education and service. This policy provides guidelines for employees working at Howard Payne and their personal relationships at work.

This policy is not intended to discourage the interaction of employees with students or employees with co-workers where it is appropriate and ethical; however, it is intended to clarify that romantic or sexual relationships often create situations that lead to a hostile work environment, sexual harassment, sexual misconduct, conflicts of interest, favoritism, and low morale. Complaints from third parties concerning consensual relationships will be treated as sexual harassment complaints or sexual misconduct complaints and investigated accordingly.

Employees are encouraged to socialize and develop professional relationships with other employees in the workplace, provided these relationships do not interfere with the work performance of either individual or with the effective functioning of other employees in the workplace. Employees who engage in personal relationships (including consensual romantic relationships) should be aware of their professional responsibilities and will be responsible for assuring that the relationship does not raise concerns about favoritism, bias, ethics and conflict of interest.

Employees who are aware of inappropriate relationships addressed in this policy should take immediate action to resolve the problem or report the matter to the appropriate vice president. Failure to resolve or report inappropriate relationships immediately may lead to disciplinary action for the employee who knows about the relationship, but fails to report it. Supervisors have a leadership responsibility to ensure that employees do not violate their positions of trust or responsibility and to enforce these policies when violations occur.

It is the policy of the University that the following romantic or sexual relationships, even if they are consensual, are prohibited between an employee and:

- a. A student who may be enrolled in the employee's course
- b. A student under the employee's supervision

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- c. An employee and a person under his/her supervision.

If employees believe they have been, or are being, adversely affected by inappropriate relationships, they are encouraged to contact the human resources officer. When relationships develop into situations that may be viewed as harassment or discrimination, employees should refer to the Policy Against Discrimination and Harassment. In cases of doubt about a relationship, the employee should consult the appropriate vice president. A violation of these policies by an employee is grounds for disciplinary action as described below.

2.6.3 Relationships with Students

General: Howard Payne is a student-centered institution, and all employees should strive to serve the best interest of students.

Student Privacy: All employees shall respect the privacy rights of students. Employees shall not publicly disparage students. Employees shall comply with the Student Records – Confidentiality, Access, and Retention Policy regarding the confidentiality of student records.

Communication with Students: Oral, written, and electronic communications with students shall be professional at all times. (*Revised by the President May 14, 2018*)

Personal Relationships: Employees shall exercise extreme care in all interactions with students. Sexual advances and flirtation, even if not rising to the level of unlawful sexual harassment, are prohibited. Such relationships and conduct may have the effect of undermining the atmosphere of trust on which the educational process depends. Implicit in the idea of professionalism is the recognition by those in positions of authority that in their relationships with students there is always an element of power. It is incumbent upon those with authority not to abuse, nor appear to abuse, the power with which they are entrusted. All employees shall comply with the Policy Against Discrimination and Harassment, the Prohibition of Harassment and Discrimination policy and the Relationships In The Workplace policy.

In cases of doubt about a relationship, the employee should consult the appropriate vice president. A violation of these policies by an employee is grounds for disciplinary action as described below.

2.6.4 Personal Postings on the Internet

Each employee represents the University, both on and off campus when they use the Internet for public postings, including things posted on their own time. Employees should use good judgment at all times regarding their public Internet postings and realize they are creating impressions for themselves and the University (see Computer Information and Telephone Systems). Employees should ensure their public Internet postings are appropriate for an employee of a Christian university and consistent with the University mission statement. Violation of this policy may result in disciplinary sanctions up to and including termination.

2.6.5 Disciplinary Action

The University seeks to be redemptive in disciplinary actions affecting the lives of the individuals involved and to uphold the high moral standards of the Christian faith while requiring accountability from those involved.

As mentioned above, if a relationship is deemed inappropriate under these policies, the appropriate vice president, after consultation with the human resources officer, will take appropriate action to address the situation. Actions taken may include, but are not limited to a written reprimand, mandatory counseling approved by the University at the employee's expense, or immediate termination from employment.

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2.6.6 Working with Minors

All employees and volunteers working in University-sponsored programs that involve minors (age 18 and under), including University students involved in student teaching, must complete the University's Child Molestation Prevention Training prior to working with any minor and every two years, thereafter.

2.7 Employee Disclosure of Arrests and Convictions

An employee who is arrested for any type of felony offense or any misdemeanor crime involving moral turpitude must provide a signed, written notification to the human resources office within five business days of the arrest. Failure to report an arrest as required by this policy may result in disciplinary sanctions, up to and including immediate termination.

An employee who is convicted of or receives deferred adjudication for any type of criminal offense, other than a minor traffic offense, must provide a signed written report to the human resources office within five working days of the conviction or deferred adjudication. The employee shall provide a copy of the court's final judgment. Failure to report a conviction as required by this policy may result in disciplinary sanctions, up to and including immediate termination.

Employees whose job description requires them to drive vehicles on behalf of the University, must report all traffic violations to the human resources office within ten days of the offense. Failure to report these violations may result in disciplinary action, including termination.

"Moral turpitude" as used in this policy includes, but is not limited to criminal and/or non-criminal acts involving: fraud; deceit; the use of profanity with other employees or students; theft; misappropriation of University property; misrepresentation of credentials; violence or assault; inappropriate relationships; sexual activity not consistent with the University's Christian nature and heritage, including but not limited to adultery or homosexuality; illegal use, possession, transfer, sale, or distribution of a controlled substance as defined in the Texas Health & Safety Code; public intoxication; driving while intoxicated; disorderly conduct; and abuse as defined in the Texas Family Code.

Being convicted of a crime or receiving deferred adjudication is not an automatic basis for termination. The University shall consider the following factors in determining what action, if any, is appropriate under the circumstances: nature and gravity of the offense, date of the offense, and relationship between the offense and the position to which the employee is assigned.

In the event that an at will employee is charged with a felony crime or a misdemeanor offense involving moral turpitude, the University may suspend the individual without pay pending a final determination on the charge. The University shall consider the available evidence regarding the charge and the relationship, if any, between the charge and the employee's position.

2.8 Outside Employment, Personal Gifts and Conflicts of Interest

2.8.1 Outside Employment

Full-time employment at the University involves the commitment of the individual's time, energy and primary loyalty to the University. Employees shall not have a personal financial interest, a business interest, or other obligation (including outside employment) that in any way creates a conflict with the proper discharge of assigned duties and responsibilities or that creates a conflict with the best interests of the University.

All full-time and part-time employees with outside employment must disclose the outside employment to their supervisor. Faculty desiring to teach as an adjunct at another institution while employed at the University must secure prior written permission from the school dean and University provost.

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Employees may not engage in outside activities during normal business hours (Monday through Friday, 8:00 a.m. to 5:00 p.m.). The University will not reschedule classes or other assignments for the convenience of personnel with outside obligations.

2.8.2 Personal Gifts

To avoid conflicts of interests or unethical behavior, no employee or family member of an employee may solicit or receive personal gifts, favors, or services from vendors, potential vendors, or students of the University that might reasonably appear to influence the employee in the discharge of their official duties.

Gifts may only be accepted if they have a nominal value less than \$75.00 and only on appropriate occasions (i.e., a birthday or holiday gift). Employees are cautioned not to accept any form of payment for, and may not sell to third parties, any information or property acquired from the University.

Employees are encouraged to seek assistance from a University officer or the human resources officer with any legal or ethical concerns regarding acceptance of a personal gift.

2.8.3 Conflicts of Interest

Use of University resources for personal gain is a violation of University policy and may result in discipline, up to and including termination. Refer to the *Code of Employee Ethics and Conduct Policy* section of the *Howard Payne University Policies Adopted by the Board of Trustees*.

Employees will use University resources to support the educational objectives of the University. An employee will not use facilities, property, work time of other University employees, the University's campus network (other than the electronic Bulletin Board), office supplies, equipment, and other college resources for personal gain, except as allowed by the Financial/Support Services policy in the *Howard Payne University Policies Adopted by the Board of Trustees*.

All employees involved with camps (see Camp policy) or providing services on behalf of outside organizations using University facilities, property or equipment must obtain prior written approval from the vice president for finance and administration before any promotional activities can begin.

No faculty member, whether full-time or adjunct, shall accept a student as a client during a semester in which the student is enrolled in his/her class. Employees shall not advertise their services while instructing students or while performing other duties as an employee.

2.9 Dress Code

While every organization has its own culture and standards of dress, there are a few universal guidelines for appropriate dress at the University. First, employees should dress appropriately for a Christian university and in a manner consistent with the University mission statement. Next, employees should think about the impressions they may be generating with their dress and decide if they match the mission statement. Finally, employees dealing with the public should make certain their attire and grooming are appropriate for both the audience and the circumstance.

Each employee represents the University, both on and off campus. Employees should use good judgment at all times regarding their personal appearance. They should be dressed in a professional, business-like manner while on the job or on University business. Casual, recreational, or torn clothing is not acceptable. Flagrant violations of commonly accepted standards of dress or cleanliness may be cause for disciplinary action.

Current requirements for appropriate dress are available on the University's campus network.

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2.10 Normal Working Hours and Inclement Weather

All full-time employees other than faculty must work a minimum of 40 hours per week (for faculty, see Faculty Matters section). Normal University hours are 8:00 a.m. to 5:00 p.m. Certain departments or positions may have other designated hours. Lunch time for non-exempt employees is 60 minutes in length and shall normally be taken from noon to 1:00 p.m. If an office must remain open during the normal lunch time, the department supervisor may designate a different lunch time for certain non-exempt employees.

Any long-term departure from this normal work and lunch schedule for non-exempt employees must have the prior written approval of the employee's supervisor and vice president, and a copy of that approval on file in the human resources office.

2.10.1 Reporting Absences and Job Abandonment

All employees shall inform their supervisors with a telephone call (leaving a voicemail message if their supervisor does not answer) or text message when they will be absent from or late to work due to illness or other unforeseeable circumstance. Failure to give timely notification and obtain a reply from the supervisor approving the employee's absence may result in discipline, up to and including termination. Supervisors are required to attempt to contact employees who do not report to work in an attempt to determine and document the reason for their absence.

An employee who fails to report for duty for two consecutive work days without notifying or contacting their supervisor will be deemed to have abandoned and voluntarily resigned their position at the end of the second day. The supervisor must provide written details to the human resources office documenting the supervisor's efforts to contact the employee who failed to report to work as described above. The human resources office will attempt to contact the employee to determine if there are any circumstances of which the supervisor was not aware, such as a medical issue or some other form of crisis that prevented the employee from contacting their supervisor, prior to formally terminating the employee.

2.10.2 Inclement Weather/School Closures

As a matter of safety, should it be determined that weather conditions necessitate classes be canceled or offices closed, the president or his designee (normally the provost) will make that determination by 6:00 a.m. on the day in question.

Students and employees will be informed of changes to class or work schedules by:

- a. University e-mail sent to all students and employees
- b. University voice-mail sent to the campus voice-mail box and cell phone numbers of all students and employees. Text messages will also be sent to the cell phone numbers on file for all students and employees.
- c. A notice on the University website
- d. Notifying all local radio and television stations of any changes

Decisions on closing offices and canceling classes will be based on conditions in Brownwood around the main campus. Conditions near the campus could be acceptable, and yet be unsafe elsewhere. If students cannot travel to Brownwood under these conditions, they will be given the opportunity to make up any work missed. Likewise, if employees commuting to work determine driving conditions are not safe in their area, they should notify their supervisor immediately. All employees should presume that all offices are open for normal business unless they are specifically instructed not to report to duty.

Decisions on closing offices and cancelling classes at the El Paso or New Braunfels centers will be made by the director of those centers in conjunction with the University provost.

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In the event of a school closing, employees who are absent from work assignments shall receive their regular pay if one of the following conditions is met:

- a. The employee reports for duty and is subsequently sent home during the workday because of an inclement weather closing or other emergency; or
- b. The employee does not report to duty because of an announcement, prior to commencement of the workday, that the campus will be closed.

Employees whose positions require them to work when the University is closed for inclement weather do not receive additional compensation for working on those days. If a non-exempt employee does not report to work and no inclement weather closing has been announced, the absence shall be charged against the employee's accumulated vacation or emergency leave unless there is no such leave or vacation time remaining, in which case the absence will not be compensated.

2.11 Attendance at Chapel and Local Church Activities

All University offices will close for scheduled Chapel services. The dual purpose of this policy is:

1. to emphasize the University's commitment to helping students engage the life of the mind and the life of the Spirit and,
2. to support institution-wide spiritual development by giving all employees and students the opportunity to worship together.

To be supportive of University employees and students involved in local churches and Chapel, no University meetings, events or activities of any type may be scheduled on Sundays from 8:00 a.m. through 12:30 p.m. and 5:00 p.m. through 7:30 p.m. and during scheduled Chapel services as published in each semester's Chapel schedule. Exceptions may be approved by the Administrative Council. *(Revised by the Interim President, August 14, 2018)*

2.12 Employee Evaluations

2.12.1 Evaluation of Staff Employees

All staff employees, whether full-time or part-time, shall receive a written evaluation at least once a year. Upon receipt of a written evaluation, employees shall have the opportunity to prepare a written response to the evaluation. The employee's response shall be included in the employee's personnel file along with the evaluation. Responses shall be submitted to the employee's supervisor within seven business days of receipt.

2.12.2 Evaluation of Faculty

The faculty evaluation policy is located in the Evaluation of Graduate and Undergraduate Faculty policy.

2.13 Eligibility to Work and Applications for Employment

2.13.1 Employment Eligibility Verification

In compliance with the Department of Homeland Security and Federal law, the University requires all new employees, including student employees, to complete an I-9 Employment Eligibility Verification Form. All employees, including student employees, are required to complete Forms I-9 before they begin working. The I-9:

- a. Establishes identity and eligibility to work in the U.S.
- b. Must be completed before new employees start working

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c. Must be accompanied by original documentation (as described on Form I-9) that establishes identity and employment eligibility when it is submitted to the human resources office. The Form I-9 is not complete until acceptable, required, original documentation is presented and accepted by the University. The Department of Homeland Security prohibits the acceptance of copies, faxes or reproductions of any documents. International students must qualify for eligibility to work each semester.

2.13.2 Applications for Employment

To be considered for employment by the University (excluding student workers employed through the Office of Student Financial Aid), an official University Employment Application must be completed and submitted to the human resources office. Individuals may not be interviewed for a job at the University unless their University Employment Application has been reviewed and approved by the human resources officer. The human resources officer is charged with ensuring applicants met all of the minimum requirements included in the Job Description and Position Announcement for any vacant position.

Employees of the University who want to be considered for other jobs at the University must submit an official University Employment Application to the human resources office, prior to interviewing for the job.

Applications are available on the University web site.

2.14 Employee Recruitment and Selection

The human resources office serves as the facilitator for the employment of all personnel, including faculty. The human resources office should ensure that federal and state laws and University policies are followed and that all decision-makers are familiar with the non-discrimination laws included in this manual. The goal is to ensure consistency and equal treatment for all applicants regardless of the nature of the job for which they are applying. In essence, the human resources office should facilitate or assist with the process, while the hiring supervisors are responsible for recommending individuals for employment.

A Position Announcement shall be posted for at least two work days before a position is filled, unless the president makes an exception to this requirement. All original applications for employment must be received by the human resources office prior to any individual being interviewed for employment. Employment applications may not be accepted by any office other than human resources.

2.14.1 All Employees

All procedures developed and used to recruit and employ individuals must be consistent with the *Howard Payne University Policies Adopted by the Board of Trustees*. All employees are required to abide by the *Howard Payne University Policies Adopted by the Board of Trustees and the Howard Payne University Administrative Policies and sign an acknowledgement confirming they understand that requirement*. Only adults, 18 years of age or older may be full-time employees of the University. Only adults, 21 years of age or older may be employed in a job that requires them to drive any vehicle on behalf of the University. The procedures for recruiting and employing individuals will be posted at all times on the University's campus network. Pertinent excerpts from the Employment Policy for All Employees section of the *Howard Payne University Policies Adopted by the Board of Trustees* appear below:

Employment Policy for All Employees

The University shall seek to employ qualified persons for faculty and staff positions consistent with its published recruitment and selection procedures. The University shall attempt to screen applicants for suitability for employment by conducting a combination of reference and/or background checks on prospective employees. Only adults will be employed as full-time employees.

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The University may discriminate on the basis of religion in employment in order to fulfill its mission. To that end, the University shall seek to employ professing Christians and may give preference to members of Baptist churches. The University may discriminate in employment on the basis of sex in those positions where the employee's gender is a bona fide occupational qualification necessary to the operation of the University.

2.14.2 Employment of Students

No employee has authority to employ a student or to promise a specific rate of pay. All assignments of students to work on campus will be made by the director of financial aid. To ensure a student's financial aid package is not adversely affected by working too many hours, student employees may not work for more than one department at a time. Students may not work beyond their dollar allocation unless given approval by the director of financial aid.

All student work assignments are "at will" and may be terminated at any time for any reason, including unsatisfactory performance or misconduct.

Employees seeking to hire students who are not making satisfactory academic progress must obtain approval from the vice president for enrollment services or his designee before the student can begin work. A student's failure to maintain satisfactory academic progress may result in cancellation of their work assignment.

Prior to starting any type of work for the University, each student must obtain a copy of his or her official assignment showing hourly rate of pay, job classification, and total dollar amount to be earned during the semester or term. Students must receive this authorization before commencing work.

Students employed by the University are subject to the same policies and rules applicable to regular employees of the University. Students must be made fully aware of their responsibility in maintaining the security of data and information, including information protected by the Family Educational Rights and Privacy Act and the Student Records – Confidentiality, Access, and Retention policy. Students who work in areas where confidential information is available must sign a form acknowledging their duty not to disclose confidential information to others. This form is available in the Office of Student Financial Aid. Additionally, supervisors must be vigilant in supervising student workers so office integrity and the confidential nature of information are protected.

At the end of each semester or term, the Office of Student Financial Aid will ask each supervisor of a student employee to evaluate the work done by the student(s) in his department. Supervisors are encouraged to discuss with the student the results of the evaluation.

Student employees must keep accurate time sheets showing the time they report to work and the time they leave. Time sheets must be turned in to the Office of Student Financial Aid by the dates specified in the published student payroll calendar.

Federal law requires all non-exempt student employees to accurately report all hours worked each pay period. Employees may not accumulate time sheets for hours worked in prior periods, for any reason. The employee's and their supervisor's signature on the employee's time sheet certify that all hours worked during the current pay period have been reported. The employee and their supervisor are subject to discipline, up to and including termination for failing to report all hours worked.

Student employees may not volunteer to work overtime without receiving compensation.

2.14.3 Nepotism Policy

No employee may supervise or be supervised by (either directly or indirectly) another person related to them by blood or marriage.

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Relatives may work in the same department if no direct or indirect supervisory relationship exists (includes reporting through subordinate supervisors). Where relatives are employed in the same department, the promotion of one employee to a supervisory role (either directly or indirectly) over their relative would require that relative to transfer to another department if a vacant position exists for which the relative is qualified to work, or resign from the University. Other persons living in the employee's place of residence are also prohibited from working in the same department where the employee works if one of the individuals directly or indirectly supervises the other.

No exceptions will be made to this policy without the prior written approval of the president.

2.14.4 Employees and Volunteers Working with A Child

A child is defined by the Texas Administrative Code, Title 25, Part 1, Chapter 1, Subchapter Q, Rule 1.203 as a person under 18 years of age who is not and has not been married or who has not had the disabilities of minority removed for general purposes.

All employees and volunteers who work with a child as part of any program sponsored by the University, including any summer camp, regardless of its location, is required to complete the Child Protection Training Course provided by the University and pass the test following the course prior to being allowed to work with any child. All employees and volunteers who work with a child, must also agree to a background check every two years. The human resources office is administratively responsible for providing the training course.

2.15 Employee Background Checks and Investigations

2.15.1 Applicants

All applicants are subject to a background check before being offered unconditional employment. In most cases, the background check will be completed before the candidate begins employment. Adverse information in a background check may result in the withdrawal of the conditional job offer. If it is critical that a candidate begin employment prior to the completion of the background check, continued employment is contingent upon successful completion of the background check.

2.15.2 Current Employees

Current employees are subject to a background check during investigations of alleged wrongdoing. The University also reserves the right to conduct new or updated background checks on internal applicants for promotion, transfer or reclassification.

Current employees who drive any vehicle on behalf of the University, including their personal vehicle, must authorize the University to conduct a Motor Vehicle Records check on an annual basis in order for the employee to continue to be eligible to drive on behalf of the University.

2.15.3 Written Notice and Authorization

The University complies with current federal law when conducting background checks. Before conducting a background check for employment purposes, the human resources office must receive a written authorization from the applicant or employee using a federally approved form.

As required by law, the human resources office shall notify the applicant or employee if the University intends to make an adverse decision based on information obtained through a background check. The human resources office shall maintain forms for this purpose that complies with current federal law.

The University cannot anticipate all the types of information that may be revealed during a background check or investigation. When evaluating adverse information revealed during an investigation, the human resources office shall ensure that consistent standards are applied when making decisions based upon that information.

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2.16 Employee Classification and Benefits Eligibility

2.16.1 President

The president is employed by the Board of Trustees and serves according to the terms of the contract issued by the Board of Trustees.

2.16.2 Full-time Faculty

Full-time faculty has a normal teaching load of 24-27 semester hours or its equivalent during the nine-month academic year (see the Normal Teaching Load policy). Employment contracts are issued to all full-time faculty as determined by the president. All benefits, other than paid vacation leave, approved by the Board of Trustees are available to full-time faculty. All full-time faculty are subject to assignment or reassignment by the president or his designee at any time, unless the faculty member's contract specifically requires employment in a particular position and specifically precludes reassignment. The contract types are as follows:

- a. Nine-Month Contract: issued to full-time faculty only. No paid vacations are provided, but the employee is eligible to be paid for official holidays occurring during the contract period.
- b. Ten and One-Half-Month Contract: issued to deans and certain other employees as approved by the president. Such employees are paid for official holidays occurring during the contract period.
- c. Twelve-Month Contract: issued to full-time faculty serving in unique assignments as approved by the president. Such employees also shall receive pay for all official holidays occurring during the contract period.

2.16.3 Full-Time Staff and Coaches

2.16.3.a. Full-Time Staff

Full-time staff, including both exempt and non-exempt staff, is employed in a non-teaching job for a minimum of 40 hours per week. All benefits approved by the Board of Trustees are available to full-time staff. All full-time staff is subject to assignment or reassignment by the president or his designee at any time.

2.16.3.b. Full-Time Coaches

Full-time coaches are employed in a full-time position, for a minimum of 40 hours per week. All benefits approved by the Board of Trustees are available to full-time coaches. All full-time coaches are subject to assignment or reassignment by the president or his designee at any time. Due to the unique nature of the schedules of intercollegiate athletics, most duties performed by full-time coaches occur during the fall and spring semesters at the University. Each coach's actual work schedule during the fall and spring semesters and during the summer will be coordinated by the director of athletics.

2.16.4 Adjunct Faculty

Adjunct faculty is exempt, part-time faculty employees who teach as needed by the University. Adjunct faculty may not teach more than 8.7 credit hours per term. This includes both undergraduate and graduate classes taught during the same term. Due to federal law dealing with benefits, adjunct faculty may not work more than twenty-nine (29) hours per week (includes class time, preparation, required office hours or committee assignments) or 999 hours in any calendar year. No employee benefits other than those required by federal or state law are earned by these employees. To protect University property and student's personally identifiable information, adjunct faculty will have their network systems access turned off and they must follow the University's Check-Out procedure to turn in their keys as they turn in their semester/term grades when they are not teaching or not expected to teach in the semester/term immediately following the one that just ended.

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2.16.5 Part-Time Employees

2.16.5.a. Permanent Part-Time Employees

Permanent part-time employees may serve in exempt or non-exempt jobs, normally working at least 20, but not no more than 30 hours per week on a continuous basis, with no set completion date. Permanent part-time employees may participate in the University's optional retirement plan, but they do not receive any employee benefits other than those required by federal or state law. Permanent part-time employees may not work in more than one department at a time without prior written approval from the president. They are paid in accordance with the Fair Labor Standards Act (FLSA). While permanent part-time employees may occasionally work 40 or more hours in a particular workweek, or in a series of workweeks, that by itself will not change their regular schedule. In such a case, the University will give affected employees as much advance notice as possible of their new regular schedules and will advise employees of the effect of such changes on their eligibility for University benefits. All permanent part-time employees are subject to assignment or reassignment by the president or his designee at any time.

2.16.5.b. Temporary Part-Time Employees

Part-time employees serve in a non-exempt job, normally working no more than 20 hours per week on a continuous basis, with no set completion date. Temporary part-time employees do not receive any employee benefits other than those required by federal or state law. Temporary part-time employees may not work more than twenty-nine (29) hours per week or 999 hours in any calendar year. Temporary part-time employees may not work in more than one department at a time without prior written approval from the president. Pay will be on an hourly basis at the current rate set by the University for part-time employee positions. They are paid in accordance with the Fair Labor Standards Act (FLSA). While temporary part-time employees may occasionally work 40 or more hours in a particular workweek, or in a series of workweeks, that by itself will not change their regular schedule. In such a case, the University will give affected employees as much advance notice as possible of their new regular schedules and will advise employees of the effect of such changes on their eligibility for University benefits. All part-time employees are subject to assignment or reassignment by the president or his designee at any time.

NOTE: THE POLICIES THAT FOLLOW IN SECTION 2.15.6 ARE EFFECTIVE JUNE 1, 2018

2.16.6 Part-Time Graduate Employees

The University provides opportunities for graduate students to serve as a non-exempt part-time graduate employee (hereafter, GE) in order to receive enhanced learning opportunities. The appointments are available to graduate students who are not otherwise employed by the University, and are concurrently enrolled in a graduate program offered by the University. Appointments are available only during the University's regular fall and spring semesters. Appointments are not available to students on academic probation.

Typically, one GE appointment will be offered for each five students fully enrolled in the various graduate degree programs of the University (i.e. total number of graduate students enrolled). The availability of a GE appointment is not tied to enrollment in any particular graduate degree program.

Students who receive a GE appointment must be enrolled full-time in a University graduate degree program (nine graduate credit hours in a normal semester or six credit hours in an eight-week term), and be in good academic standing while serving as a GE. GE appointments must include at least ten hours of work per week and cannot exceed 19 hours per week. Students granted appointments are not permitted to reduce their course load to less than nine hours (six credit hours in an eight-week term) and retain the appointment, except in the GE's final semester/term before graduation.

2.16.6.a. Guiding Principles for Hiring GEs

GEs should satisfy one or more of the following principles:

1. GE appointments should attract students who would not have otherwise attended the University;

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2. GEs should fill a critical role that enhances the University;
3. GEs should have an academic record of distinction and admission test scores or should have special talents/skills associated with the academic discipline in which they serve;
4. GEs should advance a goal of the University (e.g. recruitment of graduate students);
5. GEs should do work that requires graduate-level knowledge skills and disposition.

2.16.6.b. GE Appointment Policy

The University's GE appointments are designed to enhance the research, teaching, and service responsibilities of the University and to provide students with valuable professional development opportunities while earning a graduate degree. The graduate appointment involves the dual responsibilities of maintaining a satisfactory academic performance and of success fully performing the assigned responsibilities. GE appointments provide compensation for services rendered.

2.16.6.c. Eligibility Requirements

1. The student must be accepted unconditionally in an approved graduate degree program at the University.
2. For the second year student, satisfactory progress toward the degree must be evidenced by the completion of a minimum of six graduate credit hours per normal semester (or three credit hours in an eight-week term) with at least a 3.0 cumulative grade-point average.
3. Students must be eligible to work in the United States and cannot exceed any hourly limitations placed on them by a visa.

2.16.6.d. Appointment Procedures

1. The hiring supervisor will solicit graduate students eligible for appointments.
2. The hiring supervisor will follow the University's normal hiring process for hiring part-time non-exempt employees. In addition to the normal process, the hiring supervisor will submit the appropriate Part-Time Graduate Employee Agreement and Release Form for graduate appointment, have the GE sign the form and forward the form to the appropriate vice president. That vice president will forward copies of the form to the Registrar's Office, the Controller's Office and Human Resources. The supervisor in the department where the GE is employed, will submit a Payroll Authorization form to the Human Resources office authorizing payment to the GE.
3. Applicants will be notified if their appointment has been approved no later than the beginning of each term of enrollment.
4. Human resources arranges with the student to complete the hiring process.
5. Appointments are made for one semester (fall or spring) and are not automatically renewed. A request for an appointment must be completed for each semester an appointment is requested.

2.16.6.e. Academic Responsibilities

The GE must enroll and earn credit for three graduate credit hours in a normal semester (or six credit hours in an eight-week term) in which the appointment is held. An exception to the minimum number of hours listed above may

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be made during the GE's final semester if less than six hours are needed to graduate. An overall grade-point average of 3.0 must be maintained in order to continue as a GE.

2.16.6.f. GE Classification

All GEs are classified as non-exempt employees according to the federal Fair Labor Standards Act (FLSA). A GE may not work or be paid as any other employment classification at the University during the same month in which they either worked or were paid as a GE.

2.15.6.g. Length of Appointments

A graduate student may be appointed as a GE on a semester-by-semester basis or on a month-to-month basis. A semester-by-semester appointment begins on the first day of classes and ends on the last day of exams. GEs employed on a month-to-month basis can begin work on any business day during the month.

2.16.6.h. Duties and Responsibilities

1. A GE must work at least ten (10) but no more than nineteen (19) hours per week.
2. The department supervisor where the GE is assigned sets the student's schedule.
3. The employing department will work with the Human Resources office to provide a job description describing the GE's specific duties and responsibilities prior to any work being performed.
4. GE's employed by the athletic department and performing coaching duties related to a NCAA sport may volunteer their time in excess of the maximum 19 hours per week they may work in order to travel with the team to games during the season. However, the GE may not be required, expected, or allowed to perform any work while accompanying the team. If they work while accompanying the team, they must be paid.

2.16.6.i. Compensation

GEs are non-exempt, part-time employees paid by the hour, based on submission of hours worked approved by their assigned supervisor. Pay rates are at least the federal minimum hourly wage, but may be adjusted based on the student's experience and responsibilities specific to the appointment as budgeted for and approved in advance by the provost and vice president for finance. Except for approved tuition waivers, GEs are ineligible for any employment benefits, other than those required by law.

2.16.6.j. Tuition Rates for GE appointments

The GE program requires graduate students to pay the normal tuition for the graduate program in which they are enrolled. The student also pays the various fees as presented in the University's fee schedule.

2.16.6.k. Tuition Waivers

A waiver equal to 50% of the cost of tuition may be awarded only for graduate courses taken and completed during the University's regular fall or spring semesters. Waivers are not available for any other cost of attendance.

GE tuition waivers cannot be applied to the student's account after the last day to register for classes in the term during which the GE will begin working. The amount of tuition waivers awarded in a calendar year in excess of the limit established by the IRS will be reported as taxable wages to the GE on form W2.

2.16.6.l. Resignation or Termination

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A GE choosing to resign or terminate his/her employment must submit a letter of resignation to the departmental supervisor stating the resignation is voluntary. Failure to perform the duties assigned by the supervisor satisfactorily may result in the termination of the appointment.

2.16.7 Student Employee

University students enrolled in a minimum of six credit hours, may be employed in a non-exempt job involving no more than four months of continuous, compensated service, working a maximum of 20 hours per week or less and having a set completion date at the end of each semester for which they are employed. Student employees may work in only one department during a semester, unless prior written approval is obtained from the Office of Student Financial Aid. Student employees receive no benefits other than those required by federal or state law. Students are paid the current federal minimum wage on an hourly basis in accordance with the Fair Labor Standards Act (FLSA), unless they are employed in a job requiring special training and skills, justifying a higher hourly wage. Paying a student more than the minimum wage must be approved in writing by the vice president, director of student financial aid and human resources officer, prior to work being performed. All student employees are subject to assignment or reassignment by the president or his designee at any time.

2.16.8 "Self-Employed" Individuals (Ministerial)

The IRS does not recognize self-employed individuals as employees of the University. The following policy applies to employees who are eligible to be designated as a self-employed minister, only if:

- a. The employee is ordained by a Baptist church as a minister of the gospel; and
- b. The employee has been a full-time member of the faculty or administrative staff of the University without a break in service since June 1, 2008, and was already claiming this designation as of that date.

The University will pay all employees as a regular employee unless:

- c. The employee meets the two eligibility criteria above; and
- d. The employee submits a written request to the human resources office to be paid as a self-employed minister and provide the University a letter on the letterhead of the church where the employee worships, signed by the pastor and chairman of deacons, stating the eligible employee is ordained by a Baptist church as a minister of the gospel. The letter becomes a permanent record of the University.

The housing allowance must be requested annually by eligible employees who must submit a Housing Allowance form to the human resources office by December 15. The form shows the employee's estimate of the housing expenses he will incur in the next calendar year. Upon approval by the University, the housing allowance amounts will be reflected beginning with the employee's pay in January of the following year.

If eligible employees do not submit the Housing Allowance form by December 15, the employee will not qualify for the housing allowance for the following calendar year.

If employees have any questions regarding this policy, please contact the human resources office. If employees have any questions regarding taxes, they should consult their lawyer or tax adviser. This policy is for general information only and should not be relied upon as tax advice.

2.17 Compensation

All employees are classified as either "exempt" or "non-exempt" for purposes of the Fair Labor Standards Act. Exempt employees are paid a monthly salary on the last working day of the month. Non-Exempt employees are paid bi-weekly based on the hours worked during the pay period.

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All non-exempt employees (including student employees) are paid on an hourly basis and are eligible for overtime compensation at time and a half for all hours worked over 40 hours in a workweek. Non-exempt employees may not exceed 40 hours in a workweek without prior approval from their supervisor. Non-exempt employees who work unauthorized overtime are subject to discipline, up to and including termination. Federal law requires all non-exempt employees (including students) to report accurately all hours worked each pay period.

Non-exempt employees must submit a completed, original time sheet to the human resources office according to the published payroll schedule. Non-exempt employees may not accumulate time sheets for hours worked in prior periods for any reason. The employee's and their supervisor's signature on the employee's time sheet certify that all hours worked during the current pay period have been reported. The employee and their supervisor are subject to discipline, up to and including termination for failing to report all hours worked.

Supervisors may not require non-exempt employees to use a computer, smartphone, tablet or any other electronic device to perform work outside the normal work day without reporting the time spent on work on their time sheet. Non-exempt employees should not use any electronic device to perform work outside their normal work day without the prior written approval of their supervisor and any such time must be reported on the non-exempt employee's time sheet as compensable time.

Paid holiday hours, sick leave hours, and vacation leave hours do not count as time "worked" within a workweek for determination of overtime applicability.

Employees may not volunteer to work overtime without receiving compensation.

2.18 Direct Deposit and Pay Dates

As a condition of employment, all employees are required to enroll for direct deposit of their pay. The direct deposit system allows the employee to deposit their pay to banks, savings and loans and credit unions of their choice. Using direct deposit avoids complications and delays when an employee is not able to pick up their paycheck on pay day. Employees will not be paid prior to the pay dates listed in the published payroll schedule.

Paystub information for each pay period is available online to all employees through the University's campus network. Non-exempt employees are paid biweekly according to the published payroll calendar for non-exempt employees. Full-time faculty is paid in twelve monthly installments for services provided under the terms of their Faculty contract. Exempt employees are paid on the last working day of each month.

Current payroll schedules for all employee classifications are available on the University's campus network.

2.19 Holiday Schedule

All full-time employees receive paid time off for official holidays observed by the entire University. Official University holidays are as follows:

HOLIDAY	LENGTH	DAYS OF THE WEEK
Independence Day	1 day	Designated Annually
Labor Day	1 day	Designated Annually
Fall Break	1 day	Designated Annually
Thanksgiving	3 days	Wednesday, Thursday, and Friday
Christmas	10 days	Designated Annually
Spring Break	5 days	Monday through Friday
Easter	1 day	Good Friday
Memorial Day	1 day	Designated Annually

All University offices will be open on the following holidays. However, full-time employees may choose one of the following days as a floating holiday after consultation with and prior written approval by their supervisor and their

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vice president on a Leave Request Form.

Holiday

Martin Luther King, Jr. Day – 3rd Monday in January
Presidents' Day – 3rd Monday in February
Cesar Chavez Day – March 31st
Columbus Day – 2nd Monday in October
Employee's Birthday

Should a holiday covered by this policy fall on a Saturday, the University will observe the preceding Friday as the holiday. Should the holiday fall on a Sunday, the University will observe the following Monday as the holiday. To receive paid time off for holidays, an employee must have worked the day before the holiday (or used approved accumulated leave, if absent) and at least five days immediately following the holiday. (*Updated by the Interim President, August 24, 2018*)

2.19.1 Holiday Pay – Non-Exempt Employees

If a non-exempt employee is required to work during an official holiday observed by the University, that employee's supervisor must obtain prior written approval from the appropriate University officer, authorizing the work and additional compensation for the hours worked. Hours actually worked on an official holiday are paid in addition to the employee's paid time off for the holiday at the employee's regular hourly pay rate.

2.20 Vacation Policy

2.20.1 Vacation Policy for Full-Time Staff

Eligible employees earn 80 hours (10 days) of vacation per year. Vacation may accumulate above 80 hours for 30 days after an employee's first anniversary date. Thirty days after the employee's first anniversary date, the employee forfeits any unused vacation in excess of 80 hours and the maximum hours of vacation an employee can accumulate thereafter is 80 hours.

Eligible employees may request to take up to 80 hours of earned vacation leave in any twelve month period. After 90 days of service, a full-time staff employee is eligible to request and use accrued vacation leave if their request is approved by their supervisor. Vacation leave must be earned before being taken. For purposes of this policy, an eligible employee begins accruing vacation leave on their first day of employment, as follows:

Non-exempt employees – 3.078 hours per payroll (26 payrolls per year)

Exempt staff employees – 6.667 hours per payroll (12 payrolls per year)

Vacation time earned but not used has no cash value. An employee who resigns, retires, or who is terminated will not receive compensation for unused vacation time. The estate of an employee who dies while employed by the University will be paid for the deceased employee's accrued but unused vacation.

Employees must receive approval from their supervisor before scheduling and taking vacation time. Vacation requests must be submitted in writing in advance of the desired vacation date. The University reserves the right to reject requests for vacations during critical times at the University, including but not limited to, registration, beginning of the semester, end of the semester, and graduation.

Supervisors will consider the operational and instructional needs of the University when creating vacation schedules.

In the event of conflicting vacation requests, supervisors shall use seniority as the primary factor in resolving any conflicts.

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2.20.2 Vacation Policy for Contract Employees (Excluding Faculty on Nine-Month Contracts)

Employees working under the terms of 10½ month contracts do not earn paid vacation leave.

2.20.3 Prohibition of Donating Vacation Leave

Employees may not donate accrued vacation time to other employees.

2.21 Other Leave and Absences

2.21.1 Jury Duty and Subpoenas

Time off without charge to leave will be granted to employees who serve on juries or who receive subpoenas to testify in a legal proceeding in state or federal court. Leave should be limited to that part of each day required for actual jury or witness duty. The employee shall provide reasonable advance notice to his or her supervisor of receipt of a jury summons or subpoena.

2.21.2 Family and Medical Leave

Under the Family Medical Leave Act (FMLA), full-time employees of the University are eligible for up to 12 weeks of unpaid family and medical leave during any 12-month period.

Concurrent use of paid leave: Employees will be required to use any accrued and unused vacation leave, sick leave, workers' compensation, or other paid leave concurrently with the taking of FMLA leave.

No accrual of paid leave: Employees do not accrue paid emergency leave, vacation leave, or sick leave while they are off work on FMLA leave.

2.21.2.a. FMLA Eligibility Requirements

Under federal law and University policy, to be eligible for FMLA benefits, an employee must:

1. Have worked for the University for a total of 12 months;
2. Have worked at least 1,250 hours over the previous 12 months; and
3. Work at a location in the United States where at least 50 employees are employed by the

University within 75 miles.

While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more need not be counted unless the break is occasioned by the employee's fulfillment of his or her National Guard or Reserve military obligation (as protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA)), or a written agreement exists concerning the University's intention to rehire the employee after the break in service.

2.21.2.b. Leave Entitlement

An eligible employee is entitled to up to a total of 12 workweeks of unpaid leave during any 12-month period for one or more of the following reasons:

1. For the birth and care of a newborn child of the employee;
2. For placement with the employee of a son or daughter for adoption or foster care;

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3. To care for the following family members with a “serious health condition”:

a. Legal spouse of the opposite sex,

b. Son or daughter under the age of 18 (unless they are incapable of self-care because of mental or physical disability that limits one or more of the major life activities as those terms are defined in regulations issued by the Equal Employment Opportunity Commission under the Americans With Disabilities Act) , or

c. Parent (excludes a parent “in-law”)

4. To take medical leave when the employee is unable to work because of a “serious health condition”; or

5. For qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

2.21.2.c. Serious Health Condition

A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves either:

1. Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity (i.e., inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care; or

2. Continuing treatment by a health care provider, which includes:

a. A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also includes:

1. Treatment two or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within seven days and both within 30 days of the first day of incapacity); or,

2. One treatment by a health care provider (i.e., an in-person visit within seven days of the first day of incapacity) with a continuing regimen of treatment (i.e., prescription medication, physical therapy); or

b. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or

c. Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or

d. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or

e. Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

The University will grant an eligible employee who is a legal spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness up to a total of 26 workweeks of unpaid leave during a "single 12-month period" to care for the military service member.

A husband and wife who are employed by the University are limited in the amount of Family Medical Leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent

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who has a serious health condition to a combined total of 12 weeks (or 26 weeks if leave to care for a covered military service member with a serious injury or illness is also used) for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement. The husband and wife may not take Family Medical Leave simultaneously without written certification from a physician or other licensed medical provider stating the wife has a serious health condition.

2.21.2.d. Intermittent Leave

Under some circumstances, employees may take FMLA reduced or intermittent leave, which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule. FMLA leave may be reduced or taken intermittently whenever it is medically necessary to care for a seriously ill family member or because the employee is seriously ill and unable to work. If the need for intermittent leave is foreseeable based on planned medical treatment, the employee is responsible for scheduling the treatment in a manner that does not unduly disrupt the University's operations, subject to the approval of the health care provider. In such cases, the University may transfer the employee temporarily to an alternative job with equivalent pay and benefits that better accommodates recurring periods of leave than the employee's regular job.

2.21.2.e. Employee Notice

Employees seeking to use FMLA leave are required to provide a written request to the appropriate administrative supervisor and to the human resources office at least 30 days prior to the commencement of leave in cases where the leave is foreseeable and such notice is practicable. If leave is foreseeable less than 30 days in advance, the employee must provide notice as soon as practicable, generally, either the same or next business day. When the need for leave is not foreseeable, the employee must provide notice to the University as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, employees must comply with the University's usual and customary notice and procedural requirements for requesting leave.

The University may require that an employee's request for leave due to a serious health condition affecting the employee or a covered family member be supported by a certification from a physician or other licensed medical provider. The University may require second or third medical opinions (at the University's expense) and periodic recertification of a serious health condition. The University may use a health care provider, a human resource professional, a leave administrator, or a management official, but not the employee's direct supervisor, to authenticate or clarify a medical certification of a serious health condition. The University requires employees returning from leave for their own serious health condition to submit a certification from a licensed health care provider that they are able to resume work. If reasonable safety concerns exist, the University may, under certain circumstances, require such a certification for employees returning from intermittent FMLA leave.

Following an employee's request for FMLA leave, the human resources office shall provide the employee with a medical certification form and instructions on what information is needed and when the form must be returned. Leave may be delayed and ultimately denied if the employee fails to provide the medical certification as requested by the human resources office.

Health care providers who qualify under federal regulations to provide certification of a serious health condition for an employee or an immediate family member include: doctors of medicine or osteopathy authorized to practice medicine or surgery (as appropriate) by the state in which the doctor practices, podiatrists, dentists, clinical psychologists, optometrists, chiropractors, and nurse practitioners and nurse midwives authorized to practice under state law.

If the certification is complete and the University questions its validity, it may not ask for additional information from the health care provider but must instead require a second opinion at the University's expense. Recertification may be requested at reasonable intervals but not more often than every 30 days unless there is a change in circumstances.

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Employees must provide sufficient information for the University to reasonably to determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, and/or that the employee or employee's qualifying family member is under the continuing care of a health care provider.

When an employee seeks leave for a FMLA qualifying reason for the first time, the employee need not expressly assert FMLA rights or even mention the FMLA. When an employee seeks leave, however, due to a FMLA qualifying reason for which the University has previously provided the employee FMLA protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave.

When an employee requests FMLA leave or the University acquires knowledge that leave may be for a FMLA purpose, the University must notify the employee of his or her eligibility to take leave, and inform the employee of his/her rights and responsibilities under FMLA. When the University has enough information to determine that leave is being taken for a FMLA qualifying reason, the University must notify the employee that the leave is designated and will be counted as FMLA leave.

2.21.2.f. Health Benefits

During the leave period, the University will continue to pay its share of the employee's premium payments under Howard Payne's group health insurance plan. The employee will continue to pay his/her portion of the health insurance premium. The employee must reimburse the University its portion of the premium payments if he or she does not return to work at the expiration of the leave period and work full time a minimum of six months.

2.21.2.g. Return to Work

Upon return from leave, the employee is entitled to his or her former position or an equivalent position with equivalent pay and benefits. However, the University may, in its discretion, deny an employee who is among the highest paid ten percent of the University's personnel the right to return to his or her job if the denial is necessary to prevent substantial and grievous economic injury to the operations of the University. Employees will be notified at the commencement of their leave if they have been designated as key personnel under this paragraph.

An employee's use of FMLA leave cannot result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave. An employee has no greater right to restoration to a position or to other benefits and conditions of employment than if the employee had been continuously employed.

Except in circumstances in which an employee has been approved to take intermittent or reduced hour leave, employees who are approved to take Family and Medical Leave are prohibited from engaging in any employment with another employer. Employees found in violation of this policy are subject to disciplinary action up to and including termination.

2.21.2.h. FMLA Forms and Procedures - For details about the FMLA and for copies of medical certification forms required by this policy, employees should contact the human resources office.

2.21.3 Sick Leave, Bereavement Leave and Disability Leave

2.21.3.a. Accrual and Use

All full-time employees accrue sick leave as follows:

Non-exempt employees accrue 3.69 hours per payroll (26 payrolls per year)

Exempt employees accrue 8.0 hours per payroll (12 payrolls per year)

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Unused sick leave may be accumulated up to 180 work days (1,440 hours) to coincide with the elimination period on the University-provided long-term disability insurance policy and may be carried forward from year to year. The employee and the employee's supervisor are responsible for submitting a completed Leave Request Form to the human resources office to account for all sick leave hours used by the employee.

Employees seeking to use paid sick leave in excess of three consecutive work days must provide the human resources office a written physician's statement upon returning to work.

Sick leave that has been earned but not taken has no cash value and is not paid to the employee upon termination, resignation, or retirement. Employees who have resigned may not take sick leave without a written physician's statement confirming their illness during the last two weeks prior to their date of resignation.

Sick leave may be used for absences due to personal illness, the illness of an immediate family member or death in the immediate family. "Immediate family" is defined as the employee's legal grandparents, parents, brothers, sisters, children, or spouse of the opposite gender.

Up to three days of accrued sick leave may be used as bereavement leave for the death of the employee's grandparents, mother-in-law or father-in-law. Up to ten days of accrued sick leave may be used as bereavement leave for all other members of the employee's immediate family.

A non-exempt employee who has exhausted his or her accrued sick leave/bereavement leave shall receive an appropriate reduction in pay for all subsequent absences.

An exempt employee who has exhausted his or her accrued sick leave/bereavement leave shall receive a reduction in pay for all absences of one or more full days of work. An exempt employee who misses part of a work day shall not receive any reduction in pay.

A non-exempt employee may not use sick leave while simultaneously being paid or receiving compensation from workers' compensation, disability insurance, or other similar sources. Employees shall reimburse the University for all amounts received in violation of this policy. Employees who knowingly violate this policy shall be subject to discipline, up to and including termination.

The University may make a deduction from an exempt employee's salary for the employee's full day absences due to disability (including work-related accidents) provided the deduction is made in accordance with a bona fide plan, policy, or practice of providing wage replacement benefits for such absences. Deductions may also be made for the exempt employee's full day absences due to disability before the employee has qualified for the plan, policy, or practice or after the employee has exhausted the leave allowance under the plan. The University is not required to pay any portion of the exempt employee's salary for full-day absences for which the employee receives compensation under the plan, policy, or practice. The University may make deductions from an exempt employee's pay for absences of one or more full days if wage replacement benefits are provided under a state disability insurance law or under a state workers' compensation law.

2.21.3.b. Donating Sick Leave Hours

Employees with at least 120 hours of accumulated sick leave may donate a maximum of 40 hours of their sick leave per calendar year to other employees who have exhausted all of their accumulated leave and remain off work without pay for reasons other than injury related to a worker's compensation claim.

Recipients of donated sick leave may receive a maximum donation equal to the amount of sick leave necessary for the employee to continue being paid until they are able to return to work, plus five additional sick leave days. Donated sick leave in excess of this maximum will be credited back to the donor's accumulated sick leave balance. When multiple donors are involved, the amount of donated leave credited back to the donors will be made on a percentage basis.

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Recipients of donated leave who are off work in excess of three consecutive work days must provide a written physician's statement to the human resources office that describes the employee's condition and includes a date on which the employee will be reevaluated to determine when the employee can return to work with or without restrictions.

Recipients of donated sick leave are subject to disciplinary action, including termination of employment if the University determines the employee misused donated sick leave.

2.21.4 Pregnancy and Parental Leave of Absence

2.21.4.a. Pregnancy –Related Conditions

If an employee is temporarily unable to perform her job due to pregnancy, the University must treat her in the same manner as it would any temporarily disabled employee. Pregnant employees may use accrued paid sick leave and other paid leave for pregnancy-related conditions. Pregnant employees must be permitted to work as long as they are able to perform their jobs.

Under the Family and Medical Leave policy, eligible employees may seek up to 12 weeks of unpaid leave under the Family Medical Leave Act to care for a newborn child, adopted child, or child placed in foster care. Employees who qualify for leave under the Family and Medical Leave policy shall use all available paid leave (including accrued emergency leave, sick leave, and vacation leave) concurrently with the unpaid leave in order to receive compensation while on Family Medical Leave.

2.21.4.b. Nursing Mothers

The 2010 Nursing Mothers Amendment to the Fair Labor Standards Act (FLSA) enacted as part of the Healthcare Reform Law. As a result, the University provides unpaid, reasonable break time of up to thirty minutes for an employee to express breast milk for her nursing child for one year after the child's birth, each time such employee has need to express milk. The University has designated the nurse's examining room in Veda Hodge Hall as the location where nursing mothers can express breast milk. Time spent getting to and from the nurse's office is included in the thirty minute break time mentioned above.

2.21.5 Military Leave

The University complies with the Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA) and applicable Texas laws pertaining to military leave. As the laws change, or as interpretations of the laws change, military leave benefits for University employees may change accordingly. No attempt is made in this policy to cover all possible situations and circumstances that may arise when an employee is ordered to active duty. Therefore, as military leave situations arise, employees should consult with their supervisor and/or human resources for current and complete details regarding their military leave rights as a University employee and should make sure the human resources office is contacted regarding any continuation of benefits issues.

In accordance with USERRA, University employees who perform service in the uniformed services as defined by USERRA are entitled to a military leave of absence from their University positions, subject to the limitations and restrictions set forth in federal and state laws. Upon receiving an assignment for military service, employees must promptly provide notice to their supervisors prior to going on military duty, unless precluded by military necessity. All requests for military leave must be accompanied by a copy of the employee's official military orders. USERRA applies to involuntary and voluntary military service.

Except as provided below, eligible University employees who perform service in the uniformed services as defined by USERRA will be placed on unpaid military leave status for all days that they are engaged in such military service. Affected employees may elect to use accrued paid leave at their discretion.

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2.21.5.a. Health Insurance Benefits

Per USERRA, the University will at a minimum maintain health benefits and other benefits for the first 30 days of military leave as if the employee were actively employed. Employees on military leave of absence will be entitled to participate in any rights and benefits not based on seniority that are available to employees on non-military leaves of absence. Consequently, for the first 12 weeks of an approved unpaid military leave, upon request from the employee, the University will continue health benefits and other benefits as if the employee was actively employed. After the initial 12 weeks period, employees on military leave may continue their benefits, similar to COBRA, for a period up to 18 months. The employee must pay his or her portion of any benefit(s) premiums in order to keep the benefits active. If the employee does not return to work at the end of the military leave, the employee may be required to reimburse the University for the cost of the benefit premiums paid by the University for maintaining applicable coverage.

2.21.5.b. Pension Benefits

Time spent on military leave (whether paid or unpaid) is not considered a break in employment for pension benefit purposes. The returning service member who is eligible for reinstatement under USERRA has up to three times the length of military leave (up to a maximum of 5 years) to make the retirement contribution payments he or she would have made to establish retirement credit. USERRA does not permit double credit in two retirement systems for the same military leave.

2.21.5.c. Reemployment Rights

USERRA places a 5-year limit (with some exceptions) on the cumulative length of time a person may voluntarily serve in the military and remain eligible for reemployment rights. The USERRA reinstatement rights do not extend, however, to employees who are employed for brief, non-recurrent periods with no reasonable expectation that employment will continue indefinitely. Under certain circumstances employees are eligible to be reinstated to their former position unless the University establishes that the circumstances have so changed as to make reemployment impossible or unreasonable. If on military leave for 90 days or less, eligible employees may be reinstated to their own position. If on military leave for more than 90 days, eligible employees may be reinstated to their own position or a similar position of like seniority, status, or pay. Upon return from military leave, employees must comply with the current provisions of the law with regard to notification of and time frame in which they must return to work. These limits are specified in federal law (38 U.S.C. § 4312) and vary depending on the length of military service.

Under Texas law (Texas Gov't Code § 431.006), the University may not terminate the employment of a permanent employee who is a member of the state military forces because the employee is ordered to authorized training or duty by proper authority. The employee is entitled to return to the same employment held when ordered to training or duty and may not be subjected to loss of time, efficiency rating, vacation time, or any benefit of employment during or because of the absence. The employee, as soon as practicable after release from duty, must give written or actual notice of intent to return to employment. If the University's circumstances have substantially changed while the employee was in training or on duty such that reemployment is impossible or unreasonable, then the supervisor of the affected department shall consult with the president, human resources, and University legal counsel regarding the University's duty to re-employ.

2.21.5.d. Protection Against Adverse Employment Action

Employees shall not be subjected to an adverse employment action for having exercised their rights under USERRA. If a department believes that it is necessary to terminate an employee within 12 months of his or her return to employment, the reasons for the proposed termination must be reviewed by the human resources office and must be approved in writing by the president of the University.

2.21.6 Emergency Leave With Pay and Leave Without Pay for Staff Employees

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The emergency leave with pay benefit is provided for unforeseen emergency situations. Emergency leave may be used only after an employee has exhausted all available paid leave. The Paid Emergency Leave policy deals with emergency leave for faculty.

After the employee's first 90 days of employment, a full-time staff employee is eligible to request up to three days of paid emergency leave each calendar year. Emergency leave days shall not accumulate and will not be paid upon termination, resignation, or retirement. Requests to take an emergency leave day must be submitted in advance to the employee's supervisor, unless the emergency was so urgent it prohibited the employee from making the request in advance. Supervisors will consider the operational and instructional needs of the University, along with the reason for the requested leave given by the employee when determining whether to approve a request to take emergency leave. Employees who have submitted resignations may not take emergency leave during the last two weeks prior to their last day of work. A non-exempt employee's failure to obtain advance approval may result in the absence being charged as leave without pay.

Employees who have exhausted all available paid leave (including Emergency Leave) may request to be absent without pay. Supervisors will consider the operational and instructional needs of the University when determining whether to approve a request to take emergency leave without pay. Requests for unpaid leave in excess of three consecutive work days must be approved by the appropriate vice president and must be supported by written documentation from the employee justifying the time off.

Employees do not continue to accrue any type of paid leave while they are off work on leave without pay for thirty consecutive work days.

Long-term Leave Without Pay - In exceptional circumstances, leave without pay, not to exceed one year, may be granted. Exceptional circumstances include, but are not limited to maternity/paternity needs, extended illness, and educational advancement. Requests for such leave should be submitted in writing for approval through the channels of administration to the office of the vice president for finance and administration. The request must be accompanied by a statement of the reasons warranting such leave, plus any supporting documentation. Requests for leave based on disability or illness must be accompanied by physician's statement indicating the nature of the disability or illness and its expected duration. If approved for leave without pay, the employee may choose to continue to participate in the group insurance program by paying the full cost of their insurance program, plus a 3 percent administrative fee to the University by the first of each month. If the employee fails to notify the University in writing of his intent to continue group insurance coverage, he will have to re-qualify for coverage upon his return to work, according to the insurance carrier's criteria then in place for such occurrences.

An employee seeking to return to duty following a leave of absence without pay must notify the University in writing at least 30 days in advance of the anticipated date of return. This policy does not guarantee any employee that the same position of employment, or any position, will be available upon expiration of the leave without pay.

An employee who does not return from leave without pay status within 12 months from the anniversary date of the leave may be terminated without notice.

Employees will not accumulate any type of paid leave or seniority during a leave without pay that exceeds 30 work days. Employees on leave without pay for more than 30 work days per fiscal year will not receive any type of increase in compensation that may be provided to other employees for the following fiscal year.

2.21.7 Disability Leave Policy for Faculty

The University will pay the cost of a substitute during the time a faculty member on salary is disabled, provided other faculty members already on salary cannot assume the teaching load of the person who is on sick leave. For the purpose of this policy, "disability" is defined by the University's group long term disability insurance policy. That policy defines "disability" as follows: "*Partial Disability or Partial Disabled means because of your injury or*

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sickness, you are unable to perform all of the material and substantial duties of your own occupation on a full-time basis."

The disabled faculty member will be required to take FMLA leave during a paid disability leave. Disability leave may not exceed one year from the date of the disability.

The University may make a deduction from a faculty member's salary for the employee's full day absence due to disability (including work-related accidents) provided the deduction is made in accordance with a bona fide plan, policy, or practice of providing wage replacement benefits for such absences. Deductions may also be made for the faculty member's full day absences due to disability before the employee has qualified for the plan, policy, or practice or after the employee has exhausted the leave allowance under the plan. The University is not required to pay any portion of the faculty member's salary for full-day absence for which the employee receives compensation under the plan, policy, or practice. The University may make deductions from a faculty members pay for absences of one or more full days of wage replacement benefits provided under a state disability insurance law or under a state worker's compensation law.

Because rules and procedures governing disability and disability insurance are subject to change, employees are encouraged to obtain current information from the human resources office.

2.21.8 "Jacket" Leave

All full-time employees may take up to four hours of "Jacket" Leave per month, with the prior approval of their supervisor. "Jacket" Leave is personal time that does not accrue or carry over from month to month, nor will it appear on the employee's paystub. "Jacket" Leave is used on the honor system and the employee and their supervisor are expected to keep up with the hours used each month. Hours taken while on "Jacket" Leave are not included as hours worked when determining overtime pay.

2.22 Insurance and Optional Benefits

The University provides an opportunity for all full-time employees to participate in medical insurance, life insurance and long-term disability insurance. Dependent coverage is available at the expense of the employee. Optional benefits are available for eligible employees who wish to participate. Details and costs related to all employee benefits are available through the human resources office.

2.23 Social Security

All employees except students and those eligible to claim self-employed status according to the "Self-Employed" Individuals (Ministerial) policy are covered by Social Security.

2.24 Optional Retirement Plan

Full-time employees are eligible to participate in the optional retirement plan offered by the University. Eligible employees may elect to participate in the optional retirement program through GuideStone Financial Resources, with the University matching a portion of the employee's contribution. No other optional retirement plans are available through the University. All eligible employees who were participating in the optional retirement plan by contributing at least 5% of their base pay as of July 31, 2000, and who have continued participation without a break in service, will continue receiving a 10% matching contribution from the University.

Eligible employees hired after July 31, 2000, will receive 5% of the employee's base pay as the matching contribution from the University as long as the employee contributes 5% of the employee's base pay. The University's matching contribution for employees hired after July 31, 2000, will remain at 5%, regardless of the number of years the University employs the individual.

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Anyone who terminates his/her employment with the University and returns to work for the University at a future date will come back into the program as a new employee at the 5% rate. Specific program details are available through the human resources office.

2.25 Tuition and Residence Hall Waivers for Employees and Dependents

2.25.1 Tuition Waivers for Employees

The University provides tuition waivers for course work to full-time employees as a benefit. This benefit is available at the next scheduled registration after the employee's first day of work. Employees must understand this benefit is not an entitlement; therefore, fulfilling one's job responsibilities is the employee's first priority. The employee's supervisor may deny an employee's request to take classes during the work day if the supervisor determines it would cause a hardship for and/or be detrimental to the effective operation of the department.

All full-time employees may apply for a full waiver of the tuition and Student Services Fee for courses taken for credit or audit by completing the Application for Employee Tuition Waiver form available on the University's campus network.

2.25.2 Waivers of Tuition and Residence Hall Fees for Employee Dependents

Waivers of tuition and residence hall fees for family members of full-time employees enrolling in credit classes will be available at the first registration following the employee's first day of employment (based on the employee's hire date). Waivers for residence hall fees are available for a maximum of eight semesters. Eligible family members include the employee's legal children under the age of 25 as of the first class day in the semester. The waiver of residence hall fees is awarded only if space is available and applies to Veda Hodge Hall, Taylor Hall and Jennings Hall only. The employee's dependent is required to purchase a meal plan if they receive the residence hall fee waiver.

The University provides these waivers for undergraduate course work to eligible family members of full-time employees as an employee benefit. As such, employees and their family members must understand this benefit is not an entitlement; therefore, the student must remain in good standing with the University (as defined in the Student Handbook) to continue being eligible to receive the benefit. All full-time employees may apply for a full waiver of the undergraduate tuition and residence hall fees for their eligible family members for courses taken for credit or audit by completing the Application for Waiver of Family Member Tuition and Residence Hall Fees form available on the University's campus network.

2.26 Worker's Compensation

The University carries this insurance as required by law. All employees and/or their supervisor must immediately report all work-related injuries to the human resources office within 24 hours, regardless of how minor the injury appears to be.

2.27 Resignation

Employees intending to resign should give a minimum of two weeks' notice. If such notice is not given, the resigning employee shall not be eligible for re-employment. Resignations are effective immediately upon receipt by the employee's supervisor, the human resources office, or the president.

Employees may not use accumulated leave of any type to extend their resignation date beyond their last actual work day.

2.28 Involuntary Termination of At Will Employees

Where employees are employed on an indefinite basis without a contract, the State of Texas follows the general rule that employment is "at will," and may be terminated by either party at any time, with or without notice. Employees

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covered by this policy are employed "At will" and have no entitlement to continued employment. At will employees may be released or terminated at any time, for any reason or for no reason, but not for an illegal reason.

2.28.1 Authority to Discharge

The president or his designee, normally a vice president, shall approve the termination of an at will employee in writing, prior to the employee being discharged from the University. Prior to terminating any at will employee, supervisors must consult with their vice president and the human resources officer, who will review all documentation pertaining to the affected employee and who will evaluate compliance with University policy. Thereafter, termination recommendations shall be submitted to the president for final review and approval.

2.28.2 Check-Out Required

Upon termination, a full-time employee must complete the normal Check Out procedures prior to the employee's final pay being released.

2.29 Non-renewal of Faculty Contracts

No cause is necessary for the University not to renew a person's contract or not to offer further employment upon the expiration of the term of the contract. Notice of non-renewal will be given prior to the expiration date of the contract. The Renewal and Non-Renewal of Contract policy for non-tenured faculty and the Contract Renewal and Non-Renewal policy for tenured faculty provide dates for notice of non-renewal of contracts.

2.30 Involuntary Termination of Faculty Employees

Justifiable cause for dismissal during the term of a contract may include, but not be limited to the following:

- a. Breach of contract
- b. Insubordination
- c. Violation of the following University policies: Policy Against Discrimination and Harassment; Drug, Alcohol and Tobacco Policy; Prohibition on Weapons and Fireworks; Employee Standards of Conduct; Employee Disclosure of Arrests and Convictions.
- d. "Moral turpitude" as used in this policy includes, but is not limited to criminal acts and/or non-criminal acts involving: fraud; deceit; the use of profanity with other employees or students; theft; misappropriation of University property; misrepresentation of credentials; violence or assault; inappropriate relationships; sexual activity not consistent with the University's Christian nature and heritage, including but not limited to adultery or homosexuality; illegal use, possession, transfer, sale, or distribution of a controlled substance as defined in the Texas Health & Safety Code; public intoxication; driving while intoxicated; disorderly conduct; and abuse as defined in the Texas Family Code.
- e. Immorality, which is conduct not in conformity with the accepted principles of right and wrong behavior and is contrary to the moral standards of the Baptist General Convention of Texas.
- f. Unsatisfactory performance of assigned duties based upon written evaluation
- g. Falsification of time records or pertinent information regarding the employee's transcript and application for employment, regardless of when the falsification is discovered
- h. Failure to comply with directives and requirements of the employee's supervisor, failure to follow established policies and procedures of the University, repeated and continuing neglect of duties and responsibilities

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- i. Necessary reduction of personnel resulting from bona fide case of financial emergency
- j. Failure to maintain a state license, registry or certificate required to be qualified as a faculty member
- k. Theft of University property
- l. Excessive absenteeism without notice or cause
- m. For any reason stated in a contract
- n. For failure to perform duties in a professional and competent manner
- o. For other good cause, including any conduct that is contrary to the best interests of the University

Upon termination, an employee must complete the normal Check Out procedures, prior to the employee's final paycheck being released.

2.31 Final Pay and Benefits – Voluntary Separation

2.31.1 Non-Faculty Employees

If an employee who is not under contract quits, retires, resigns, or otherwise leaves employment voluntarily, the final pay of all earned salary will be paid on the next regularly-scheduled payday following the effective date of resignation.

All employee benefits for employees will end on the day the employee's separation is effective, except for health insurance benefits provided to qualified individuals under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1986, if the employee elects to continue health insurance coverage.

2.31.2 Faculty Employees

If a full-time faculty employee under contract quits, retires, resigns, or otherwise leaves employment voluntarily, the faculty employee has the following options regarding their earned but unpaid salary:

a. If the faculty member leaves employment prior to the end of the academic year defined in the employment contract, the final pay of all earned salary will be paid on the next regularly-scheduled payday following the effective date of resignation.

All employee benefits will end on the day the employee's separation is effective, except for health insurance benefits provided to qualified individuals under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1986, if the employee elects to continue health insurance coverage.

b. If the faculty member leaves employment after fulfilling their duties through the academic year defined in the employment contract, the employee will receive final payment of all earned salary on the last payday in May, following the end of the academic year. In these cases, all employee benefits for faculty will end the day of commencement, except for health insurance benefits provided to qualified individuals under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1986, if the employee elects to continue health insurance coverage.

2.32 Final Pay and Benefits – Involuntary Termination

The Texas Payday Law regulates the timing of the final pay in section 61.014 of the Labor Code. If an employee is laid off, discharged, fired, or otherwise involuntarily separated from employment, the final pay of all earned salary will be paid within six (6) calendar days of discharge.

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All employee benefits will end the last day the employee actually works, except for health insurance benefits provided to qualified individuals under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1986, if the employee elects to continue health insurance coverage.

2.33 Independent Contractor/Contract Laborer

No individual may be engaged to perform a service for the University as an Independent Contractor/Contract Laborer without prior written approval from the president, vice president for finance and administration or provost (see the Authority to Sign Contracts policy). The human resources is available to assist departments in determining if a proposed engagement for services meets the legal test for an independent contractor/contract laborer.

In basic terms, an employee is someone over whose work an employer exercises specific direction or control and for whom there is extensive wage reporting and tax responsibility. An independent contractor/contract laborer is self-employed, bears responsibility for his or her own taxes and expenses, and is free from an employer's direct control or direction.

It does not matter that one or both parties may call their arrangement "contract labor". The important consideration is the underlying nature of the work relationship. The law creates a presumption of employment and places the burden for proving otherwise on the employer. The key consideration is whether the University has retained the right to control the details of a worker's performance or instead has given up that right for a finished product.

Facts that show whether the University has a right to direct and control how the worker does the task for which the worker is hired include the type and degree of:

a. **Instructions the University Gives the Worker** - An employee is subject to the University's instructions about when, where, and how to work. All of the following are examples of types of instructions about how to do work:

1. When and where to do the work
2. What tools or equipment to use
3. What workers to hire or to assist with the work
4. Where to purchase supplies and services
5. What work must be performed by a specified individual
6. What order or sequence to follow

b. **Training the University Gives the Worker** - An employee may be trained to perform services in a particular manner. Independent contractors ordinarily use their own methods.

2.34 Volunteers

The University allows individuals who are not employees of the University to volunteer their services, if the department has received prior written approval from the human resources officer. All volunteers will be required to undergo a background investigation and sign a Volunteer Release and Agreement before they will be permitted to perform services for the University.

University employees may not volunteer to work without compensation, if the work is related to the employee's normal duties or is required by the University.

All volunteers working in University-sponsored programs that involve minors (age 18 and under) must complete the University's Child Molestation Prevention Training prior to working with any minor.

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SECTION 3.0 FACULTY MATTERS

The use of the words “year” or “annual” in this manual in reference to a full-time faculty member’s employment contract or duties is defined as the University’s academic period (i.e., the fall and spring semesters, generally from mid-August through the following mid-May).

3.1 Instruction (also see policy on Evaluation of Graduate and Undergraduate Faculty)

Faculty members should have deep respect for their field of learning and should strive to instill this respect in their students. Faculty members should never give less than their best regardless of the size of their class or the nature of the course. The faculty member should have standards of achievement and should give evidence of being a scholar. Lectures and class presentations should follow closely the nature of the course. Faculty members will meet their classes for the full time (periods and days) the classes are scheduled.

Faculty members shall meet classes at the published times and they shall not routinely dismiss classes early. Frequent or recurring unexcused absences from teaching assignments (including classroom work, lab work, and private instruction) may result in discipline, up to and including dismissal.

Students have a reasonable expectation that their instructors will conduct all scheduled classes and be available during their posted office hours. For this reason, faculty members should endeavor to schedule outside activities during non-instructional times.

Course syllabi for each course must be developed and communicated to students by the beginning of the second week of the semester. The standard Syllabus Outline (found on the University’s campus network) should be utilized for this purpose. The faculty member may choose to follow a format different from the Syllabus Outline so long as all information from the outline is covered in whatever format is utilized. A copy of each course syllabus must be transmitted electronically to the department chairman, who shall forward a copy to the dean and the Office of the Provost. Copies of all syllabi will be placed on the University’s campus network for access by students, faculty, and staff. New syllabi should be submitted each time a course is revised.

3.1.1 Normal Teaching Load

The normal teaching load for a regular, full-time faculty member, teaching graduate and or undergraduate courses, is 24-27 semester hours (annual teaching assignment) or its equivalent during the nine-month academic year (fall and spring semesters), usually with no more than four (three- or four-hour) courses per semester. Faculty load includes the faculty member providing instruction at any of the University’s locations and by any means of delivery. Teaching load is based on a course’s semester credit hours for courses in which the weekly contact hours equal the number of semester credit hours. Science labs, language labs, exercise and sports science activity courses, and applied music lessons will be counted on a three-for-two basis (i.e. three clock hours of instruction will be counted as two semester hours of class load).

Faculty load for student teaching is based on a .5 teaching load credit for each student teacher. Faculty load for practicums and internships is based on a .250 teaching load credit for each three-semester hour registration. Faculty load for supervising an undergraduate student research project is based on a 1.0 teaching load credit for each three-semester hour registration.

Conference courses should be discouraged except in cases of extreme justification. Faculty load for conference courses is based on a .250 teaching load credit for each semester hour registration.

Variations in teaching load for those holding administrative appointments: Variations from the normal teaching load may be granted by the president, based on a recommendation from the provost. Such variations will be documented and approved in writing.

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Special assignments: Faculty members with special assignments other than teaching may receive release time or credit toward their normal load. They may receive a stipend or additional financial compensation when such assignments are in addition to a full teaching load of 24-27 hours during the nine-month academic year (fall and spring semesters). All such assignments must be submitted in writing, with load credit or additional compensation indicated, to the provost for approval prior to the commitment being made.

Faculty overloads: In order to accomplish professional expectations, faculty overloads are avoided. When situations necessitate that faculty members teach more than a normal load, they will be compensated for courses taught in excess of their annual teaching assignment. Faculty overloads require the approval of the provost.

First-time instructors: Whenever practical, first-time instructors will be granted a reduction in the normal teaching load, including consideration of total hours and numbers of preparations during their first year of employment with the University.

3.1.2 Scholarly and Professional Commitment

In order to provide students with exceptional educational opportunities, faculty must engage in continuous professional development that improves their knowledge and enhances their abilities as educators and scholars. Faculty should read widely within the current materials in their discipline and develop peer relationships with other scholars, both on and off campus. Faculty should seek to focus their personal research in ways that may result in scholarly publication or presentations at professional meetings. While no faculty member is required to pursue specific scholarly activity, all member of the faculty should cultivate the practices that pattern for students good habits of continuous learning and intellectual growth.

3.1.3 Advising Students

Good advising of students is a vital portion of the faculty member's daily duty. Advising includes discussing educational challenges specific to the advisee, career plans, personal goals, and academic registration.

3.1.4 Student Recruitment

Faculty participation in recruitment of students is essential as the faculty best represents the strengths of the academic program. Faculty who engage in conversation with prospective students create relationships that allow the University to identify and select a well-qualified and diverse student body that is capable of succeeding in a rigorous and challenging environment. Meeting students individually or in groups, attending enrollment functions, assisting in the development of admissions materials that highlight faculty accomplishments, and communicating with students via telephone or correspondence, printed or electronic, are only a few examples of faculty involvement in recruitment.

3.1.5 University Committees

Because the University seeks to manage and implement an educational program, it is important that faculty is represented in the administrative efforts of the organization. Accordingly, faculty will be assigned to standing committees of the University.

3.1.6 Office Hours

The University is open from 8:00 to 5:00, Monday through Friday. In order to prepare for class, conduct scholarly activities, be available for peers and students, and support the recruiting functions of the University, faculty should post a minimum of seven office hours per week, including hours each day of the week, Monday through Friday. During periods of academic advising, scheduling, and registration, additional hours should be planned as needed to ensure student access to the faculty member. If a student cannot make an appointment during posted hours, the faculty member should arrange a conference at a mutually acceptable hour. Deviations from this policy are

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permissible with the approval of the school dean to accommodate unusual teaching schedules so long as the minimum number of hours is maintained each week.

3.1.7 Reports

Faculty members will submit all required reports by the deadline established unless an extension has been granted. Required reports regularly include class roll and grade reports to the Registrar's Office, institutional effectiveness reports, and class/office schedules that reflect the faculty member's complete assignment, including responsibilities other than teaching classes. Additional reports may be requested periodically.

By Wednesday of the third week of a semester, each faculty member will return to the provost, on a form provided by him, a class/office schedule. The form should reflect the teacher's complete work assignment, including responsibilities other than classes, as well as office hours.

3.1.8 Commencement

All faculty members shall participate in the University's commencement ceremonies. Permission to be absent from a commencement ceremony can be given only by the provost.

Each faculty member is responsible for their own academic regalia and is expected to be properly robed for commencement, wearing a hood appropriate for their highest degree. Faculty members who do not have their own regalia may rent same through the University bookstore. In order to assure the timely delivery of regalia, faculty members must place orders before the deadline established by the bookstore.

3.1.9 Standards of Conduct

All faculty shall comply with the standards of conduct addressed in the *Howard Payne University Policies Adopted by the Board of Trustees and the Howard Payne University Administrative Policies* including, but not limited to the following policies:

- Policy Against Discrimination and Harassment
- Drug, Alcohol and Tobacco Policy
- Prohibition of Weapons and Fireworks
- Employee Standards of Conduct
- Employee Disclosure of Arrests and Convictions
- Outside Employment, Personal Gifts and Conflicts of Interest

3.1.10 New Faculty – Services Available Prior to Official Employment Date

New faculty often ask to set up their office, obtain IDs, connect internet service, and receive an email address and phone number prior to the date their contract requires them to report to work. The University's Check-In process must be completed for each faculty member before access to an office or computer systems access is granted.

New faculty may have access to their office up to one week prior to the official contract start date. IT Services will have the new faculty member's system access completed two weeks prior to the new faculty member's start date.

IDs and parking permits will be issued on the contract start date, usually during New Faculty Orientation. However, they may be issued up to one week prior with the Dean's approval. Deans should contact human resources at least 24 hours in advance to arrange this accommodation.

Keys may be distributed to new faculty up to one week prior to the official contract start date. A key request must be submitted by the Dean to the assistant vice president for facilities and planning at least three business days in advance of the date the keys will be needed.

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Directing or expecting faculty to work (i.e., attending meetings, keeping office hours, etc.) before their official contract start date is prohibited. New faculty may be invited to attend meetings or workshops as long as it is made clear that their attendance is strictly voluntary. Faculty may choose to engage in typical professional preparation activities at home or in their office prior to the contract start date, such as reviewing course content and preparing syllabi, etc., as long as those activities are not required. Additionally, they may be provided with documents and other University information during the summer to assist them in their preparation.

3.1.11 Adjunct Faculty – Keys and Network Services After the Semester Ends

To protect University property and student's personally identifiable information, adjunct faculty will have their network systems access turned off and they must follow the University's Check-Out procedure to turn in their keys as they turn in their semester/term grades when they are not teaching or not expected to teach in the semester/term immediately following the one that just ended.

3.2 Faculty Ethics

3.2.1 Standards of Conduct

All faculty shall comply with the standards of conduct addressed in the *Howard Payne University Policies Adopted by the Board of Trustees and the Howard Payne University Administrative Policies* including, but not limited the following policies:

- Policy Against Discrimination and Harassment
- Drug, Alcohol and Tobacco Policy
- Prohibition of Weapons and Fireworks
- Employee Standards of Conduct
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- Outside Employment, Personal Gifts and Conflicts of Interest

3.2.2 Treatment of Students

As teachers, professors encourage the free pursuit of learning by their students. They hold before them the best scholarly standards of their discipline. They demonstrate respect for the student as an individual and adhere to their proper role as intellectual guides and academic advisors. They make every reasonable effort to foster honest academic conduct and to assure that their evaluation of students reflects their true merit. They respect the confidential nature of the relationship between professor and student.

Faculty members shall treat all students with respect and shall be fair and balanced in their evaluation of student work. Faculty must refrain from using profanity in the delivery of educational programs and in conversation with students. Faculty members should be objective when providing references for students. Faculty-student personal relationships are unethical when they hinder any student's academic progress or create a situation in which any student is either favored or negatively impacted on grounds other than academic performance. Faculty members should not date or enter into a sexual relationship with their student while engaged in a professional relationship. Recognizing that instructors are concerned with the welfare of students and that students will at times, wish to share information of a personal nature, it is appropriate for faculty to listen sympathetically to students but not to elicit, reveal or exploit confidential information shared by a student. There is no expectation of confidentiality when a student expresses the intent to harm themselves or others. Such information should be immediately reported to faculty member's supervisor and the Dean of Students.

3.2.3 Treatment of Colleagues

Faculty members, whether acting in academic or administrative capacity, shall treat each other with fairness and respect, and shall conduct themselves with dignity and restraint in all exchanges with colleagues. While critical evaluation is an essential part of academic activity, faculty should be fair and objective when presenting a

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professional judgment on their colleagues' work and shall not knowingly make false or malicious statements about a colleague. A faculty member shall not knowingly misrepresent the views/positions of colleagues to further their own position or point of view.

Faculty members shall avoid threatening or abusive behavior or language, verbal harassment, or intimidation of another faculty or staff member. Faculty must refrain from using profanity in dialog with or about University colleagues. Faculty members shall not publicly criticize other faculty or staff members in the presence of students, parents, or visitors. A violation of this policy may result in discipline, up to and including termination.

Faculty members are expected to exhibit intellectual honesty and integrity in all scholarly endeavors. Faculty members are expected to work toward improving the quality of instruction. Faculty should not denigrate other disciplines or undermine the confidence of students in other duly approved programs or academic departments of the University.

3.2.4 Treatment of the Institution

Faculty members shall be supportive of school policies and administrative officials in the presence of students, parents, or visitors. Constructive criticism should be presented through appropriate administrative channels.

3.3 Academic Freedom and Responsibility

3.3.1 Academic Freedom

As reflected in the Board of Trustees' policies, the following policy governs the issue of academic freedom at Howard Payne University:

Academic freedom provides one of the foundational pillars for faculty scholarship and teaching. These fundamental faculty responsibilities depend on an uninhibited search for truth and its open expression. The ability to exchange ideas and concepts freely in the classroom, to explore and disseminate new knowledge, and to speak professionally and as a private citizen are essential elements for the intellectual vitality of a University.

Academic freedom is the freedom of the faculty member to teach free from pressure, penalties, or other threats by authorities or other persons inside or outside their institutions of learning. It is the freedom of the student to be taught by unrestrained teachers and to have access to all available data pertinent to the subject of study at an appropriate educational level.

Each faculty member is entitled to full freedom in the classroom in discussing the subject which the faculty member teaches but is expected not to introduce controversial matters which have no relation to the classroom subject. Each faculty member is also a citizen of the larger community; and when speaking, writing, or acting as such, must be free from institutional censorship or discipline subject to academic responsibility. In such instances, the faculty member should make it clear that he or she is not speaking for the University.

Academic Responsibility of Faculty Members

The concept of academic freedom for faculty must be accompanied by an equally demanding concept of academic responsibility. Faculty members have a responsibility to the University, their profession, their students, and society at large. The rights and privileges of faculty members require reciprocally the assumption of certain responsibilities by faculty members. Some of those are:

a. The fundamental responsibilities of faculty members as teachers and scholars, in keeping with the Christian mission of the University and the general employment policy, include maintenance and competence in their field of specialization and the exhibition of professional competence in the classroom, studio, or laboratory.

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b. The exercise of professional integrity by faculty members includes recognition that the public will judge their profession and University by their statements. Therefore, faculty members should strive to be accurate, to exercise appropriate restraint, to be willing to listen to and show respect for others expressing different opinions, and to avoid creating the impression that they speak or act for their college or University when speaking or acting as a private person.

c. Faculty members should be professional in their conduct and in relationships with students. They should maintain respect for the students and for the student's posture as a learner and should be appropriately available to students for consultation on course work.

3.3.2 Family Educational Rights and Privacy Act (FERPA)

Faculty members are expected to comply with the University's FERPA policy statement regarding the privacy of student records.

When asked by either parents or outside parties for non-directory information about a student (e.g. grades, academic progress, course schedules, etc.), faculty members must consult the Office of the Registrar for authorization, prior to releasing requested information.

Faculty members should avoid disclosing any personally identifiable information (such as name, student identification number, or social security number) in connection with the distribution of posting of student grades.

Faculty members may disclose to appropriate University faculty members and administrative staff information from a student's educational record without the written consent of the student, in order to perform their legitimate educational duties.

3.4 Faculty Status Statement

All full-time employees of the University who regularly teach 24 – 27 credit hours per academic year or who are academic deans or professional librarians enjoy faculty status. Such employees receive professional contracts, participate in the multi-year contract system, are evaluated regularly, are included in the faculty committee structure, have access to faculty development funds, and are voting members of the Faculty Assembly.

In addition, those full-time employees who devote 60% or more of their time to instruction participate in the University system of rank and promotion, and, if on nine-month contracts, follow the academic calendar, vacation, and sick leave policies.

3.5 Faculty Employment

3.5.1 Non-Tenured Faculty

It shall be the policy of the University at all times to strive for a faculty with the highest possible scholastic attainments, unquestionable Christian character, positive and consecrated Christian attitude and who are members, in good standing, of Baptist churches. While members of other Christian churches may be considered for teaching positions when Baptist applicants are not available, the administration shall give preference to Baptists with the same qualifications. Due to the history and mission of this University, only Baptists will be considered for teaching positions in the School of Christian Studies. The members of the faculty shall be expected to keep current in their respective fields of instruction and demonstrate dedication to the teaching profession.

This policy is intended to give the faculty member of the University a measure of security and to prevent arbitrary dismissal. It replaces all tenure-related policies previously adopted for those faculty employed prior to March 12, 1991. The University is committed to academic freedom as defined in the Board policy regarding Academic Freedom and Responsibility.

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a. Confirmation of Academic Credentials

Before a contingent offer of employment is made to a prospective faculty member and prior to a contract being issued, the University provost must have received the applicants official transcripts and confirm the applicant possesses the academic credentials required by the position announcement and job description for the position being filled.

All faculty members will forward to the Office of the Provost evidence of their qualification to teach undergraduate or graduate courses at the University. Such evidence includes official transcripts from each graduate institution the faculty member attended. These official transcripts may be transmitted electronically or in hard copy. Other pertinent evidence may include licensure verification, certifications and significant professional accomplishments.

Additionally, when the University requires a faculty member to pursue additional academic credentials, regardless of whether the University is also assisting financially with cost of the additional education, an updated transcript must be received at the end of each semester in which the faculty member is enrolled. Failure to obtain additional academic credentials as described in the Special Provisions section of the faculty member's contract may result in termination of employment.

b. Contract Length

Each newly employed faculty member shall initially receive a one-year, probationary contract. At the discretion of the Provost and in consultation with the school dean, a faculty member's probationary status may be extended. In such a case, the faculty member's contract will indicate the probationary nature of the contract.

Following the completion of the probationary period, the faculty member will receive the first year of a two-year continuing contract, or the first year of a three-year continuing contract. A faculty member who has received a two-year continuing contract may receive a one-year contract or a three-year continuing contract. A faculty member who has received a three-year continuing contract may receive an additional three-year continuing contract or a two-year continuing contract, followed in the next year by a one-year contract. All recommendations on contract renewal will be made by the provost to the president. The administration shall consider the faculty evaluation procedure when making contract determinations.

c. Minimum Requirements for Multi-year Contract Eligibility

1. Be a member in good standing of a Baptist church or other Christian church
2. Hold the rank of Assistant Professor, Associate Professor or Professor
3. Have completed at least a one-year probationary period of teaching at the University
4. Have desirable professional and personal qualities (consistency in support of University goals and mission, devotion to the teaching profession, moral and ethical character beyond reproach, good public relations with students and others)
5. Demonstrate competent attainments and performance described in the Academic Rank, Tenure, and Promotion for Full-Time Faculty and Professional Librarians policy and in Evaluation of Graduate and Undergraduate Faculty policy.

d. Renewal and Non-Renewal of Contract

Each full-time faculty member, whose contract is being renewed, will be offered a contract for the succeeding year by the first day of April each year. The date of notification for non-renewal will be on or before December 15, except for faculty members in their first year of full-time teaching at the University. For faculty members in their first year of full-time teaching at the University, the date for notification for non-renewal will be on or before April 1. No

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employee shall have any right regarding the renewal of a contract upon the expiration of the contract's term. The failure of the University to provide notice of nonrenewal by the times and dates specified in the *Howard Payne University Administrative Policies* shall not give the employee a renewal right.

No cause is necessary for the University not to renew a faculty member's contract or not to offer further employment at the expiration of the term of the current contract and no grievance right exists in such cases. For purposes of this policy, non-renewal is defined as the University's written notice to a faculty member that a contract will not be issued following the end of the faculty member's current contract which contains no written intention by the University to issue a future contract.

e. Termination of Employment With Pay

The University may provide three months' written notice to a faculty member that their employment is being terminated with pay and benefits for department reorganization, program realignment, or financial exigency (including significant drop in enrollment or program closure).

Such cause or causes shall be put in writing and delivered to the faculty member who shall then have the opportunity for a hearing before the Faculty Grievance and Appeal Committee as described in the Faculty Grievance and Appeal Committee policy before the action is final. This policy shall apply to any eligible full-time faculty member holding the rank of instructor or above.

f. Termination of Employment Without Pay

The University may provide written notice to a faculty member that their employment is being terminated immediately for justifiable cause, with no continuation of salary or benefits. In such cases, justifiable cause may include, but not be limited to the following:

1. Breach of contract
2. Insubordination
3. Violation of the following University policies: Policy Against Discrimination and Harassment; Drug, Alcohol and Tobacco Policy; Prohibition on Weapons and Fireworks; Employee Standards of Conduct; Employee Disclosure of Arrests and Convictions. Violation of the following University policies: Policy Against Discrimination and Harassment; Drug, Alcohol and Tobacco Policy; Prohibition on Weapons and Fireworks; Employee Standards of Conduct; Employee Disclosure of Arrests and Convictions.
4. "Moral turpitude" as used in this policy includes, but is not limited to criminal acts and/or non-criminal acts involving: fraud; deceit; the use of profanity with other employees or students; theft; misappropriation of University property; misrepresentation of credentials; violence or assault; inappropriate relationships; sexual activity not consistent with the University's Christian nature and heritage, including but not limited to adultery or homosexuality; illegal use, possession, transfer, sale, or distribution of a controlled substance as defined in the Texas Health & Safety Code; public intoxication; driving while intoxicated; disorderly conduct; and abuse as defined in the Texas Family Code.
5. Immorality, which is conduct not in conformity with the accepted principles of right and wrong behavior and is contrary to the moral standards of the community
6. Falsification of time records or pertinent information regarding the employee's transcript and application for employment, regardless of when the falsification is discovered
7. Failure to comply with directives and requirements of the employee's supervisor, failure to follow established policies and procedures of the University, repeated and continuing neglect of duties and responsibilities

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- member
8. Failure to maintain a state license, registry or certificate required to be qualified as a faculty member
 9. Theft of University property
 10. Excessive absenteeism without notice or cause
 11. For any reason stated in a contract
 12. For failure to perform duties in a professional and competent manner
 13. For other good cause, including any conduct that is contrary to the best interests of the University.

Such cause or causes shall be put in writing and delivered to the faculty member who shall then have the opportunity for a hearing before the Faculty Grievance and Appeal Committee as described in the Faculty Grievance and Appeal Committee policy before the action is final. This policy shall apply to any eligible full-time faculty member holding the rank of instructor or above.

g. **Limits on Multi-year Contracts**

There is no restriction on the number of faculty who may receive multi-year contracts. However, multi-year contracts apply only to the teaching aspect of a faculty member's assignment. Administrative assignments, coaching assignments, and other non-teaching assignments are contracted annually as a part of the issuance of a new annual contract and the duties therein may be adjusted within the assigned period as needed.

3.5.2 **Tenured Faculty**

It shall be the policy of the University at all times to strive for a faculty with the highest possible scholastic attainments, unquestionable Christian character, positive and consecrated Christian attitude and who are members, in good standing, of Baptist churches. While members of other Christian churches may be considered for teaching positions when Baptist applicants are not available, the administration shall give preference to Baptists with the same qualifications. Due to the history and mission of this University, only Baptists will be considered for teaching positions in the School of Christian Studies. The members of the faculty shall be expected to keep current in their respective fields of instruction and demonstrate dedication to the teaching profession.

This policy is intended to give the faculty member of the University a measure of security and to prevent arbitrary dismissal. It replaces all tenure-related policies previously adopted and applies to faculty employed prior to March 12, 1991 who elect to pursue their tenure right. The University is committed to academic freedom as defined in the Board policy regarding Academic Freedom and Responsibility.

a. **Definition of Tenure**

Tenure, as herein used, means that a faculty member, after the expiration of a probationary period, shall have permanent status with the University unless their services are terminated for any of the reasons given below. It means, further, that in case their services are terminated by the University, the faculty member shall be told in writing the reason or reasons, and shall have the opportunity for a hearing before the Faculty Grievance and Appeal Committee, as described in in the Faculty Grievance and Appeal Committee policy before the action is final. The granting of tenure relates to employment with the University and not to a specific position, assignment, or title.

b. **Contract Renewal and Non-Renewal**

Each full-time faculty member, whose contract is being renewed, will be offered a contract for the succeeding year by the first day of April each year. The date of notification for non-renewal will be on or before December 15. The

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failure of the University to provide notice of nonrenewal by the times and dates specified in the *Howard Payne University Administrative Policies* shall not give the employee a renewal right.

c. Termination of Employment With Pay

The University may provide three months' written notice to a faculty member that their employment is being terminated with pay and benefits for department reorganization, program realignment, or financial exigency (including significant drop in enrollment or program closure).

Such cause or causes shall be put in writing and delivered to the faculty member who shall then have the opportunity for a hearing before the Faculty Grievance and Appeal Committee as described in the Faculty Grievance and Appeal Committee policy before the action is final. This policy shall apply to any eligible full-time faculty member holding the rank of instructor or above.

d. Termination of Employment Without Pay

The University may provide written notice to a faculty member that their employment is being terminated immediately for justifiable cause, with no continuation of salary or benefits. In such cases, justifiable cause may include, but not be limited to the following:

1. Breach of contract
2. Insubordination
3. Violation of the following University policies: Policy Against Discrimination and Harassment; Drug, Alcohol and Tobacco Policy; Prohibition on Weapons and Fireworks; Employee Standards of Conduct; Employee Disclosure of Arrests and Convictions. Violation of the following University policies: Policy Against Discrimination and Harassment; Drug, Alcohol and Tobacco Policy; Prohibition on Weapons and Fireworks; Employee Standards of Conduct; Employee Disclosure of Arrests and Convictions.
 3. "Moral turpitude" as used in this policy includes, but is not limited to criminal acts and/or non-criminal acts involving: fraud; deceit; the use of profanity with other employees or students; theft; misappropriation of University property; misrepresentation of credentials; violence or assault; inappropriate relationships; sexual activity not consistent with the University's Christian nature and heritage, including but not limited to adultery or homosexuality; illegal use, possession, transfer, sale, or distribution of a controlled substance as defined in the Texas Health & Safety Code; public intoxication; driving while intoxicated; disorderly conduct; and abuse as defined in the Texas Family Code.
 4. Immorality, which is conduct not in conformity with the accepted principles of right and wrong behavior and is contrary to the moral standards of the community
 5. Falsification of time records or pertinent information regarding the employee's transcript and application for employment, regardless of when the falsification is discovered
 6. Failure to comply with directives and requirements of the employee's supervisor, failure to follow established policies and procedures of the University, repeated and continuing neglect of duties and responsibilities
 7. Failure to maintain a state license, registry or certificate required to be qualified as a faculty member
 8. Theft of University property
 9. Excessive absenteeism without notice or cause

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10. For any reason stated in a contract
11. For failure to perform duties in a professional and competent manner
12. For other good cause, including any conduct that is contrary to the best interests of the

University.

Such cause or causes shall be put in writing and delivered to the faculty member who shall then have the opportunity for a hearing before the Faculty Grievance and Appeal Committee as described in the Faculty Grievance and Appeal Committee policy before the action is final. This policy shall apply to any eligible full-time faculty member holding the rank of instructor or above.

e. **Limits on Tenure**

Tenure applies only to the teaching aspect of a faculty member's assignment. Administrative assignments, coaching assignments, and other non-teaching assignments are annual appointments and the duties therein may be adjusted within the assigned period as needed.

f. **Applicability of Policy**

Those presently on tenure will retain this status.

3.6 Faculty Grievance and Appeal Committee

This policy applies only to full-time faculty whose employment has been terminated as defined in the Non-Tenured Faculty policy or the Tenured Faculty policy. A faculty member whose contract has not been renewed (see Non-Tenured Faculty policy) is not eligible for the provisions of this policy. This policy does not apply to complaints regarding discrimination and harassment, which are covered by the Policy Against Discrimination and Harassment.

Step 1: Any eligible faculty member who believes that he or she has been denied just treatment regarding the terms and conditions of their employment, including salary, rank, course load, course assignments, academic freedom or termination of their appointment to the faculty shall submit a written statement of their grievance and any supporting evidence to the chairman of their department. The chairman of the department shall schedule a time to discuss the statement with the faculty member. Grievances should be filed as soon as the faculty member knew or should have known about the facts giving rise to the grievance.

This policy does not apply to complaints regarding discrimination and harassment, which are covered by the Policy Against Discrimination and Harassment.

Step 2: If the faculty member is not satisfied with the department chairman's disposition of the complaint, the faculty member shall notify the department chairman within seven business days. Thereafter, the chairman shall submit the grievance, the faculty member's supporting evidence, and any materials and recommendation prepared by the chairman to the provost. The provost shall review the grievance and shall communicate a response to the faculty member and the department chairman within 20 business days.

Step 3: If the provost's decision regarding the grievance is not satisfactory to the faculty member, the matter shall be referred to the Faculty Grievance and Appeal Committee, along with the documents from Step 1 and Step 2, a written memorandum from the provost concerning his findings and conclusions, and any additional written statements that the faculty member or department chairman wish to offer to the committee.

Appeals by a faculty member who has received notice of charges for the revocation of tenure and/or their appointment and/or of their discharge prior to the expiration of a contract period shall be filed directly with the committee.

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The committee shall conduct a hearing and review all evidence from both the University, the faculty member, and any other source the committee deems appropriate. When the faculty member appears before the committee, the faculty member shall not be permitted to be accompanied by any other person.

The faculty member may withdraw their grievance at any time.

Upon completion of its review, the committee shall render an advisory opinion to the president who shall make the final decision concerning the matter unless it involves revocation of tenure, in which event the president shall convey his recommendation and the advisory opinion of the committee to a committee of the Board of Trustees for final action. The decision of the president is final and binding upon all parties.

3.7 Academic Rank, Tenure, and Promotion for Full-Time Faculty and Professional Librarians

Recognizing that teaching as a member of the faculty of the University involves many obligations and responsibilities, plus many opportunities for varieties of professional and personal service which are positive reflections on both the institution and the individual, the following information and data are to serve as one basis for consideration for promotions. This information is expected to be initiated and provided by each faculty member eligible for and requesting a promotion in rank within the University. Deans and department heads are requested to identify, encourage, and assist those eligible for promotion. For good cause, including but not limited to professional work in related, non-educational fields, the president may award rank regardless of the following qualifications.

3.7.1 Minimum Time and Degree Requirements for Each Academic Rank

- a. **Instructor:** A master's degree with eighteen graduate hours in the discipline being taught.
- b. **Assistant Professor:** Either a terminal degree or the equivalent in the discipline being taught, or a master's degree with eighteen graduate hours in the discipline being taught, and five years of full-time teaching experience at an accredited college or university.
- c. **Associate Professor:** Either a terminal degree or the equivalent in the discipline being taught, and five years at the assistant professor level at an accredited college or university, or a master's degree with eighteen graduate hours in the discipline being taught, and fifteen years of full-time teaching experience including at least ten years at the assistant professor level at an accredited college or university.
- d. **Professor:** The terminal degree or the equivalent in the discipline being taught. Ten years of full-time teaching experience at the college level including five years at the associate professor level.

3.7.2 Information Required for Evaluation

Each applicant for promotion shall prepare a presentation which addresses each of the following:

- a. Evidence of teaching effectiveness must include:
 1. Copies of course syllabi for all courses taught
 2. Copies of examinations and other pertinent documents
 3. Copies of student evaluation summaries and comments
 4. Copies of self-appraisal and plans to strengthen teaching effectiveness, particularly as related to student evaluations and supervisor recommendations
 5. Optional reports of in-class observations by peers or supervisor at the invitation of the faculty member

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6. When applicable, assessment of student individual or group performance in musical, artistic, athletic, or other situations in which the effort of the faculty member is a key factor

b. Evidence of scholarship and professional commitment which may include:

1. Copies of research, publication, or presentation documentation including reviews if available
2. Documentation regarding consulting, speaking, artistic creation or performance
3. Documentation regarding professional organization involvement and/or leadership
4. Documentation of grantsmanship activities

5. Copies of any personal and/or professional growth plans, including a self-evaluation of achievement of the plan(s).

c. Evidence of effective academic advising which may include:

1. List of advisees and educational status
2. Schedule of posted office hours.

d. Evidence of service to church and community which may include:

1. Documentation of involvement in church and community organizations
2. Documentation of efforts which promote good relations between the University and the community.

e. Evidence of commitment to the University which may include:

1. Documentation regarding involvement in University committees, activities, and functions
2. Reports of grants, gifts, and funds on behalf of the University.

3.7.3 Review by Department Head and Dean

a. Evaluate data supplied by applicant for promotion.

b. Contact those University individuals who interact with the applicant for promotion, especially with regard to those criteria which address teaching effectiveness, academic advising, and commitment to the University.

c. Make recommendation regarding promotion to the provost and the president.

3.7.4 Administrative Review

a. The provost will evaluate all materials submitted by the applicant, the department head, and the dean.

b. The provost will review any other sources of information determined to be of importance in making a decision regarding promotion and makes a formal recommendation to the president.

c. The president communicates in writing to applicant the administrative decision regarding promotion and if necessary, provides recommendations for future reapplication.

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3.7.5 Eligibility and Time Requirements

- a. Promotion review is intended to be a year-long process from initiation on the part of the applicant through announcement of promotion.
- b. All eligibility requirements must be met in the year of or prior to the initiation of the review process.
- c. Dates for key steps in promotion review include the following:
 1. *November 1*—submission of all materials on the part of the applicant to the department head
 2. *December 1*—submission from department head of applicant materials, co-worker assessment, and department head's recommendation to dean of school
 3. *January 15*—submission from dean of applicant materials, co-worker assessment, and department head's recommendation with additional co-worker assessment and dean's recommendation to the provost
 4. *April 1*—announcement of promotion decisions with new contracts.

3.8 Evaluation of Graduate and Undergraduate Faculty

The annual evaluation of each faculty member is the responsibility of the school dean. The purposes of the annual faculty evaluation process include the following: (a) to stimulate personal and professional growth on the part of the individual faculty member by designing strategies to maximize strengths and to overcome weaknesses; (b) to strengthen the academic effectiveness of the University by relating the work of the faculty member more closely to its institutional mission; and (c) to create and nourish a context in which sound, objective decisions may be made in such areas as the planning scholarly activity, advancement in rank, assignment of duties, and planning of retirement; enable the University to make informed decisions regarding employment issues such as promotion, compensation, assignment of duties and when necessary, employment termination. All of these purposes seek to insure that students will receive quality instruction by competent professionals in every academic program offered by the University.

3.8.1 Criteria of Evaluation

The two central concerns of each annual faculty evaluation are (a) the quality of personal and professional growth on the part of the individual; and (b) the extent to which this growth enables the University to fulfill its institutional mission and the school to achieve its goals and objectives. Primary factors to be considered in addressing these concerns for the faculty member's role as an (a) Educator: e.g., discipline mastery, classroom effectiveness, quality of course materials, creative guidance of individual students, attention to preparation, care in advising, accessibility to students; (b) Scholars: e.g., professional society presentations, publication, public addresses and/or performances, research activities; and (c) Citizens: e.g., to the University and its many parts, to University constituents, to educational agencies, to the community, to local churches and other religious bodies, and to professional groups. The faculty member undergoing review should also exhibit a commitment to the mission and goals of the University, the school, and the department.

3.8.2 Sources of Evaluation

Faculty evaluations include input from the following:

- a. Self-evaluation. On an annual basis, each faculty member prepares a personalized Faculty Development Plan that sets specific goals relating to the three University faculty roles, i.e. educator, scholar, and citizen. On an annual basis, each faculty member prepares a written evaluation of how well the goals of the Faculty Development Plan for the past year were achieved as part of the annual updating of this plan.
- b. Student evaluation and/or teaching effectiveness measures based on learning outcomes, namely learning

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artifacts and proxies. Student evaluations of teaching will be administered by the Office of the Provost. All faculty will be evaluated in this manner during the fall of each year. In addition, all adjunct and new faculty during their first and second years of teaching at the University will be evaluated each semester. Summaries for each class, faculty member composite, department composite, school composite, and overall University composite will be provided for each faculty member, dean, and department head.

c. Supervisory evaluation. The school dean prepares a written evaluation based on a study of the faculty member's self-evaluation on the revision of the Faculty Development Plan, on current student evaluations, and on an annual academic performance review with the faculty member at which point all matters relating to development and evaluation are discussed.

3.8.3 Procedure for Evaluation

The annual process described above may be implemented in accordance with this suggested timetable:

a. In early September, Faculty Development Plans are updated both by a self-evaluation of the previous academic year and by a revision of annual and long range growth goals, after which they are submitted to school dean for study.

b. From November to January, student evaluations are administered in all classes and the results received, summarized, and interpreted by the school deans, after which they are shared with individual faculty members for study.

c. From February to mid-May, annual academic performance reviews are completed by the school deans, on which basis an annual supervisory evaluation is prepared in writing and shared with the faculty member. A composite report containing the self-evaluation, the updated Faculty Development Plan, the student evaluation results, and the supervisory evaluation of each faculty member is submitted to the Provost by May 31.

3.9 Support of University-sponsored Activities

Faculty and staff are encouraged to support, by their attendance or participation, such University events as cultural programs and intercollegiate athletic contests.

3.10 Faculty Assembly

A copy of the constitution of the faculty assembly is attached as Appendix A.

3.11 Summer Communications

Faculty members who are not on campus for periods of two or more weeks in the summer shall inform their deans and the provost how they may be contacted.

Department and division chairmen who are off campus for the summer should check in with their deans at least once each month.

3.12 Undergraduate Program Curriculum Changes

The academic curriculum framed within a Christian environment represents the essence of the educational experience for the students who attend the University, and as such is given extensive attention by the entire academic community in its establishment, modification, review and evaluation. The Board of Trustees has established the broad parameters for the University's curriculum. These policies are located in *the Howard Payne University Policies Adopted by the Board of Trustees*, Academic Programs and Locations.

This administrative policy on Curriculum Changes articulates the responsibility and authority of the faculty in academic and governance matters and assures that all academic credit awarded by the University is approved by the faculty and the administration. The following steps are required for approval of new degrees, majors, minors and

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certificate programs, and locations where these programs may be taught and are designed to assure faculty oversight of the entire curriculum, including additions, deletions, and alterations of courses, programs, majors, degree requirements, and academic regulations.

a. Academic Department: Gives initial review and recommendation to proposals from individual faculty members.

b. School: The department chairman presents recommendations for consideration by the school. Led by the school dean, the faculty of each school regularly evaluates the effectiveness of its academic offerings, including course requirements and sequences and enacts changes appropriate to the administration of its curriculum. Prior to taking effect, the curriculum decisions of each school will be forwarded to the University Curriculum Council for review and comment. All full-time faculty of each school are voting members of the school.

c. University Curriculum Council (UCC): All members of the UCC are voting members. The UCC reviews the actions taken by each school faculty to assure appropriate consistency throughout the schools regarding the application of the curriculum. If the UCC recognizes that a proposed action will create an undue hardship on other areas of the University curriculum or if the school is proposing a change that is not generally consistent with the application of the curriculum throughout the University, the UCC will refer the action back to the school for further consideration. After its review, the UCC will report to the Faculty Assembly the actions taken by the school faculty by posting approved school actions on the Faculty Assembly Black Board Bulletin Board. In addition to this review and comment function related to actions proposed by school faculty, the UCC will consider changes that impact the entire University curriculum in proposals from the Deans' Council. If approved, proposals of this nature will be recommended by the UCC to the Faculty Assembly. Additionally, the UCC will review requests for changes to the General Education Curriculum. If approved, the UCC will recommend such changes to the Faculty Assembly who may approve or deny the request. The UCC is composed of the provost, the seven school deans, dean of advising and general education, dean of institutional research and effectiveness, the dean of libraries, the president of the Faculty Assembly, one faculty representative from each of the seven schools, and the University registrar. The seven school representatives serve three years with two schools electing new representatives every year.

d. Faculty Assembly: All Howard Payne University full-time faculty who regularly teach classes, distinguished professors, and professional librarians will constitute the voting members of the Faculty Assembly. Because the University's faculty is responsible for approving all educational programs for which academic credit is awarded and because of their duty to oversee the curriculum, the entire University faculty will meet as needed to consider and vote on matters pertaining to the curriculum and academic regulations. Additionally, the UCC will bring recommendations regarding additions, deletions, and alterations to the curriculum and matters of academic regulation.

e. Administrative Council: Because the administration of the University shares with the faculty the responsibility to approve each educational program for which academic credit is awarded, actions recommended by the Faculty Assembly, along with budget and staffing recommendations, are considered for implementation. Changes not approved by the Administrative Council will be reported to the Faculty Assembly.

f. Board of Trustees: The Board of Trustees has established broad parameters of the University's curriculum. These policies are located in the *Howard Payne University Policies Adopted by the Board of Trustees, Academic Programs and Locations*. Certain significant changes, including the addition or deletion of a degree or major, and off-campus locations through which 25% or more of the educational program may be earned, are considered and approved by the Academic/Faculty Services Committee of the Board of Trustees and then by the full Board. Such changes may originate through the normal progression of curricular changes through the faculty as described in the Administrative Policies of the University, or may be authorized by the Board for subsequent development and approval by the faculty. In the case of program or location proposals that involve outside approval, such as the Substantive Change procedures of the Commission on Colleges of the Southern Association of Colleges and Schools, a nine to twelve month processing time is required prior to implementation.

g. Substantive Change: Howard Payne University is committed to maintaining quality and relevancy in its

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academic programs, often leading to modifications in existing programs and the establishment of new programs. The University has established policies for the review and approval of curricular changes which ensure timely consideration of accreditation requirements, particularly of a substantive nature. Consequently, the University will review regularly the policies of its accreditors for their requirements concerning substantive change, communicate these policies internally to administrators and faculty involved in program and curriculum planning, determine if proposed changes comprise a substantive change, ascertain the appropriate manner and timing of reporting a substantive change (notification of or requesting prior approval for a change), and communicating these changes to its accreditors in the manner required by the substantive change policies of these accreditors. The Southern Association of Colleges and Schools Commission on Colleges (the Commission) defines a substantive change as any “significant modification or expansion in the nature and scope of an accredited institution.” The Commission’s policy on substantive change is published on the Commission website at www.sacscoc.org. Specific events in the life of the University that would necessitate a substantive change notification or request for prior approval include the following:

1. Any change in the established mission or objectives of the institution
2. Any change in legal status, form of control, or ownership of the institution
3. The addition of courses or programs that represent a significant departure, either in content or method of delivery, from those that were offered when the institution was last evaluated
4. The addition of courses or programs of study at a degree or credential level different from that which is included in the institution’s current accreditation or reaffirmation
5. A change from clock hours to credit hours
6. A substantial increase in the number of clock or credit hours awarded for successful completion of a program
7. The establishment of an additional location geographically apart from the main campus at which the institution offers at least 50 percent of an educational program
8. The establishment of a branch campus
9. Closing a program, off-campus site, branch campus or institution
10. Entering into a collaborative academic arrangement such as a dual degree program or a joint degree program with another institution
11. Acquiring another institution or a program or location of another institution
12. Adding a permanent location at a site where the institution is conducting a teach-out program for a closed institution
13. Entering into a contract by which an entity not eligible for Title IV funding offers 25% or more of one or more of the accredited institution’s programs.

The University’s Accreditation Liaison is specifically charged with the responsibility of monitoring proposed changes as stated above, assuring that the administration and trustees are aware of the applicable substantive change requirements, and preparing and submitting in a timely fashion the appropriate substantive change materials to the Southern Association of Colleges and Schools Commission on Colleges. Furthermore, the University’s Accreditation Liaison will monitor the Commission’s website for changes to its stated policy regarding substantive changes.

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3.12.1 Policy on Prerequisites

The University expresses its commitment to excellence in its Mission Statement: "...developing and equipping the whole person for intellectual inquiry, personal and professional integrity, and service to God and humanity." To achieve this commitment, the faculty have designed curricula that direct student progress toward success, offering hundreds of individual courses, of which many may have prerequisites or corequisites. These prerequisite requirements, which were established to ensure that students possess necessary skills and knowledge to achieve success in individual courses, are identified in the Undergraduate and Graduate Course Descriptions sections of the University Catalog. Students may not be approved to enroll in a course unless they meet the prerequisites by the time the course begins.

Course prerequisite requirements are monitored and enforced through the student advising process and the University's administrative software; students who attempt to register for a class for which prerequisite requirements have not been met will receive an error message. A waiver for any course prerequisite may be initiated by the instructor responsible for a course for which a prerequisite is in place, and by the Dean of the School in which the course is offered, and signed by the student. A "Request for Prerequisite Waiver" form is available through the University's campus network portal, the Dean, the course instructor, or the Registrar's Office. All processing of a course prerequisite waiver is completed in the office of the Registrar upon submission of the signed "Request for Prerequisite Waiver" Form.

The establishment, modification or deletion of a course prerequisite or corequisite follows the policies and procedures under sections titled Undergraduate Program Curriculum Changes and Graduate Curriculum Design and Changes. Faculty are encouraged to set prerequisites only in instances when student success may be compromised by lack of specific knowledge and/or skills found in other courses. Normal sequencing of courses in a curriculum may be handled through advising rather than by the establishment of course prerequisites.

All prerequisite courses must be incorporated into the degree requirements of each curricular program; some prerequisites have their own prerequisites, forming a string of courses that must all be taken. The Howard Payne University Catalog individual course description shows the last course in the prerequisite string of courses. For example, MAT 3451 Differential Equations has a prerequisite of MAT 2461 Calculus II, which requires MAT 2451 Calculus I, which requires MAT 2345 Pre-Calculus Mathematics, which requires MAT 1351 College Algebra. To enroll in MAT 3451, students must have successfully completed MATH 1351, 2345, 2451, and 2461.

A curriculum may not have "hidden" prerequisites. If a course is a prerequisite for a required major or support course, then that prerequisite course must be included in the curriculum degree requirements as a major or support course. For example, for a curriculum requiring MAT 3421 Mathematics for Elementary Teachers II as a support course, MAT 1471 Mathematics for Elementary Teachers I, and MAT 1351 College Algebra must also be listed as support courses and included in the degree requirements for the Elementary Education degree program.

3.13 Faculty Leave

Students have a reasonable expectation that their instructors will conduct all scheduled classes and be available during their posted office hours. For this reason, faculty members should endeavor to schedule outside activities during non-instructional times. Occurrence of paid leave will not exceed five days in a long semester and one day in a summer term, unless specifically authorized by the provost. Department heads and school deans are responsible to monitor Faculty Leave and report to the provost for appropriate action any apparent abuse of the University leave policies.

3.13.1 Paid Professional Leave

Although classroom teaching is of paramount importance to the University, the University also recognizes the value of professional activities by faculty. Any faculty member desiring to take professional leave as permitted by this policy must obtain advance, written permission from the dean of their school. When deciding whether to grant or deny a request for leave, the dean shall consider the impact on students, the operational and instructional needs of the

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University, the faculty member's overall recent attendance history, the value of the proposed professional development activity, and the future availability of similar professional development activities. If the request is approved, the dean shall notify the provost in writing and forwarded to the human resources office.

3.13.2 Unpaid Professional Leave

In order to assist faculty members who desire further formal study or an opportunity for writing, research or other creative activities that are beneficial to the University, full-time faculty may request unpaid leave for professional development.

A full-time faculty member becomes eligible for an unpaid leave of absence after four consecutive years of satisfactory employment at the University. The faculty member must submit a written request for leave to their academic dean at least six months before the leave is to begin. If approved by the dean, the request will be submitted to the provost. Following consultation with the president, the provost will notify the dean and faculty member of the status of the request.

The human resources office will be informed of any approved unpaid leave and will advise the faculty member regarding the continuation of any employee benefits during the leave period.

Following the leave period, the faculty member will be required to present the results of their professional development activities to the University faculty in a manner approved by the provost.

3.13.3 Paid Emergency Leave

Emergency leave with pay is available for unseen situations that require immediate attention. Up to three Emergency Leave days with pay is available for unseen situations that require immediate attention. Effort should be made to notify the faculty member's department head, school dean, or provost about the nature of the circumstance at the earliest possible moment.

3.14 Institutional Review Board (IRB)

The Institutional Review Board (IRB) is responsible for the review and approval of all research involving human and non-human subjects conducted by faculty, staff, and students at the University as well as requested from external researchers to use University students and/or personnel. The IRB is charged with ensuring compliance with all applicable University policies. The Deans' Council constitutes the IRB.

3.15 Sale of Materials to Students

Faculty members should not sell materials prepared at University expense to students, unless the University is fully reimbursed for same. The sale of a syllabus or other work which is used in lieu of a published textbook should be handled through the University bookstore. Arrangements as to price should be made in consultation with the bookstore manager and the vice president for finance and administration.

In the sale of all materials by faculty to students, the guiding principle should be to give the student the best possible material at the least possible cost consistent with sound business practice. A teacher shall refrain from requiring the purchase of their own writings if there are objectively better or more suitable materials available in published form.

3.16 Use of Copyrighted Materials For Educational Use

The University prohibits all employees and students from violating applicable copyright laws and encourages the use of freely available resources as an alternative to copyright infringement.

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code).

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These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Before duplicating written materials, music, videos, software, or other materials in any medium, employees are responsible for determining its copyright status and should obtain written permission from the copyright owner before using the material unless the proposed use constitutes a "fair use." Guidelines for determining appropriate use of copyrighted material are available in the University library. The University will not assume liability for any employee who acts contrary to this policy statement regarding copyrighted material.

3.17 Graduate Programs

3.17.1 Faculty

Faculty who teach graduate courses in the graduate studies program are typical faculty members in many ways. That is, most of the policies and procedures that govern faculty members apply equally to faculty who teach undergraduate and graduate courses. However, in two areas specialized policies are noted: curriculum design and changes, and teaching loads.

3.17.2 Graduate Curriculum Design and Changes

The academic curriculum framed within a Christian environment represents the essence of the educational experience for the students who attend the University, and as such, is given extensive attention by the entire academic community in its establishment, modification, review and evaluation. Generally, curricular matters utilize the following sequence of consideration and recommendation.

- a. Particular Graduate Program: The program director, in consultation with the dean of the school, performs initial review of proposals from the graduate faculty.
- b. School: The Dean over the graduate program discusses changes with the graduate faculty resident within the school and makes recommendations accordingly.
- c. Graduate Curriculum Committee: The Deans' Council, serving as the Graduate Curriculum Committee (GCC), will review the actions taken by the graduate faculty to assure appropriate consistency throughout the schools regarding the application of the curriculum. If the GCC recognizes that a proposed action will create an undue hardship on other areas of the University curriculum or if the graduate faculty is proposing a change that is not generally consistent with the application of the curriculum throughout the University, the GCC will refer the action back to the graduate faculty for further consideration. After its review, the GCC will report to the Faculty Assembly the actions taken by the graduate faculty by posting approved school actions on the Faculty Assembly Black Board Bulletin Board. In addition to this review and comment function related to actions proposed by school faculty, the GCC will consider changes that impact the entire University curriculum in proposals from the graduate faculty. If approved, proposals of this nature will be recommended by the GCC to the Faculty Assembly.
- d. Faculty Assembly: Recommendations from the Graduate Curriculum Committee that are significant in nature (i.e. new degree programs, extensive changes to existing degree programs, changes that impact other areas of the curriculum) are reviewed and approved by the entire faculty meeting in Faculty Assembly.
- e. Administrative Council: Because the administration of the University shares with the faculty the responsibility to approve each educational program for which academic credit is awarded, actions recommended by

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the Faculty Assembly, along with budget and staffing recommendations, are considered for implementation. Changes not approved by the Administrative Council will be reported to the Faculty Assembly.

f. Board of Trustees: Certain significant changes including the addition or deletion of a degree or major are considered and approved by the Academic/Faculty Services Committee of the trustees and then the full board.

g. Substantive Change: Howard Payne University is committed to maintaining quality and relevancy in its academic programs, often leading to modifications in existing programs and the establishment of new programs. The University has established policies for the review and approval of curricular changes which ensure timely consideration of accreditation requirements, particularly of a substantive nature. Consequently, the University will review regularly the policies of its accreditors for their requirements concerning substantive change, communicate these policies internally to administrators and faculty involved in program and curriculum planning, determine if proposed changes comprise a substantive change, ascertain the appropriate manner and timing of reporting a substantive change (notification of or requesting prior approval for a change), and communicating these changes to its accreditors in the manner required by the substantive change policies of these accreditors. The Southern Association of Colleges and Schools Commission on Colleges (the Commission) defines a substantive change as any “significant modification or expansion in the nature and scope of an accredited institution.” The Commission’s policy on substantive change is published on the Commission website at www.sacscoc.org. Specific events in the life of the University that would necessitate a substantive change notification or request for prior approval include the following:

1. Any change in the established mission or objectives of the institution
2. Any change in legal status, form of control, or ownership of the institution
3. The addition of courses or programs that represent a significant departure, either in content or method of delivery, from those that were offered when the institution was last evaluated
4. The addition of courses or programs of study at a degree or credential level different from that which is included in the institution’s current accreditation or reaffirmation
5. A change from clock hours to credit hours
6. A substantial increase in the number of clock or credit hours awarded for successful completion of a program
7. The establishment of an additional location geographically apart from the main campus at which the institution offers at least 50 percent of an educational program
8. The establishment of a branch campus
9. Closing a program, off-campus site, branch campus or institution
10. Entering into a collaborative academic arrangement such as a dual degree program or a joint degree program with another institution
11. Acquiring another institution or a program or location of another institution
12. Adding a permanent location at a site where the institution is conducting a teach-out program for a closed institution
13. Entering into a contract by which an entity not eligible for Title IV funding offers 25% or more of one or more of the accredited institution’s programs.

The University’s Accreditation Liaison is specifically charged with the responsibility of monitoring proposed

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changes as stated above, assuring that the administration and trustees are aware of the applicable substantive change requirements, and preparing and submitting in a timely fashion the appropriate substantive change materials to the Southern Association of Colleges and Schools Commission on Colleges. Furthermore, the University's Accreditation Liaison will monitor the Commission's website for changes to its stated policy regarding substantive changes.

3.17.3 Graduate Faculty Teaching Loads

a. The normal teaching load for a regular, full-time faculty member teaching graduate courses is 24 to 27 semester hours or its equivalent during the nine-month academic year (fall and spring semesters). Faculty load includes the faculty member providing instruction at any of the University's locations and by any means of delivery.

b. Teaching load for graduate courses is calculated as 1 1/3 credit for each hour of a course's credit hours. For instance, a three-hour credit graduate course will be given four hours of load credit.

c. Faculty load for practicums and internships is based on a .111 teaching load credit per semester hour registration.

3.17.3.c.1. Due to the particular delivery of instruction for internships in the Master of Arts in Youth Ministry degree program, YMN 6261-6269 Youth Ministry Internships will be compensated at 0.450 load per hour of enrollment.

d. Conference courses should be discouraged except in cases of extreme justification. Faculty load for conference courses is based on a .333 teaching load credit for each semester hour registration.

e. An attempt should be made to avoid scheduling a faculty member with more than one new advanced course preparation per semester.

f. Appointments to campus committees should be distributed with the goal of placing a graduate faculty member on no more than one campus-wide committee in an academic year. Special committees during periods of reaffirmation of accreditation may be in addition to the normal standing committees.

3.17.4 Graduate Faculty Evaluation

Graduate faculty shall be evaluated in accordance with process established in Policies 3.8.

3.18 Intellectual Property Right and Ownership

"Intellectual property" is defined as anything developed that fits, but is not limited to, one or more of the following categories: an invention, an issued patent, a copyrighted work, a legal right that inheres in a patent, copyright, trademark, or know-how or trade secrets.

Generally, employees or students have the right to patent, copyright, publish, or otherwise establish ownership of a creative work, to market any commercially valuable creative work which they produce by means of their own expertise and labor, and to receive any and all royalties which result from such a work subject only to the following conditions.

a. If a creative work is produced as an assigned duty, i.e. a specific directive to prepare such a work, the intellectual property is considered "work for hire" and ownership rights belong to the University, unless these rights are relinquished by the University to the individual.

Note: The general obligation to engage in research and scholarship which may result in publication is not an assigned duty nor does it result in works "made for hire."

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b. If a creative work is produced by employees or students by making significant use of the University facilities and resources, ownership rights may be jointly shared between the individual and the University. What constitutes significant use of University facilities, personnel, and resources is a question that must be answered on the basis of the facts and circumstances of each case. A University-wide formula to define “significant use” is inappropriate because of the different needs among various disciplines. Normal usage of library resources, secretarial help, word processing equipment, or other support services do not constitute a significant use. If a question arises, the creator should seek a written opinion from the appropriate school dean. If there is a disagreement, the matter should be appealed to the provost.

3.19 Library Collection Development Policy

3.19.1 Background

In 1943 the American Library Association defined “library collection” as “the total accumulation of materials provided by a library for its target group.” That definition has not changed, but what the University means by “accumulation” and “materials” is quite different. Consequently, a planned development of a “library collection,” whatever the definition is, becomes a necessary part of all modern libraries, especially considering the importance of allocating the library’s limited resources in a useful manner. Such considerations as rising costs, the increase in published materials in print and online, the explosion of new technologies, and a perceived expanded need for a variety of information makes it imperative that the University choose wisely the materials that will adequately support the needs of the students, faculty, and staff of the University. This policy is in place in order to provide that direction for the librarians and faculty of the University who are responsible for choosing the materials that will meet the needs of students and faculty wherever they are located.

3.19.2 Mission

Walker Memorial Library provides the University community a wide variety of resources and services that support the teaching mission, help students become knowledgeable in the wider world of information, and encourage all in the pursuit of lifelong learning.

3.19.3 Collection Description

The development of the collection will include consideration of curriculum needs, research and information support, and areas of community and regional interest. There are generally accepted criteria that would apply to the selection of all library materials. These would include:

- a. Lasting value of the content
- b. Appropriateness of material to the University community
- c. Actual cost linked to the demand
- d. Lack of similar resources
- e. Language

Specific collection development guidelines include:

- a. Nonfiction Books – Emphasis is placed upon those publications that support the curriculum and research needs of the University.
- b. Fiction Books – Emphasis is given to literary works that support the curriculum. "Popular" fiction works are usually not purchased.

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- c. Textbooks – Higher education textbooks are not normally purchased except in the cases when that textbook has earned the reputation as a "classic" in the field, or is the best (or perhaps only) source of information on a particular topic. In the Curriculum Library the University will house the Pre-K – 12 state-adopted textbooks. Because the state is moving to electronic textbooks, the University has not been advised how this will affect the textbook collection.
- d. Print Journals - Purchasing journals considered core to a discipline that are not available in one of the full-text databases will be considered. Selected popular magazines, such as *People* or *Good Housekeeping* will be purchased for the Browsing Room and copies kept for two years.
- e. Music Scores – Scholarly editions of collections and other scores that will support the curriculum are preferred. Sheet music and music with separate parts should be purchased by the Music Department and housed in the Davidson Music Complex.
- f. Music Recordings – Emphasis is placed upon high performance standards and its support of the music curriculum.
- g. DVD's—Some curriculum materials are only available in this format, and will be purchased when it is most useful for the curriculum as a whole.
- h. Government Documents – Walker Memorial Library has been a government depository library since 1969. The items selected for this collection meet the same guidelines that govern the rest of the collection but must also take into consideration that the University is a depository for the Congressional District, and should collect those materials that would be of interest to the citizens of the district.

Because libraries have begun developing electronic collections in addition to the resources listed above, specific collection development guidelines relating to electronic resources have been developed. Specifically, those categories include databases (bibliographic and full text), eBooks, and online journals. The University gives priority to purchases of electronic resources that will benefit a large number of users. The University is a member of several consortia, which allow for broad purchasing power, but will occasionally limit choices.

- i. Databases – As members of TexShare, ALC, and other consortia, the University has a price advantage that lets the University provide access to more databases than would be possible if the University were to subscribe to them individually. At the present time the University subscribes to a core collection that is universally available to Texas libraries, and then adds other specific databases that will serve the University community.
- j. eBooks – Some of the online books are found within subscription databases, others are individual purchases. The eBooks are available on various platforms, and as the University continues to develop online book collections, more attention will be given to which platform is the most user-friendly and provides the best access. Some of these purchases are carried out jointly with the Abilene libraries and cooperation through committee participation is required.
- k. Online Journals – Occasionally some requested journals may not be available in database packages. When those titles are identified, the University subscribes to the online edition and adds that access to the online catalog. Even more rarely is the journal available only in print, and those titles will be evaluated for purchase.

3.19.4 General Guidelines

Faculty are encouraged to request library resources that will support students as they complete their research assignments. All book titles should be submitted to the Dean of Libraries for consideration. Few faculty requests are refused as long as there is budget available.

The collections are funded by the annual budget and are developed by the librarians and faculty in all curricular areas. The "collection" includes print books and journals, electronic books and journals, electronic databases,

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DVD's, and music CD's. The budget is divided so that those items that the University "owns" are purchased from specific budget lines, while those items to which the University "subscribes" are from other lines. On-going subscriptions are a major portion of the budget, and include journals and databases. All faculty may participate in developing the collection, but the final decision to purchase resides in the library. Print and electronic books and audio-visual materials are deducted from departmental allocations, but subscriptions are not considered departmental budget items.

a. Books - The University has moved to a new purchasing model since many of the books we need are available as eBooks. Therefore, the University uses a book budget line to include both print and electronic formats. When faculty identify book titles they would like the library to purchase, they also choose whether to have that title as an eBook if it is available electronically.

b. PDA and/or DDA - Another new model for purchasing eBooks has been introduced recently, called Patron Driven Acquisition or Demand Driven Acquisition. It works much like the old approval plans that libraries had used for reviewing a large number of books sent by vendors, and then choosing only those that fit into the library's policies. Vendors now supply a list of eBooks that become available to the University community through the online catalog and at a defined point of unique uses, that book is purchased. The University either receives an invoice for the eBook or the purchase price is deducted from a deposit account. In this way, only the books that are used (and presumably will continue to be used) are actually purchased. The Abilene Library Consortium is entering into a pilot project to discover how best to have a joint plan available for all students using this new model.

c. Journals – The use of print journals has fallen dramatically. With the availability of over 36,000 journal titles electronically, students use that option first. Only those titles that are not available in a database or with an online edition will be kept available in paper in the library. When there are important journals that are not available in the list of electronically available titles, those titles will be evaluated for purchase individually.

d. Databases – The library subscribes to most important subject databases as well as a large number of multi-disciplinary databases that support the programs of the University. In the cases when new or different databases become available, the purchase of a subscription to them is evaluated. Most of the databases are purchased consortially, and would not be available for deletion in favor of another database.

e. DVD's – The library purchases the titles on DVD that could be used across the curriculum. Titles that are for a specific class are typically considered a departmental purchase and would not be housed in the library.

f. CD's – Music CD's are not purchased as frequently as in the past. With the availability of an online database for listening assignments, it is no longer necessary for students to listen to individual CD titles found in the library. The University will continue to purchase important music CD's when titles are not available online.

3.19.5 Other Collections

Some of the materials housed in the library do not fall into the categories above, but are important to meeting the mission of the University. Many of these items are not attached to the annual budget beyond the expense of housing and maintaining the collections.

a. Government Documents – The University has been a selective depository for many years. The Coordinator in the documents area selects and deselects items annually and most of the selections relate specifically to the various programs. Many of the items are now received electronically and are accessed through the online catalog.

b. Curriculum Library – In order to support the School of Education, the University maintains a Curriculum Library that has the state-adopted PreK-12 textbooks, teaching aids, and children's literature. At this time the state of Texas is in flux about the provision of textbooks to the schools, and is now allocating a budget to the school districts that they can use to purchase print or electronic books at their discretion. Since it is in its first year, most school districts have done little with the money except to purchase laptops or tablets for the students. It is unclear what the

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library will receive, since the University previously received review copies of projected adopted textbooks from the Region XV Service Center. At this time, the University is maintaining the textbooks the University has received and are in a holding pattern about what to do about future textbooks. There is renewed interest in the state to primarily use electronic textbooks and it remains unclear whether the University would be provided the access codes to allow students to use these resources. The University purchases teaching aids for the Curriculum Library that contain practical classroom activities. Theoretically based education books are housed in the regular circulating collection. The University purchases award and honor winning children's literature, and most of the remaining collection of picture and juvenile books are received from the Heart of Texas Children's Literature Review Center.

c. Gifts – The University gratefully accepts gifts to the library if the gift will enhance the goals and objectives of the subject area for which they are given. The University has a gift receipt form and information for donors that can be found on the University's campus network.

3.19.6 Archives

The Abilene Library Consortium received a \$2.2 million grant from the Dodge Jones Foundation and the Dian Graves Owen Foundation to begin a Digital Archives that would serve Abilene Public Library and the four Universities that make up the library consortium. Over five years, each institution contributed a large number of paper collections that had been deteriorating. The University is now in the second phase of the West Texas Digital Archives with the addition of another \$2.5 million in grants. This is an ongoing project that will see all the important archives of the five institutions and some neighboring museums remaining available to the public for generations. Faculty are asked to alert librarians to items they believe should be permanently retained digitally.

3.19.7 Procedures

With faculty being the primary selectors of materials for the library, it is important to have procedures in place so that equitable distribution of the budget is maintained. Although librarians make the final determination regarding library materials selection, it is very important that faculty convey the material needed for students in their areas.

a. Books – Each department is encouraged to send most of their book requests regularly through the fall semester and in all cases must arrive in the library before the first of March. Items requested after this deadline will be ordered early in the following fiscal year. The Acquisitions Coordinator keeps track of each department's allocation, and will notify a department head when their budgeted amount has been spent.

b. Journals – The library has access to over 36,000 journal and newspaper titles in the various databases. This list of titles should be reviewed carefully before a journal subscription is submitted. Journal titles that are requested should be indexed in at least one of the databases, but not available in full text.

c. Databases – Suggestions for different databases may be submitted at any time and will also be reviewed for the possibility of inclusion with the current subscriptions. Since the cost for databases is very substantial, it is difficult to include additional titles to the list without deleting other databases. The University subscribes to many databases through consortia purchasing, and these would not be available for deletion.

d. Media – Audio-visual materials may be ordered and will be deducted from the department's allocation.

3.19.8 Withdrawal of Materials

Deselection of print library materials is an important process for maintaining a useful, academically appropriate collection. Any decision to withdraw an item should take into consideration the value of the item to future research and teaching. The University does not have a routine process of review for withdrawing items, but attention is drawn to certain items as they are either returned or questioned by faculty. Some of the criteria used in withdrawing materials include:

a. Content is outdated

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- b. Content has been superseded by a newer edition
- c. Item is damaged beyond repair
- d. Item has received little or no use
- e. The information can be accessed online

Currency of information can be especially important in some fields such as business, technology, or health sciences. Careful attention is given to these areas.

Deselection becomes more problematic as the University looks at the electronic resources. As the University adds purchased eBooks to the catalog, it becomes more difficult to find the items that should be withdrawn since the University does not handle the item. As a member of the Abilene Library Consortium, many eBooks are jointly purchased; consequently, the member's must all agree on withdrawing a title. The process of removing the record from the catalog is completed by the System Administrator in the ALC office. As more electronic products become available the policy for withdrawing electronic items will need careful review.

3.19. Policy Review

The collection development policy is regularly reviewed in order to assure that the collections continue to serve the needs of the Howard Payne community.

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SECTION 4.0 BUSINESS AND FINANCIAL MATTERS

4.1 Annual Operating Budget and Budgeted Expenditures

4.1.1 Annual Operating Budget

Each department head is responsible for operating within the department's annual budget.

The University maintains an annual operating budget approved by the Board of Trustees. The University may not budget a deficit without prior written consent from the Finance Committee of the Board of Trustees. The budget should be viewed as the University's operating plan expressed in dollars, as it is a systematic planning of the University's expenditures relative to the anticipated revenues for a given fiscal year. The University's fiscal year is June 1 through May 31.

Each year, the vice president for finance and administration issues guidelines to department heads for requesting funds for allocation from the upcoming fiscal year's budget. The department head shall complete and submit all required forms as instructed, including justification for the funding request, by the deadline for full consideration. The vice president for finance and administration will compile all departmental requests to be considered by the University's Administrative Council. Requested funds will be approved considering the adequacy of projected revenues, overall institutional priorities and strategic plans of the University.

The vice president for finance and administration shall work with the president and other vice presidents to prepare an annual operating budget that funds the highest priorities of the institution. Once approved by the Board of Trustees, the president, assisted by the vice president for finance and administration, shall have the responsibility of administering the overall operating budget for the fiscal year. After Board of Trustee approval, final budget allocations will be distributed to department heads for planning and use the next fiscal year.

4.1.2 Budgeted Expenditures - Control and Transfers

Department heads are responsible for budget control and continuous monitoring of their detailed budget activity to ensure that expenditures remain within the approved departmental budget. Current budget information is directly accessible by department heads through the University's campus network. By Board policy, all departmental expenditures exceeding the approved budgeted amounts are reported to the University's Board of Trustees.

Budget control is at the departmental level. Through their area vice president, department heads may request a transfer of funds between individual accounts by submitting a Budget Transfer Request Form for their consideration. Generally, transfers are not authorized between operating and personnel budget accounts. Questions regarding budget transactions should be directed to the controller or vice president for finance and administration.

4.2 Receipt of Funds, Banking and Invoicing

4.2.1 Daily Depositing of Funds

It is the policy of the University that all funds received must be deposited on a daily basis. The president has delegated full responsibility for the receiving, recording, and safekeeping of all funds to the Controller's Office. This responsibility includes any and all payments required of students or receipts for any activity or department. No one is authorized to accept any funds on behalf of the University except the president, the president's designees in the advancement office, and those persons designated as cashiers by the controller. University funds received by any other employee must be deposited at the Controller's Office the same day they are received.

4.2.2 Banking

No bank accounts of any type may be maintained or operated outside of the Controller's Office by any group or individual acting on behalf of the University in any capacity. No group may use the University name or initials on

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any bank account being maintained for purposes unrelated to the operation of the University or any of its recognized organizations.

Signatory authority on University bank accounts is granted to the president, vice president for finance and administration, and the controller.

All bank statements must be addressed to the vice president for finance and administration.

4.2.3 Invoicing

The Controller's Office is the only department authorized to invoice or "bill" any individual or entity on behalf of the University. If any activity results in an individual or entity needing to be invoiced by the University, the department should send billing information to the Controller's Office, as follows:

1. Nature and date of the activity
2. Billing address and person's name (if known)
3. Amount to be invoiced
4. The account number to be credited with this "sale."

The Controller's Office will credit the appropriate account, giving credit immediately for the transaction. The Controller's Office will then be responsible for actually collecting the outstanding invoice, making it unnecessary for departments to be involved in billing and collection efforts.

4.3 Purchasing and Procurement

Expenditures of University funds, regardless of funding source, shall be approved prior to funds being committed by authorized deans, the president, the vice president for finance and administration, or their administrative designees. The approval process shall consider the appropriateness and reasonableness of the expenditure. Current procedures for Purchasing and Accounts Payable are available on the computer network.

The University utilizes a system of approved Purchase Orders to purchase goods and services, regardless of the funding source. An approved Purchase Requisition is required in order for an official Purchase Order to be issued. The allocation of budget funds to a department is not an open approval to make purchases without a Purchase Order. A Purchase Order represents approval for the department to make the purchase and is a commitment to the vendor that the University will pay for purchased goods or services. Departments do not have the authority to bind the University for purchases prior to receiving a physical Purchase Order signed by the Business Office. Current purchasing procedures are available on the University's campus network.

In accordance with Board policies, competitive bids are required for large purchases. Departments must submit evidence of soliciting competitive bids with their Purchase Requisitions.

The Business Office will officially authorize the purchase and payment for all supplies, equipment and services needed by the University. Expenditures shall be approved within allocated budgeted funds and all employees must make purchases for their departments in accordance with the following policies.

4.3.1 Split Orders Prohibited

The Business Office is responsible for ensuring departments do not split purchases and process them at different times to avoid purchasing limits described in this policy. Splitting orders or invoices in order to avoid the purchasing limits described in these policies is prohibited and employees who split orders may face disciplinary action.

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4.3.2 Processing Time Allowed and Emergency Requests

The Business Office attempts to issue Purchase Orders within five working days of an approved Purchase Requisition being submitted to the Business Office. "Emergency" or "Rush" Purchase Orders will be issued only when specifically requested in writing by an officer of the University.

4.4 Credit Cards and Vendor Charge Accounts

4.4.1 University Credit Cards

Current procedures for the approval and issuance of University Credit Cards is available on the University's campus network.

4.4.2 Personal Credit Cards

Receiving personal gain by repeatedly charging University purchases to a personal credit card and earning vendor award points, frequent flyer miles, rebates, discounts or other forms of reward is prohibited. On rare occasions when a University credit card is not available and it is necessary to charge a University purchase to a personal credit card, the employee may incidentally receive some rebate or award points.

Employees should contact the Controller prior to using a personal credit card for University expenses. Charges to a personal credit card incurred without prior written authorization will not be reimbursed by the University.

4.4.3 Vendor Charge Accounts

The University maintains a database of approved vendor charge accounts. Employees seeking new vendor charge accounts must justify a need and request them through the Controller's Office. The Controller's Office is the only office authorized to create new accounts on behalf of the University.

Employees may not charge personal items on the University's vendor accounts, even if the intent is to reimburse the University at a later date. An exception is made for personal long-distance charges, which must be repaid to the Controller's Office immediately upon receipt of the itemized billing statement.

4.5 This section is blank on purpose.

4.6 Gift Expenditures

University funds may not be used to purchase individual gifts, gift certificates or gift cards. Employees wanting to acknowledge others on an individual basis must do so using their personal funds.

Within modest parameters and with prior written approval by the area vice president, departments may host group appreciation celebrations using University funds.

4.7 Membership Fees

Fees for University, school, or department memberships in professional organizations may be paid from University funds upon approval of the vice president for finance and administration. Individual memberships in professional organizations may be approved by the area vice president.

4.8 University Calendar and Facility Use

The University's master calendar, housed on the University's campus network, is maintained by the University Services office to ensure centralized and coordinated facilitation of University events and scheduling. Current policies for use of the University Calendar are available on the University's campus network.

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4.8.1 Facility Use for Outside Groups – Current *Reservation and Facilities Usage Policies, Rental Rates and the Reservation/Facilities Usage Contract* for Mims Auditorium, Grace Chapel, the Jackson Room and Newman Hall are posted on the University’s campus network.

4.9 Use of Mabee University Center

Current *Reservation and Facilities Usage Policies, Rental Rates and the Reservation/Facilities Contract for use of the Mabee University Center* are posted on the University’s campus network.

4.10 Camps

The Texas Education Code requires institutions offering “a campus program for minors” to provide and document training for employees and volunteers working with minors (age 18 or younger) in a camp operated by the University. The Texas Department of State Health Services (TDSHS) must approve the training program and such programs must deal with the warning signs of sexual abuse and child molestation. The purpose of the training is to help camp operators recognize the characteristics of abusers, molesters, and indicators a child might have been abused or molested. The mandate applies to any program “operated by or on the campus” of a public or private college or University providing “recreational, athletic, religious, or educational activities for at least 20 campers” who “attend or temporarily reside” on campus for “all or part of at least 4 days.”

The University may not employ or use a volunteer in a position involving contact with campers unless the potential employee or volunteer submits documents verifying the person has successfully completed a TDSHS approved training and examination program on sexual abuse and child molestation within the preceding two years or the person successfully completes such a program prior to working in any University operated camp.

All departments wishing to host camps, whether held on campus or off campus, must obtain prior, written approval from their area vice president during the annual budget development process before any promotional activities can begin.

At that same time, the department must identify and request all University facilities to be used and submit a projected financial plan of anticipated revenues and detailed expenditures for the proposed camp to the vice president for finance and administration. The University’s primary insurance carrier requires special procedures and separate insurance coverage to be purchased for camps, which must be funded with camp revenues. Camp insurance coverage must be secured in consultation with the senior e at least ninety (90) days prior to the beginning of the camp.

Receipt of funds, payment of invoices, and payments to all camp workers will be handled according to stated policies and operating procedures. Detailed procedures and forms to be used for camps are available on the University’s campus network.

4.11 Sponsorship of Clubs

The sponsor of a student organization must be a full-time employee of the University and must be approved by the dean of students. The sponsor shall attend all of the organization’s functions and must accompany the organization on out-of-town trips. No sponsor can serve more than one social fraternity or sorority at a time. The sponsor will be the liaison to the administration for all activities of the organization. The sponsor shall advise the members regarding proper and improper conduct.

The sponsor must inform the members that that neither the organization nor the sponsor may create financial obligations on the part of the University. The sponsor must sign all requisitions for purchases by the club, prior to sending the Purchase Requisition to the Business Office. Such organizations are not agents of the University and as such may not incur liability for the University.

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4.12 Travel on University Business

All University employees who drive a vehicle, including their personal vehicle, to conduct University business must be on the approved drivers list for the University. Approval to drive on behalf of the University is administered by the vice president for finance and administration.

Employees using their personal vehicle to conduct University business do so with their personal auto insurance being primary coverage in case of an accident involving their vehicle. The University's auto insurance policy provides secondary coverage in these situations. Employees are encouraged to use Enterprise Car Rental for University business to avoid wear and tear on personal vehicles and avoid having their personal insurance be primary in case of an accident.

The policies that follow apply to all expenses incurred by employees when traveling on University business. Failure to follow these policies may result in denial of expense reimbursement to the employee and/or disciplinary action, including termination of employment. Detailed procedures for these policies are available on the University's campus network.

4.13 Insurance Coverage

The University maintains insurance coverage to insure its facilities, physical assets and operations. Damages to University-owned property or vehicle accidents involving University employees conducting University business should be reported immediately to the vice president for finance and administration.

4.14 Building, Office and Equipment Keys

A written record of all building, office and equipment keys issued to employees is maintained by the University's Facilities Department. Building and office keys are issued upon prior written approval by the area dean or vice president. Employees who have been issued keys recorded under their name are not authorized to trade or transfer those keys to any other individual without prior written approval from the assistant vice president for facilities and planning or his designee. Individuals to whom University keys are issued assume personal responsibility for the unauthorized use of the keys. Employees who violate this policy are subject to discipline, up to and including termination of employment.

Keys may not be duplicated under any circumstances without prior written approval from the assistant vice president for facilities and planning or his designee.

If a University key is lost or stolen, the employee to whom it was issued must immediately report the loss of the key to the University Department of Public Safety or the assistant vice president for facilities and planning. The employee to whom the lost or stolen key was issued may be required to reimburse the University for the cost incurred to secure all facilities or equipment associated with the lost or stolen key.

Upon termination and as part of the employment checkout process, employees are responsible for returning all keys previously issued to them to the assistant vice president for facilities and planning or his designee. Keys may not be left with the departing employee's former supervisor. The employee's final pay will not be released until all keys are returned to the Physical Plant Department as part of the checkout process.

4.15 Computer Information and Telephone Systems

The University's Computer Information System (System) includes, but is not limited to, the following which are owned by the University: computers, printers, network hardware, cabling, computer passwords and accounts, E-mail accounts, all E-mail messages (sent and received on the System) including attachments and photos included in the messages, all electronic files, Internet access, web pages, social media accounts, software, video, telephone equipment, long distance service, and voice mail messages. Accounts to these Systems are provided to students and employees to support University programs. It is the responsibility of each student and employee to use the System in

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a professional and ethical manner, consistent with the overall policies of the University. Use of the System is a privilege and any misuse can result in a student or employee being denied access to the System. The same policies on conduct stated in the Student Handbook and Employee Policies and Procedures Manual apply to any use of the Information Systems. By connecting to the University network, all users agree to abide by the Information Systems Policies.

The University owns the System and the Information Technology Services issues all accounts, access codes, and numbers for the System. Student accounts are issued when students first enroll at the University. Employee accounts are issued only after an employee has completed the new employee Check-In process. Employee accounts for new faculty may be issued up to two weeks prior to the faculty member beginning to teach for the University, if the new faculty member has otherwise completed the employee Check-In process.

To protect University property and student's personally identifiable information, adjunct faculty will have their network systems access turned off and they must follow the University's Check-Out procedure to turn in their keys as they turn in their semester/term grades when they are not teaching or not expected to teach in the semester/term immediately following the one that just ended.

4.15.1 The System

The System may only be used for University programs and legitimate communications. No one may use any component of the System for commercial activities or personal use, except for reasonable routine communications. Employees who use the University's System to create or maintain personal information or messages have no right or legally protected expectation of privacy with respect to that information or message.

All computers which are connected to the University network, regardless of their owners, are subject to monitoring by Information Technology Services staff. The University reserves the right to monitor any computer activity a user performs while using the University's campus network.

All computers attached to the University network, regardless of who owns them, must have antivirus software with a current update subscription, and the computer name must identify the owner by containing their user name. Computers that do not comply will be removed from the network.

Employees are responsible for the proper use of any System account and password issued to them. If an employee gives someone else their password or access to their account, that employee is responsible for the other person's actions and is subject to disciplinary action up to and including termination of employment. The proper use of password protection to prevent unauthorized access to accounts is expected of all users.

4.15.2 Email

a. Official Use and University E-mail Accounts Required

The University's System should be used only for University business. Employees who use the University's System to create or maintain personal information or messages have no right or legally protected expectation of privacy with respect to that information or message. This is the case, even though the University provides password protected accounts and regardless of whether or not the University regularly monitors employee e-mail. E-mail is not private communication, because others may be able to read or access the message. The University reserves the right to inspect all files or messages at any time for any reason at its discretion. E-mails created using the University's System to create, send and or receive information through third-party Internet based providers are not confidential and may be monitored.

E-mail is an official communication means used by the University community. As such, all students and employees are required to access their University e-mail accounts for University business. The University expects recipients of University e-mail to retrieve and read the communication in a timely fashion. As an official communications tool, the

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University e-mail System should be used primarily to facilitate the academic and administrative needs of the University. Personal use is allowed but should be kept to a minimum.

b. E-mail User Names

Student addresses are standardized in the form of `firstname.lastname@hputx.edu`. The names used are the official first and last names of the student as registered and may not contain middle names or nicknames. Employee addresses utilize the first letter of the first name and the entire last name (e.g., jsmith@hputx.edu).

c. Oversight of the University E-mail System

The University's Information Technology Services department is responsible for the implementation, direction and supervision of the University e-mail System. Users are required to abide by all e-mail policies and procedures issued by the University and Information Technology Services. While the University strives to respect the privacy of individuals, the University e-mail System and communications transmitted through it are the property of the University. As such, the University reserves the right to monitor any and all communications and activity involving the University e-mail System.

d. Inappropriate E-mail Usage

As a Christian University, all users are expected to be responsible in their use of the e-mail System. The University e-mail System may not be used for illegal purposes, slander, harassment or offensive communications, profanity, vulgar or lewd materials, or transmittal of any materials, images or messages inconsistent with the University's Christian mission. The University e-mail System may not be used to solicit business or to conduct fundraising efforts unrelated to official University business.

Users should not advertise items for sale or rent or communicate information not applicable to the normal business of the University. For those purposes (also including soliciting support for or participation in organizations not affiliated with the University) employees must use the University Bulletin Board in Outlook and students must use the Student Bulletin Board in Blackboard. Misuse or abuse of the University e-mail System may result in disciplinary action. Illegal usage may result in criminal prosecution.

e. Expectations Regarding Regular Use of E-mail

Students and employees are expected to check their official University e-mail accounts on a frequent and consistent basis in order to stay current with University-related communications. Students and employees need to be aware that certain communications are time-critical. Failure to read and properly manage one's University e-mail account is not an acceptable excuse for not receiving official University communications via e-mail. Additionally, no one should share his University e-mail password with any other individual. Official e-mail addresses will be included in directory information unless a student requests otherwise.

f. Forwarding E-mail

If a student or employee forwards e-mail from their University e-mail address to another e-mail address (e.g., @verizon.net, @hotmail.com), they assume risks in doing so. The University is not responsible for the handling of e-mail by outside vendors. Forwarding e-mail does not absolve a student or employee from the responsibilities associated with retrieving and reading official communications sent to his or her University e-mail account. Instructions to forward e-mail to another address are located at <http://helpdesk.hputx.edu/>.

g. Deleting E-Mail Accounts

When student accounts expire, any files or messages associated with that account are deleted. Student accounts expire the last day of the semester in which the student either graduates or leaves school. Employee accounts expire

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the last day of employment. When employee accounts expire, any files or messages associated with that account are archived by the System Administrator as required by law.

h. Confidentiality

Some University information transmitted on the System is private and confidential. Each authorized user is responsible for maintaining the confidentiality of such information.

i. Prohibited Uses of System E-mail

a. the System e-mail may not be used for political campaigns or to raise funds for non-University organizations or functions.

b. the System e-mail may not be used to display antagonism toward the Christian faith, the University, or its personnel, or in a manner contrary to the University Mission Statement.

c. the System e-mail may not be used to send threatening, sexist, racist, obscene, pornographic, or harassing materials or messages and such material may not be accessed, sent from, or stored on the System.

4.15.3 Pornography on the System

The System may not be used to access, view, create, or transmit any pornographic images, videos, messages, or sounds. Violations of this policy may result in disciplinary action up to and including termination of employment and/or dismissal from classes. Violators of this policy may be subject to criminal prosecution if such usage is a violation of federal, state, or local law.

4.15.4 Damaging System Components

Damage to hardware or software, or disrupting the operation of any component of the System is prohibited and will result in disciplinary actions being taken against the person or persons causing the damage. This includes but is not limited to chain letters, mail bombs, and mass mailings from students without prior administrative approval, inappropriate or illegal peer to peer file sharing, and large audio/video downloads, viruses or other transmissions that degrade, damage, or disrupt the System.

4.15.5 Software Licenses Required

All computer software residing on any computer connected to the System must be installed in compliance with the licensing agreement accompanying the software. The user of a University owned computer is responsible for all software residing on that computer.

4.15.6 Unauthorized Use of Intellectual Property

Respect for the intellectual work and property of others is essential to the mission of academic institutions. As members of the academic community, the University values the free exchange of ideas. However, the University does not condone or permit the unauthorized copying of software, including programs, applications, operating Systems, databases, or anything else that is considered to be intellectual property. To copy software without the permission of its owner is a violation of the license agreement and a criminal offense.

Unless they are placed in public domain by their owners, software programs are protected by Section 117 of the 1976 Copyright Act. Educational institutions and their constituencies are not exempt from the law. It is illegal to duplicate, copy, or distribute software or its documentation, or anything else that is considered to be intellectual property, without the permission of the copyright owner.

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4.15.7 Limitations on Personal Use of the Internet

The Internet is available to all employees through the University's campus network for academic and business use. Personal use should be kept to a minimum. Normally, personal use should occur before or after work or during breaks or the lunch hour. Personal shopping, checking personal e-mail accounts and using Internet social networking sites and blogs for personal messages should not be done during normal office hours.

Each employee represents the University both on and off campus when they use the Internet for public postings, including things posted on their own time. Employees should use good judgment at all times regarding their public Internet postings and realize they are creating impressions for themselves and the University. Since use of the Internet enhances the educational process, it is a resource that should be utilized in agreement with and support of the mission statement of the University

Violations of these policies will be handled by the normal disciplinary procedures as outlined in these *Administrative Policies* and the *Student Handbook*. Some violations may result in penalties under the Texas Computer Crime Law (Texas Penal Code, Title 7, Chapter 33) or current federal laws that govern computer crime.

4.16 Personal Calls, Cell Phones and Prohibited Use of Electronic Devices While Driving

Personal telephone calls using the System or personal cell phones should be kept to a minimum during normal office hours in order for University business to be conducted as effectively as possible. Excessive use of the System or personal cell phones for personal business are subject to discipline, up to and including termination of employment.

All employees are prohibited from using cell phones and/or tablets (iPads, etc.) to communicate (including texting) while driving any vehicle while on University business. The only exception to this policy is the use of "hands free" equipment while communicating. Employees driving on University business who receive any traffic citation or are involved in an accident in violation of this policy are personally liable for all costs associated with the citation or accident and are subject to discipline, up to and including termination of employment.

4.17 Authority to Sign Contracts

The authority to sign University contracts has been delegated by the Board of Trustees to the president, vice president for finance and administration or provost. No other employee may sign contracts on behalf of the University.

Official copies of University contracts are maintained in the office of the vice president for finance and administration.

4.18 Records Retention and Disposal – The Record Retention and Disposal schedule is available on the University's campus network.

4.19 Identity Theft Prevention Program

4.19.1 Background

The risk to the University, its employees and constituents from data loss and identity theft is of significant concern to the University and can be reduced only through the combined efforts of every employee and contractor. The University's officers are responsible for ensuring this policy is implemented and followed by employees in departments under their supervision.

4.19.2 Purpose

The University adopts this confidential information policy to help protect employees, constituents, contractors and the University from damages related to the loss or misuse of confidential information. Violation of this policy may result in disciplinary sanctions up to and including termination.

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4.19.3 Scope

This policy and protection program applies to employees, contractors, consultants, temporary workers, and other workers at the University, including all personnel affiliated with third parties.

4.19.4 Confidential Information

University personnel are encouraged to use common sense judgment in securing confidential information to the proper extent possible. This section should be read in conjunction with Texas state law and the University's policies. An employee who is uncertain of the confidentiality of a particular piece of information, should contact the assistant vice president for business and human resources, their vice president or the president. Confidential information includes the following items whether stored in electronic or printed format:

- a. Credit card information, including card number (in part or whole), card expiration date, cardholder name, cardholder address.
- b. Tax identification numbers, including Social Security number, business identification number, employer identification numbers, and student identification numbers.
- c. Payroll information, including payroll identification numbers, passwords, paychecks, pay stubs and cafeteria plan check requests and associated paperwork.
- d. Medical information for any employee, student or constituent, including physician names, insurance claims, prescriptions, any related personal medical information.
- e. Other personal information belonging to any employee, student, constituent or contractor, including date of birth, address, telephone numbers, maiden name, names (including family members).

4.19.5 Securing Data

- a. If you have authorized or inadvertent access to sensitive or confidential data, you must observe all related University policies and procedures (see the Information Technology Services Policies and Procedures link on the University's campus network).
- b. Any handling of confidential data, whether in hard-copy form, on University owned equipment, or via personally owned devices, should be done in the most secure, confidential manner. In the event of unauthorized access to University data, whether through theft or loss of portable devices such as USB drives, laptops, smart phones or other devices, or any other kind of breach of security, the individual is responsible for immediately notifying the assistant vice president for business and human resources and the director of information technology services of a potential data breach, and assisting with the University's data breach response see the Information Technology Services Policies and Procedures link on the University's campus network.
- c. Sensitive data should not be stored on laptop computers, flash drives, smart phones, or other devices that are easily lost or stolen. If it is absolutely necessary to store sensitive or confidential information on such a device, the information must be encrypted to protect it from view by unauthorized parties. It also is essential to provide adequate physical security for any device, including a desktop machine that contains sensitive data.
- d. Any and all devices that provide access to University sensitive information must be protected with a strong password.
- e. The advent of storage services in the "cloud" provides a tempting alternative for those who use portable

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network devices or have computers stationary in several locations. However, the security of such services is not yet determined. Until the University can recommend a particular service, storing confidential or sensitive University information in such a “cloud” service poses serious risks and is a violation of policy.

4.19.6 Hard Copy Distribution

Each employee, student and contractor performing work for the University must comply with the following:

- a. File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with confidential information will be locked when not in use.
- b. Storage rooms containing documents with confidential information and record retention areas will be locked at the end of each workday or when unsupervised.
- c. Desks, workstations, work areas, printers and fax machines, and common shared work areas will be cleared of all documents containing confidential information when not in use.
- d. Whiteboards, dry-erase boards, writing tablets, etc. in common shared work areas will be erased, removed when not in use.
- e. When documents containing confidential information are discarded they will be shredded immediately using a mechanical cross cut or Department of Defense (DOD)-approved shredding device. University records, however, may only be destroyed in accordance with the University’s records retention policy.

4.19.7 Electronic Copy Distribution

Each employee, student and contractor performing work for the University must comply with the following policies:

- a. Internally, confidential information may be transmitted using approved University e-mail. All confidential information **must be password protected** when stored in an electronic format.
- b. Any **confidential information sent externally must be encrypted and password protected and only to approved recipients**. Additionally, a confidentiality statement similar to the following should be included in the e-mail:

“This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.”

4.19.8 Accounts Covered by Federal Legislation –Payment Plans

Since the University maintains certain accounts pursuant to federal legislation, the University may include the additional program details. A covered account includes any account that involves or is designed to permit multiple payments or transactions. Every new and existing constituent account that meets the following criteria is covered by this policy:

- a. Business, personal and household accounts for which there is a reasonably foreseeable risk of identity theft; or
- b. Business, personal and household accounts for which there is a reasonably foreseeable risk to the safety or soundness of the University from identity theft, including financial, operational, compliance, reputation, or litigation risks.

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4.19.9 Red Flags

The following red flags are potential indicators of fraud. Any time a red flag, or a situation closely resembling a red flag, is apparent, it should be investigated for verification.

- a. Alerts, notifications or warnings from a consumer reporting agency;
- b. A fraud or active duty alert included with a consumer report;
- c. A notice of credit freeze from a consumer reporting agency in response to a request for a consumer report; or
- d. A notice of address discrepancy from a consumer reporting agency as defined in § 334.82(b) of the Fairness and Accuracy in Credit Transactions Act.

4.19.9.1. Red flags also include consumer reports that indicate a pattern of activity inconsistent with the history and usual pattern of activity of an employee, student or constituent, such as:

- (a) A recent and significant increase in the volume of inquiries;
- (b) An unusual number of recently established credit relationships;
- (c) A material change in the use of credit, especially with respect to recently established credit relationships; or
- (d) An account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor.

4.19.10 Suspicious Documents

- a. Documents provided for identification that appear to have been altered or forged.
- b. The photograph or physical description on the identification is not consistent with the appearance of the applicant or constituent presenting the identification.
- c. Other information on the identification is not consistent with information provided by the person opening a new covered account or constituent presenting the identification.
- d. Other information on the identification is not consistent with readily accessible information that is on file with the University, such as a signature card or a recent check.
- e. An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.

4.19.11 Suspicious Personal Identifying Information

Personal identifying information provided is inconsistent when compared against external information sources used by the University. For example:

- a. The address does not match any address in the consumer report.
- b. The Social Security number (SSN) has not been issued or is listed on the Social Security Administration's Death Master File; or

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c. Personal identifying information provided by the constituent is not consistent with other personal identifying information provided by the constituent. For example, there is a lack of correlation between the SSN range and date of birth.

d. Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the University. For example, the address on an application is the same as the address provided on a fraudulent application.

e. Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the University, such as:

1. An address on an application being fictitious, a mail drop, or a prison; or the phone number is invalid or is associated with a pager or answering service.

2. The SSN provided is the same as that submitted by other persons opening an account or other constituents.

3. The address or telephone number provided is the same as or similar to the address or telephone number submitted by an unusually large number of other constituents or other persons opening accounts.

4. The constituent or the person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.

5. Personal identifying information provided is not consistent with personal identifying information that is on file with the University.

6. When using security questions (mother's maiden name, pet's name, etc.), the person opening the covered account or the constituent cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.

7. Unusual use of, or suspicious activity related to, the covered account.

8. Shortly following the notice of a change of address for a covered account, the University receives a request for new, additional, or replacement goods or services, or for the addition of authorized users on the account.

9. A new revolving credit account is used in a manner commonly associated with known patterns of fraud patterns. For example, the constituent fails to make the first payment or makes an initial payment but no subsequent payments.

10. A covered account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:

(a) Nonpayment when there is no history of late or missed payments.

(b) A material change in purchasing or usage patterns.

(c) A covered account that has been inactive for a reasonably lengthy period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors).

(d) Mail sent to the constituent is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the constituent's covered account.

(e) The University is notified that the constituent is not receiving paper account statements.

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(f) The University is notified of unauthorized charges or transactions in connection with a constituent's covered account.

(g) The University receives notice from constituents, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts held by the University.

The University is notified by a constituent, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

4.19.12 Responding to Red Flags

a. Once potentially fraudulent activity is detected, an employee must act quickly as a rapid appropriate response can protect constituents and the University from damages and loss.

b. Once potentially fraudulent activity is detected, employees should gather all related documentation, write a description of the situation, and present this information to their vice president for determination.

c. The vice president will complete additional authentication to determine whether the attempted transaction was fraudulent or authentic.

d. If a transaction is determined to be fraudulent, appropriate actions must be taken immediately. Actions may include:

1. Canceling the transaction.
2. Notifying and cooperating with appropriate law enforcement,
3. Determining the extent of liability of the University; and
4. Notifying the actual constituent that fraud has been attempted.

4.19.13 Periodic Updates to Identity Theft Program

At periodic intervals established in the program, or as required, the program will be re-evaluated to determine whether all aspects of the program are up to date and applicable in the current business environment. Periodic reviews will include an assessment of which accounts are covered by the program. As part of the review, red flags may be revised, replaced or eliminated. Defining new red flags may also be appropriate. Actions to take in the event that fraudulent activity is discovered may also require revision to reduce damage to the University and its constituents.

4.19.14 Program Administration - Involvement of University Management

a. The Identity Theft Prevention Program shall not be operated as an extension to existing fraud prevention programs, and its importance warrants the highest level of attention.

b. The Identity Theft Prevention Program is the responsibility of the Board of Trustees. Approval of the initial plan must be appropriately documented and maintained by the Board of Trustees.

c. Operational responsibility of the program is delegated to the president, who may delegate daily responsibility to a University officer or assistant vice president for business and human resources.

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4.19.15 Employee Training

Training shall be conducted for all employees, officials and contractors for whom it is reasonably foreseeable that they may come into contact with accounts or personally identifiable information that may constitute a risk to the University or its constituents.

The president is responsible for ensuring identity theft training has been provided for all requisite employees and contractors.

Employees must receive annual training in all elements of this policy. To ensure maximum effectiveness, employees may continue to receive additional training as changes to the program are made.

4.19.16 Oversight of Service Provider Arrangements

It is the responsibility of the University to ensure that the activities of all service providers are conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft. A service provider that maintains its own identity theft prevention program, consistent with the guidance of the red flag rules and validated by appropriate due diligence, may be considered to be meeting these requirements. Any specific requirements should be specifically addressed in the appropriate contract arrangements.

4.20 Information Security Plan

4.20.1 Purpose

The Information Security Plan (Plan) describes safeguards implemented by the University to protect covered data and information in compliance with the Federal Trade Commission's Safeguards Rule announced under the Gramm Leach Bliley Act (GLBA). These safeguards are provided to:

1. Ensure the security and confidentiality of covered data and information
2. Protect against anticipated threats or hazards to the security or integrity of such information
3. Protect against unauthorized access to or use of covered data and information that could result in substantial harm or inconvenience to any customer including employees, students, alumni, and donors

Violation of this policy may result in disciplinary sanctions up to and including termination.

4.20.2 Scope

This Plan covers all paper and electronic data stored, produced, collected, transmitted or used by the University, its employees, student workers, consultants or agents while conducting University business.

4.20.3 Review

This Plan will be reviewed in January each year by the assistant vice president for IT who will recommend any necessary revisions.

4.20.4 Reason for Policy

This Plan identifies mechanisms to:

1. Identify and assess the risks that may threaten covered data and information maintained by the University

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2. Develop written policies and procedures to manage and control these risks
3. Implement and review the Plan
4. Adjust the Plan to reflect changes in technology, the sensitivity of covered data and information and internal or external threats to information security

4.20.5 Policy Statement

The GLBA mandates that the University appoint an Information Security Program Coordinator, conduct a risk assessment of likely security and privacy risks, implement a training program for all employees who have access to covered data and information, oversee service providers and contracts, and evaluate and adjust the Plan periodically.

4.20.6 Information Security Program Coordinator(s)

The assistant vice president for information technology and chief information officer (CIO) has been appointed as the Security Program Coordinator (Coordinator) of this Plan at the University. This position is responsible for assessing the risks associated with unauthorized transfers of covered data and information, and implementing procedures to minimize those risks to the University. Internal audit personnel will also conduct reviews of areas that have access to covered data and information to assess the internal control structure put in place by the administration and to verify that all departments comply with the requirements of the security policies and practices delineated in this Plan.

4.20.7 Identification and Assessment of Risks to Customer Information

The University recognizes that it is exposed to both internal and external risks, including but not limited to:

1. Unauthorized access of covered data and information by someone other than the owner of the covered data and information
2. Compromised system security as a result of system access by an unauthorized person
3. Interception of data during transmission
4. Loss of data integrity
5. Physical loss of data in a disaster
6. Errors introduced into the system
7. Corruption of data or systems
8. Unauthorized access of covered data and information by employees
9. Unauthorized requests for covered data and information
10. Unauthorized access through hardcopy files or reports
11. Unauthorized transfer of covered data and information through third parties

Recognizing that this may not represent a complete list of the risks associated with the protection of covered data and information, and that new risks are created regularly, the Information Technology Services department will actively participate and monitor appropriate advisory groups such as the EDUCAUSE Security University, REN-ISAC, the Internet2 Security Working Group, the SANS Top Twenty risks list, and the National University of Standards and Technology (NIST) Computer Security Resource Center for identification of risks.

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Current safeguards implemented, monitored, and maintained by the Information Technology Services department are reasonable, and in light of current risk assessments are sufficient to provide security and confidentiality to covered data and information maintained by the University. Additionally, these safeguards reasonably protect against currently anticipated threats or hazards to the integrity of such information.

4.20.8 Employee Management and Training

References and/or background checks (as appropriate, depending on position) of new employees working in areas that regularly work with covered data and information are performed by the Human Resources department before employment. During employee orientation, each new employee in these departments receives proper training on the importance of confidentiality of student records, student financial information, and all other covered data and information. Each new employee is also trained in the proper use of computer information and passwords through cybersecurity awareness training. Training includes controls and procedures to prevent employees from providing confidential information to an unauthorized individual, as well as how to properly dispose of documents that contain covered data and information. These training efforts should help minimize risk and safeguard covered data and information.

4.20.9 Physical Security

The University has addressed the physical security of covered data and information by limiting access to only those employees who have a legitimate business reason to handle such information. For example, financial aid applications, income and credit histories, accounts, balances and transactional information are available only to the University employees with an appropriate business need for such information. Furthermore, each department responsible for maintaining covered data and information is instructed to take steps to protect the information from destruction, loss or damage due to environmental hazards, such as fire and water damage or technical failures.

4.20.10 Information Systems

Access to covered data and information via the University's computer information systems are limited to those employees (faculty and staff) who have a legitimate business reason to access such information. The University has policies and procedures in place to complement the physical and technical safeguards in order to provide security to the University's information systems. These policies and procedures are published and available to employees on the University's campus network.

Social security numbers are considered protected information under both GLBA and the Family Educational Rights and Privacy Act (FERPA). As such, the University has discontinued the use of social security numbers as student identifiers in favor of a randomly generated University ID number. By necessity, student social security numbers will remain in the student information system; however, access to social security numbers is granted only in cases where there is an approved, documented business need.

4.20.11 Management of System Failures

The Information Technology Services department has developed written plans and procedures to address response in the case of a disaster including both short and long-term outage situations that impact the University data center. An Incident Response Plan has also been developed to outline procedures to detect any actual or attempted attacks on the University systems and for responding to an actual or attempted unauthorized access to covered data and information.

4.20.12 Oversight of Service Providers

GLBA requires the University to take reasonable steps to select and retain service providers who maintain appropriate safeguards for covered data and information. This Plan will ensure that such steps are taken by contractually requiring service providers to implement and maintain such safeguards. The Coordinator will identify service providers who have or will have access to covered data and will work with other offices as appropriate as

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well as the University's legal counsel, to ensure that service provider contracts contain appropriate terms to protect the security of covered data.

4.20.13 Continuing Evaluation and Adjustment

This Plan will be subject to annual review and adjustment. Continued administration of the development, implementation, and maintenance of the program will be the responsibility of the designated Coordinator, who will assign specific responsibility for technical (IT), logical, physical, and administrative safeguards implementation and administration as appropriate. The Coordinator, in consultation with the Administrative Council and legal counsel, will review the standards set forth in this program and recommend updates and revisions as necessary; it may be necessary to adjust the program to reflect changes in technology, the sensitivity of student/customer data, and/or internal or external threats to information security.

4.20.14 Policy Terms

Covered data and information, for the purpose of this Plan includes student financial information (defined below) that is protected under the GLBA. In addition to this coverage, which is required under federal law, the University chooses as a matter of policy to also include in this definition any and all data deemed as protected data via the IT Services Data Classification policy posted on the University's campus network. This includes student records, credit card information, and checking/banking account information received in the course of business by the University, whether or not such information is covered by GLBA. Covered data and information includes both paper and electronic records.

Customers, for the purpose of this program includes employees, students, alumni, and donors as well as any other individuals from whom the University may obtain and store covered data and information.

Student financial information, is that information that the University has obtained from any student or customer in the process of offering a financial product or service, or such information provided to the University by another financial institution. Offering a financial product or service includes offering student loans to students, receiving income tax information from a student's parent when offering a financial aid package, and other miscellaneous financial services. Examples of student financial information include addresses, phone numbers, bank and credit card account numbers, income and credit histories and Social Security numbers, in both paper and electronic format.

4.20.15 Related Policies, Standards, and Guidelines

The University has adopted comprehensive policies, standards, and guidelines relating to information security, which are incorporated by reference into this Plan. These policies can be found elsewhere in these policies and as a part of the IT Services operating policies and procedures published to the campus community via the University's campus network.

4.21 Sale of University Property

No University property may be sold to any current or former employee unless it is at a public auction or a result of the University accepting sealed bids after making employees aware the property is for sale.

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SECTION 5.0 STUDENT RIGHTS AND RESPONSIBILITIES

5.1 Student Records – Confidentiality, Access, and Retention

Records of current and former students are confidential and may not be reviewed, copied, or distributed except in strict compliance with this policy. This policy is based on the federal Family Educational Rights and Privacy Act (FERPA). All must comply with this policy.

It also applies to all paper records, electronically stored information, photographs, video or film, and audio recordings. This policy applies to all records containing personally identifiable information about one or more students, including but not limited to the following:

- a. Academic records
- b. Disciplinary records
- c. Health records
- d. Testing records
- e. Counseling records
- f. Administrative records
- g. Financial aid records
- h. Immigration records

5.1.1 Restrictions on Right of Access to Student Records

5.1.1.a. Student access: Under FERPA, a student is permitted to inspect and review his or her own educational records. Requests shall be made in writing and shall be submitted to the Registrar's Office, dean, or department head. The request shall be honored as soon as practical, but not later than 45 days of the date of the request.

5.1.1.b. Employee Access: Employees, officials, and agents may not view student records out of personal interest. Employees, officials, and agents of the University are permitted to access student records, *without consent of the student*, only if they have a legitimate educational purpose. Legitimate educational purpose means that the individual needs to review an education record to fulfill a professional responsibility. Employees and agents of the University who may have a legitimate need to view student records include the following: the president, vice presidents, members of the faculty, academic administrators, registrar and staff, counselors and other student services personnel, human resources personnel, medical or health personnel, students serving on official committees, individuals or companies with whom the University has contracted (*e.g.*, consultants, attorneys, technology provider, insurer), University security, members of the Board of Trustees, and those secretaries and support staff who assist any of these individuals in the performance of their duties.

5.1.1.c. Access by Third Parties: The general rule is that student information may not be shared with any third party without written consent of the student. For this reason, telephone requests for information may not be honored because of the difficulty in verifying the inquirer's identity.

5.1.1.d. Access by Parents: The general rule is that parents may not have access to student records unless the student has given written consent to the disclosure or unless the parent establishes that the student is claimed as a dependent on the parent's federal income tax return as defined in Section 152 of the Internal Revenue Code. If a student is under the age of 21, the University may give a student's parents information concerning the student's violation of drug or alcohol rules.

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5.1.2 Release to Third Parties Without Consent of the Student

Student information may be released without consent of the student in very limited circumstances. The following disclosures are permissible without consent of the student:

- a. Accrediting agencies
- b. Officials of other schools in which the student seeks or intends to enroll
- c. Individuals needing the information in connection with a student's application for or receipt of financial aid
- d. State or local officials to which educational data must be reported
- e. Individuals complying with a judicial order or valid subpoena; however, the institution must make a reasonable effort to notify the student in advance of compliance
- f. Representatives of the Comptroller General of the United States, U.S. Department of Education, or state education authorities
- g. Persons, including law enforcement personnel, in an emergency situation where the information is needed to protect the health or safety of the student or other person

Student victims of a sexual offense may also be informed of any disciplinary action taken against a student offender. A complete list of the exceptions shall be available in the Registrar's Office. Information released without consent of the student shall be marked or stamped "confidential," and the recipient shall be notified that re-disclosure is prohibited. A log of requests for a student's records shall be maintained in the student's file.

5.1.3 Disclosure of Directory Information

Directory information may be released without written consent of the student. Directory information at the University includes: student's name, addresses, telephone numbers, campus e-mail address, date and place of birth, major field of study, dates of attendance, enrollment status, degrees and awards, other school/s attended, participation in officially recognized activities and sports, weight and height of athletes, and yearbook and other photos.

All students have the right to limit or restrict the release of directory information. However, the student must affirmatively make this election in writing. This election must be made in writing each semester of attendance and must be done within the 12th class day of the beginning of each fall and spring semester and within the fourth class day in the summer. The University shall inform students at least annually, through catalogs or handbooks, of their right to elect non-disclosure of directory information.

5.1.4 Disputes Regarding the Accuracy of Information in a Student Record

5.1.4.a. Request for Correction

Under FERPA, if a student believes that information in his or her educational records is inaccurate or misleading or otherwise violates the student's privacy, a request for correction may be given in writing to the custodian of the record or other school official who is responsible for the record. If the correction is not made within a reasonable length of time (a maximum of 30 school days), the student may request a hearing. The hearing officer shall be an administrator who does not have a direct interest in the outcome of the hearing. A hearing under this provision may be used to challenge the accuracy of the recording of a grade but not the merits of a grade.

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5.1.4.b. Hearing

A hearing must be held within a reasonable length of time (a maximum of 30 school days) after the request has been made. The hearing officer shall provide the student and the custodian of the record reasonable notice of the date, time, and place of the hearing. In advance of the hearing, the custodian of the record shall prepare a packet containing copies of the contested records and any other relevant records or documents, including any applicable policies and procedures. The custodian of the record shall prepare a memorandum summarizing the reasons why the faculty member believes that the challenged record is not inaccurate or misleading or otherwise a violation of the student's privacy. The custodian shall provide the packet and memorandum to the student and hearing officer at least one school day prior to the hearing. The student shall have a full and fair opportunity to present his or her own evidence related to the accuracy of the record. The student, at his or her own expense, may be represented by counsel or any other individual.

The hearing officer shall prepare a written ruling within a reasonable time after the hearing (a maximum of 30 school days). The ruling must be based solely on the evidence presented at the hearing. The ruling must include a summary of the evidence and the reasons for the ruling.

If the hearing officer concludes that no correction to the record is warranted, the eligible student is to be notified and informed of the right to place in the record a statement either commenting on or setting forth a reason for disagreeing with the school's decision.

If the eligible student has a legitimate complaint following a hearing, it may be filed with the Family Educational Rights and Privacy Act Office, U.S. Department of Education, in Dallas, Texas.

5.1.4.c. Retention and Disposal of Student Records

The University shall prepare and maintain a records retention schedule that identifies how long each type of student record shall be maintained. The Record Retention and Disposal Schedule shall be based on recommendations published by the American Association of Collegiate Registrars and Admissions Officers (AACRAO) and shall conform to any applicable local, state, and federal requirements. The University shall consider the administrative, fiscal, legal and historical/research value of each type of record.

The Record Retention and Disposal Schedule shall be posted on the University's campus network (under the University Information\Academics\Record Retention and Disposal Schedule).

The disposal of all University records will be subject to the approval of the appropriate vice president over the records in question. A Manifest of Disposal form will be completed by each department/office and submitted to the appropriate vice president prior to the disposal of any University records.

5.2 Prohibition of Harassment and Discrimination

The current Student Handbook contains the policy Prohibiting Harassment and Discrimination involving students of the University.

5.3 Student Conduct

The University is a Christian institution; therefore, each student is expected to conduct him or herself in accordance with Christian values both on and off the campus. If a student conducts himself in a way that would reflect negatively upon the purposes and values of the institution, the student is subject to discipline. Depending on the gravity of the misconduct, the consequences may range from guidance and counseling to suspension and expulsion. The dean of students is charged with the responsibility of enforcing all regulations related to student conduct.

The *Howard Payne University Student Handbook* sets forth specific policies regarding student conduct. Students must comply with policies in the *Student Handbook*.

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These policies supersedes all other previous Administrative Policies

Certain academic programs may have additional rules of conduct pertaining to students enrolled in those programs. Any such rules must be printed and distributed to the students enrolled in that program during the first week of the semester.

5.3.1 Discipline Procedures

Students may not be disciplined except in accordance with the procedures outlined in *Howard Payne University Student Handbook*. All students accused of misconduct shall be given an opportunity to be heard in their own defense before imposition of sanctions. The Office of Student Life shall coordinate all disciplinary hearings and appeals as indicated in the *Student Handbook*.

Student disciplinary matters are confidential. Employees shall not discuss student disciplinary matters with other employees unless those employees have a legitimate need to know the information.

All employees are charged with being familiar with the policies in the *Student Handbook* and ensuring that students are not disciplined in a manner that violates the handbook or these policies.

5.3.2 Suspension and Expulsion

Students who engage in misconduct are subject to suspension or expulsion. Individual employees do not have the authority to suspend or expel a student; a recommendation must be made through appropriate channels as specified in the *Student Handbook*.

Suspension is removal from the University environment for a designated period of time, usually one or two semesters, although the period may be longer depending on the circumstances. A student who is suspended from the University may not attend classes, University events or organizational meetings, may not visit the campus, and may not reside in University housing. A student who has successfully served his/her suspension period may apply for re-admission through the regular University re-admission procedures.

Students who engage in serious misconduct or persistent misconduct may be expelled. A student who is expelled is not eligible for re-admission to the University.

A student who is suspended or expelled during a semester is not entitled to a refund of tuition for that semester. A student who is suspended or expelled is entitled on a *pro rata* basis to a refund of monies paid for a meal plan.

5.4 Financial Aid and Academic Suspension

Each financial aid recipient must maintain satisfactory progress. The satisfactory progress requirements for financial aid recipients are stated in the University *Catalog*. A student who is not maintaining satisfactory progress will be suspended from the federal and state programs of financial aid until such time as he/she earns sufficient hours/cumulative grade point average to meet the criteria for satisfactory progress.

If a student is placed on academic suspension, the student is also suspended from federal and state programs of financial aid.

A student may request that his/her academic records and any extenuating circumstances be reviewed. Extenuating circumstances may include, but are not limited to, the following reasons: working full-time; illness of student or family member; separation or divorce; involved in an accident or natural disaster; death in immediate family; personal problems that affected attendance and/or grades; change of major or have declared double majors. All appeals must be presented according to the Student Appeals Process described in the Financial Aid and Academic Suspension policy. The Appeals Committee will make determinations on appeals presented in writing. The Appeals Committee consists of the director of financial aid, registrar, dean of advising and general education, and a representative from the Collegium.

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5.4.1 Student Appeals Process

Students may appeal decisions related to academic suspension, financial aid suspension, unsatisfactory academic progress, and other academic matters such as grades by submitting an appeal form to the Registrar's Office or the Financial Aid Office (forms available in both offices). Appeals must include a detailed description of the extenuating circumstances that occurred during the semester in which the student failed to meet stated requirements. Extenuating circumstances may include, but are not limited to, the following reasons: working full-time; illness of student or family member; separation or divorce; involved in an accident or natural disaster; death in immediate family; personal problems that affected attendance and/or grades; change of major or have declared double majors.

The appeal must also include all necessary documentation to support the existence of the circumstances described and evidence that the circumstances have been resolved or that a plan is in place to resolve the circumstances. Students seeking to re-establish eligibility will remain ineligible until the appeal process is complete and a decision is reached.

5.4.2 Required Documentation/Appeal Checklist

If all required documentation is not submitted, the appeal will not be reviewed. Students are not allowed to attend class while their appeals are pending.

Due to the amount of time involved in preparing an appeal, students cannot expect to begin gathering the required supporting documentation on the final submission date and still have their appeal reviewed.

Required documentation includes:

- a. Appeal Form with detailed information submitted by the student. The student must clearly state on the appeal form the extenuating circumstance(s) contributing to the academic situation. Documentation of the circumstances and a description of what has changed to allow the student to make satisfactory progress must be provided.
- b. Student requested letter from the student's advisor which can provide insight about the student's academic performance and the advisor's recommendation about approving or denying the appeal and why. The letter from the advisor is to be submitted directly to the Appeals Committee. The letter may be in the form of an email directed to the Director of Student Aid or the Registrar. If the student's advisor fails to submit the requested letter, the appeal will still be reviewed; however, the student must have requested the letter. In addition to the advisor's letter, students have the option of asking another faculty member or staff member to write a letter to the Committee in support of the appeal.
- c. The Appeals Committee will review all appeals submitted on an individual basis. The student will be notified in writing of the committee decision. If the appeal is approved, the student will receive a letter that outlines the conditions of the appeal.

The letter will specify one of the following conditions: the student will be able to meet the satisfactory progress requirements by the end of the next semester; or, the student will be placed on an academic plan that will ensure that the student will be able to meet the satisfactory progress requirements by a specific point in time. The student's progress will be evaluated at the end of the next semester to ensure that the student is meeting the conditions of the academic plan.

- d. Academic Plan: In the event that an appeal is granted and the student is placed on probation under an Academic Plan, the student will work with an advisor in the Collegium. The advisor will monitor and counsel the student while the Academic Plan is in effect. The student's academic records will be reviewed by the advisor in consultation with the Registrar's Office to determine classes that must be repeated and the length of the plan. All students on an academic plan who have attempted more than 30 credit hours will be required to file a degree audit.

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The Academic Plan will be reviewed at the end of each payment period during which the student is on probation. If the student is placed on Academic Suspension at any point during which the student is participating in an Academic Plan, the plan will be discontinued. If the student is removed from Academic Suspension by appeal or otherwise, the resumption of the Academic Plan will be reviewed.

Readmission Under an Academic Plan: If a student is re-admitted to the University after a period of Academic and/or Financial Aid Suspension, the student will be placed on an Academic Plan under the supervision of an advisor in the Collegium. The Academic Plan will be designed to allow the student to regain good academic standing and meet Satisfactory Progress requirements. The advisor will monitor and counsel the student while the Academic Plan is in effect. The student's academic records will be reviewed by the advisor in consultation with the Registrar's Office to determine classes that must be repeated and the length of the plan.

If the Appeal is Not Approved: A letter will be sent to the student. The student will need to consult with the Registrar's Office concerning any courses that will need to be repeated and/or transferred from another school.

The decision of the Appeals Committee is final and may not be appealed.

Grade Appeal Policy - If a student believes a grade has been incorrectly or unfairly assigned, the student has the right to question the faculty member regarding the issue. Grade appeals have two levels, Informal Grade Appeal and Formal Grade Appeal, and should be followed in order. Detailed information regarding each level is found in the appendix of the University catalog.

Personal And Professional Integrity Policy - the University expects all members of the University community to behave with honesty, integrity, and to respect the intellectual property of other students and non-students. Students are expected to complete their own work and to comply with the University's Personal and Professional Integrity Policy detailed in the appendix of the University catalog.

5.5 Student Employment

This is addressed in the Employee Recruitment and Selection policy.

5.6 Clinical Teachers

The Texas Education Agency requires that a clinical teacher be placed in a TEA accredited school during the period required for clinical teaching. State regulations require that clinical teachers maintain the same daily schedule and calendar required of public school supervising teachers to whom they are assigned.

Clinical teachers may not leave their assigned placements for coursework or activities at the University unless it is part of the planned clinical teacher instructional program. Students are required to complete at least the minimum placement time as required by TEA.

This policy may be revised or edited at any time based on adapted or additional requirements made by the Texas legislature or Texas Education Agency.

5.7 Non-registered Students Attending Class

For security reasons, all students must be registered before they may attend class. This includes audit or credit students.

5.8 Class Attendance

A student must attend a minimum of 75% of the scheduled sessions for a course to receive credit for the course. Detailed information about class attendance is published in the current *University Catalog*.

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5.9 Injury or Death of a Student – Notification of Family

Immediately upon receiving official confirmation of the injury or death of a University student, the vice president for student life and dean of students or the provost will notify the parents or next of kin listed on the student's application for enrollment or emergency notification records. If possible, the notification should include contact information for emergency responders who may be assisting with the situation. Care should be taken when providing details about the situation, especially if the facts are unclear at the time notification is provided.

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SECTION 6.0 INSTITUTIONAL ADVANCEMENT

6.1 Institutional Advancement Defined

The University desires to develop and maintain support from its various constituencies, thus securing resources to achieve the institution's objectives. To efficiently accomplish this, the University consolidates the functions of alumni relations, fundraising and public relations.

6.2 Alumni Defined

An individual is considered an alumnus/a of the University if he/she has generated a transcript from the University. Therefore, University records include both ex-students and graduates of the University. Daniel Baker College ex-students and graduates are also included in the University alumni database.

6.3 Donor and Alumni Records

6.3.1 Database Management

A University master database of alumni and friends is maintained by the Office of Institutional Advancement. Any school, department, or organization with information regarding these constituents, including address changes, updated educational, professional or personal information, or information regarding lost or deceased alumni, should submit the information to Office of Institutional Advancement for incorporation into the master records.

6.3.2 Donor Bill of Rights

The University is committed to protecting the privacy and confidentiality of its constituents and adheres to "A Donor Bill of Rights" as developed by the Council for Advancement and Support of Education (CASE), the American Association of Fund Raising Council (AAFRC), the Association for Healthcare Philanthropy (AHP) and the Association of Fundraising Professionals (AFP). Additionally, the University supports the "AFP Code of Ethical Principles and Standards of Professional Practice" as guidelines for development activities at the University.

6.3.3 Mailings to Alumni

All alumni mailings and other advancement-related mailings will be coordinated through the Office of University Advancement.

6.4 Fund Raising

The *Howard Payne University Policies Adopted by the Board of Trustees* gives the president of the University the responsibility for overseeing and coordinating fundraising activities for the University, including establishing procedures and standards for the solicitation of gifts. Accordingly, the president has charged the Office of University Advancement with the general responsibility for soliciting, coordinating and reporting all fundraising activities.

The University depends on gifts from alumni and friends in order to accomplish its educational mission. For this reason, it is important that all requests for funds made to the University's various constituencies be guided by common principles and goals. The following guidelines will assist each school, department and student organization of the University in its fundraising efforts by maximizing resources and ensuring fair and consistent attention to the needs and desires of the University's donors:

a. The University does not solicit nor accept funds from federal, state, or local governments or their related agencies. This policy does not include those scholarships or loans involving tax money that go directly to students for their benefit and are designated by name for the individual student.

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b. Because the University receives funding from the Baptist General Convention of Texas, the University does not directly solicit churches affiliated with the Baptist General Convention of Texas for financial support.

c. A "Fundraising Approval" form must be filed with and approved by the Office of University Advancement prior to any solicitation for funds, products or services. The approval process applies to all forms of solicitation, including telephone solicitation, mail solicitation, e-mail solicitation and personal solicitation of individuals, businesses, groups or foundations.

d. The tax implications of donor gifts are determined by the Internal Revenue Service. Employees shall refrain from giving tax advice or making representations about the potential tax benefits of certain donations.

e. Every gift offer (whether cash, equipment, property, services, stocks or any other item of value) must be communicated to and coordinated with the Office of University Advancement before it may be accepted on behalf of the University.

f. Detailed information concerning gifts of money, products, or services must be given to the Office of University Advancement. The Office of University Advancement is responsible for proper gift receipting in accordance with IRS regulations as well as donor acknowledgements.

g. Although official University gift receipts and donor acknowledgements will be issued in response to each gift by the Office of University Advancement, University personnel are encouraged to add their expressions of gratitude when a gift is acknowledged.

6.5 Fund Raising and the University Master Plan

All activities of the University flow from the mission statement and the institutional commitments that are an outgrowth of that mission. Consequently, the long-range planning process provides the raw material from which specific institutional fundraising goals are developed.

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7.0 MARKETING AND COMMUNICATION

Through marketing and communications, the University and its programs are presented in appropriate ways to various target audiences to more effectively present the University's image and objectives. These initiatives include integrated marketing, branding, strategic communication, and media and public relations, as well as an array of publications and special events.

7.1 University Standards

The content of all University publications (regardless of the media used) and promotional materials should be consistent with the image, mission and Christian foundation of the University.

Maintaining a consistent image is important as the University encounters and engages prospective and current students, parents, alumni, donors, the local community and other constituencies. This helps the University forge a recognizable identity that can more effectively distinguish itself in an increasingly competitive higher-education market.

Additionally, the University respects the property of others. As such, the use of names, likenesses, concepts or other intellectual property, whether copyrighted or not, is prohibited. This includes specific celebrities, commercial products and brands, works in the popular culture such as specific films and television programs and more.

The Office of University Marketing and Communications develops and maintains the official University standards manual. This manual includes guidelines for University graphics, promotional materials, publications (printed and electronic) and media relations. Compliance with these standards is mandatory for the good of the institution. University standards may change from time to time and University employees are encouraged to check for the latest version available on the University's campus network.

7.2 Description of the University

Although individual publications may highlight specific aspects of the University, it is important that such emphasis be accomplished in a manner in which the overall character and nature of the University not be misrepresented. This is especially the case in the professional accreditations held by the University, in which the institution must describe itself in identical terms to each recognized accrediting body with regard to purpose, governance, programs, degrees, diplomas, certificates, personnel, finances, and constituencies, and must keep each institutional accrediting body apprised of any change in its status with one or another accrediting body.

7.3 University Website

The University website is an official publication of the institution. As such, all content should reflect the identity and mission of the University. Each office or school will maintain its own content and the Office of University Marketing and Communications will oversee the design and structure in cooperation with Office of Enrollment Services and the Office of Information Technology Services.

Because of their primary importance to the University and recruiting, the web pages for the University's seven schools and various academic programs are to be housed within the main University website for easy access and uniform, equal presentation.

The only University entities that may operate separate websites, distinct from the main University site, are the Department of Intercollegiate Athletics, the University Alumni Association and the various student organizations. Even though these sites may be maintained apart from the main the University site, each one must always reflect the University's identity and mission in regard to all content. The websites for student organizations are overseen by the University's Office of Student Life and are subject to the same regulations and responsibilities detailed in the Student Handbook.

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The Office of University Marketing and Communications is available for support for offices and schools needing assistance with website content updates and revisions.

7.4 Media Relations

The Office of University Marketing and Communications is the only office authorized to initiate contact with the media and coordinate media contact with faculty and staff. The Office of University Marketing and Communications is to be kept fully and promptly informed about events, incidents and developments in which there is current or potential media or public interest. If any University employee is contacted by a member of the media regarding any story related to the University, the employee should refer the media representative to the director of media relations.

The Department of Intercollegiate Athletics, represented by the sports information director, is authorized to contact the media in matters specific to athletics.

The official *Howard Payne University Standards Manual* should be consulted for more guidelines and procedures regarding media relations.

All employees are encouraged to alert the Office of Media Relations concerning current or pending stories.

7.5 Advertising

Any type of advertising is to be coordinated through the Office of University Marketing and Communications to ensure maximum impact of information about the University. For more information, refer to the official *Howard Payne University Standards Manual*.

Funding for advertising must be approved before it is purchased. Requests to purchase advertising should follow normal purchasing procedures.

7.6 Official University Spokesperson

7.6.1 Official Spokesperson

Though the University is comprised of many individuals, it is important for the institution to speak with a unified voice. This facilitates consistent messaging and presentation.

The chairman of the board is the primary spokesperson for the University's Board of Trustees. The chairman may designate other board members to speak on the board's behalf.

The president of the University is the primary spokesperson for the University and is responsible for implementing and representing board policies to the public. The president may designate other personnel to speak on the University's behalf.

The director of media relations is responsible for releasing news about the University and responding to media inquiries.

The sports information director is responsible for disseminating news about the Department of Intercollegiate Athletics.

7.6.2 Procedures – Employee's Responsibilities to Official Spokesperson

Administrators, faculty and staff should refer all inquiries to the Office of University Marketing and Communications prior to any discussions with media representatives. Refer all inquiries specific to athletics to the sports information director.

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Employees should not represent their personal opinions with reference to University policy or opinions. Personal views are not to be represented as views held by the University. Content in blogs, articles and letters submitted to non-University publications are considered personal and may not be offered and/or presented to the public in terms of the employee's University -related position or title.

The Office of University Marketing and Communications should be notified immediately if any reporter arrives on campus or at any University-related event

7.7 University Publications

All University publications intended for external audiences, must be reviewed and approved by the Office of University Marketing and Communications before being produced. Electronic publications such as the official University website and official social media outlets are included in this policy.

The Office of University Marketing and Communications is charged with overseeing the University's official website and should be contacted with any questions.

For more information, refer to the official *Howard Payne University Standards Manual* on the University's campus network.

7.8 Campus Signage

All signage on all University buildings and properties must conform to University standards. In some situations, donors may request that certain types of signs accompany their donations. All signs and signage for University buildings (interior and exterior) and properties must be developed in coordination with and approved by the president or his designee.

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Appendix A

CONSTITUTION OF THE FACULTY ASSEMBLY of HOWARD PAYNE UNIVERSITY

PREAMBLE

The members of the Faculty Assembly subscribe to the guiding principles of Howard Payne University that the liberal arts form the surest foundation for education and that specialized attention should be given to each student:

1. To help the student recognize and set standards of excellence.
2. To help the student experience growth in Christian ideals and character.
3. To help the student develop mental and physical abilities through critical and creative thinking.
4. To help the student develop an appreciation for their world and understand their obligation to be of service to humanity.

The members further affirm their intent to live and work within the framework of the University as directed by the University president and trustees.

PURPOSES

The purposes for the Faculty Assembly of Howard Payne University are as follows:

1. To participate actively in the planning and implementation of the educational policies of the University.
2. To develop an open line of communication among the faculty members and between the faculty and administration.
3. To establish cooperation between the administration and the faculty regarding the general operation, the execution of policies, and the future development of the University.
4. To exercise initiative and leadership in matters affecting the academic and spiritual growth of the University.
5. To promote the general welfare of the faculty.
6. To foster the professional growth of the faculty and contribute to the over-all advancement of the University.

ARTICLE I - NAME

The name of this organization shall be Howard Payne University Faculty Assembly.

ARTICLE II - MEMBERSHIP

The Faculty Assembly shall be composed of all Howard Payne University full-time faculty who regularly teach classes, distinguished professors, and professional librarians.

ARTICLE III - OFFICERS

The officers of the Faculty Assembly shall be a president, a vice president, and a secretary. A parliamentarian shall be appointed by the president.

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ARTICLE IV - ELECTION OF OFFICERS

1. The officers shall be elected in April and shall take office the following June 1 for a term of one year.
2. The nomination of officers shall be made by a nominating committee elected by the assembly. Additional nominations may be made from the floor with the consent of the person being nominated.
3. A simple majority vote of the members present shall be sufficient to elect the officers.
4. Any member of the assembly shall be eligible for any elected office, except that an officer shall serve no more than two consecutive terms in the same office.
5. Temporary officers shall be appointed by the Executive Committee if elected officers are to be absent during the summer months.

ARTICLE V - DUTIES OF OFFICERS

The officers shall perform the standard duties of their offices.

ARTICLE VI - COMMITTEES

1. The Executive Committee will consist of the elected officers. One of the duties of this committee will be to aid the president of the assembly in selecting members for those committees appointed by the president of the assembly.
2. The Nominating Committee will consist of three members elected by the assembly.
3. The Faculty Development Committee will consist of one member representing each academic schools. The president of the Assembly shall appoint the members in consultation with the deans of the schools. No dean shall serve on said committee. This committee is charged with the responsibility of providing leadership and development of the faculty.
4. The Faculty Concerns Committee will consist of five members appointed by the president of the Assembly with the consent of the body. The committee shall deal with problems affecting the faculty, which may arise from time to time.
5. The president of the Assembly shall appoint, with the consent of the assembly, three members to the Social Committee who shall be charged with planning social activities of the Faculty Assembly.
6. Other committees as needed will be appointed by the president of the Assembly.

ARTICLE VII - MEETINGS AND QUORUM

1. The Faculty Assembly shall meet monthly during long semesters of the year. The December and/or May meeting may be cancelled by a unanimous vote of the Executive Committee. Special meetings may be called by the president. A quorum consisting of a majority (one-half plus one) of the membership shall be present in order to conduct business. However, members who teach full-time at an extension campus will not be counted in determining a majority.
2. The Faculty Assembly recognizes that University travel occasionally requires members to miss important votes. Wishing such votes to be as inclusive and representative as is practicable, the Executive Committee will have the power to propose an appropriate method of absentee balloting for approval by the body on an as-needed basis.

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ARTICLE VIII - AMENDMENTS

1. All proposed amendments shall be submitted in writing to the secretary prior to consideration and shall be given to the membership no less than thirty days before consideration.
2. Proposed amendments must be approved by vote of the members present.

ARTICLE IX - PARLIAMENTARY AUTHORITY

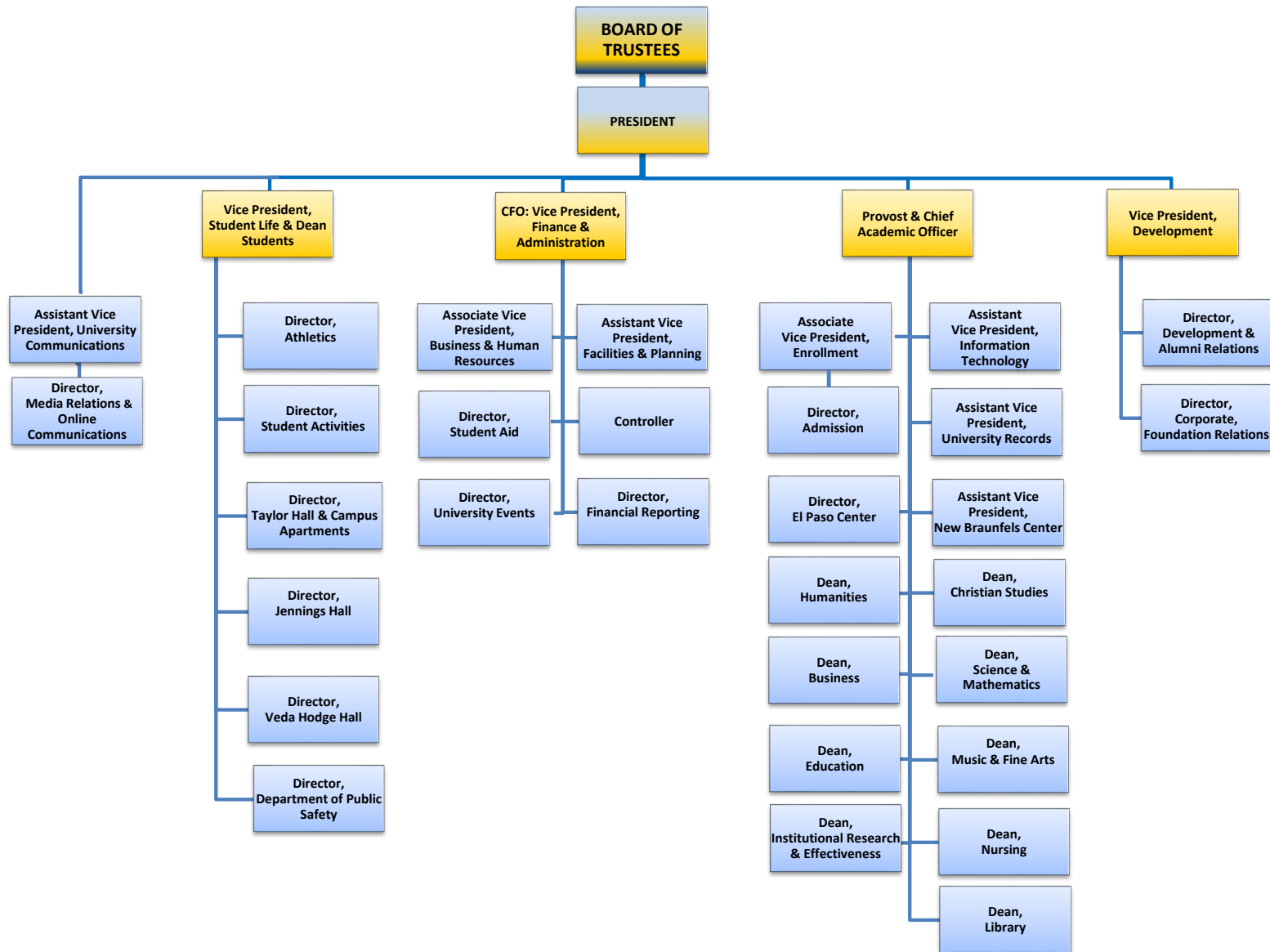
ROBERT'S RULES OF ORDER shall govern the activities of the Faculty Assembly except when it is at variance with the constitution.

Adopted October 7, 1986

Amended March 30, 2012

Amended March 18, 2016

HOWARD PAYNE UNIVERSITY



HOWARD PAYNE UNIVERSITY

Policies Adopted by the

Board of Trustees

HOWARD PAYNE UNIVERSITY

MISSION, VISION, CORE VALUES AND CURRICULUM

Mission Statement

Howard Payne University is a Christ-centered academic community dedicated to excellence by developing and equipping the whole person for intellectual inquiry, personal and professional integrity, and service to God and humanity.

Adopted 7/27/2010

Vision Statement

Howard Payne University aspires to be a premier Christian university, intentionally engaging the life of the mind and the life of the Spirit.

Adopted 10/28/2016

Core Values

Howard Payne University is an educational community that supports the following Core Values:
God is the loving creator of all things and the author of all truth;

- Because God is the author of all truth, open inquiry is an act of intellect and of faith and is to be wholly embraced;
- Because open inquiry is an act of intellect and of faith, such efforts must proceed from rigorous academic standards and genuine commitment to Jesus Christ as Savior and Lord;
- For open inquiry to contain rigorous academic standards and genuine Christian commitment, there must be at all times a supportive learning environment that affirms human dignity for all as created in the image of God; and
- Committing oneself to the teachings of Jesus will result in Christ-centered, God-honoring and humanity-serving life choices characterized by honesty, integrity, healthy lifestyles and personal responsibility.

Undergirding and inextricably intertwined in the Core Values of the university is the affirmation of traditional Christian and Baptist beliefs.

- The Bible is the divinely inspired record of God’s revelation of Himself to man. Holy Scripture has God for its author, salvation for its end and truth without any mixture of error for its content. The Bible is the true center of Christian union and the supreme standard by which all human conduct should be evaluated. (Scripture: Exodus 24:4; Deuteronomy 4:1-2, 17:18-19; Joshua 1:8; Psalm 119:11, 105; Isaiah 40:8; Matthew 5:17-18; John 5:39; John 17:17; Acts 17:11; Romans 15:4; 2 Timothy 3:15-17; Hebrews 4:12; 1 Peter 1:24-25)
- There is only one God and He has chosen to reveal Himself through the Trinity; Father, Son and Holy Spirit. God is omnipotent, omniscient, and omnipresent. (Scripture: Genesis 1:1-2; Exodus 6:2-3; Exodus 20:1-6; Deuteronomy 6:4; 1 Samuel 10:6; 1 Samuel 11:6; 1 Chronicles 29:10-12; Psalm 19:1-3; Psalm 24:1; Psalm 51:11; Psalm 73:24-26; Isaiah 43:3, 15; Isaiah 64:8; Jeremiah 10:10; Amos 4:13; Matthew 6:9; Matthew 7:11; Matthew 28:19; Mark 1:9-11; John 1:1-18; John 4:24; John 5:19-47; John 14:1-30; John 17:1-8; Acts 1:7-8; Romans 8:14-16; 1 Corinthians 8:6; Galatians 4:6; Ephesians 4:6; Philippians 2:5-11; Hebrews 1:1-3; 1 John 4:2, 13, 14-15; 1 John 5:7)
- The sacredness of humanity is evident in that mankind was created in the image of God and that Christ died for everyone; therefore every person possesses dignity and is worthy of respect and Christian love. Through the exercise of free will, humanity sinned against God, resulting in separation from God and the introduction of sin into the human race. With a nature and environment inclined to sin, those capable of moral action become transgressors and are under condemnation. (Scripture: Genesis 1:26-30, 31; Genesis 2:7, 18-22; Genesis 9:6; Psalm 1:1-6; Psalm 8:3-6; Isaiah 6:5; Isaiah 53:6; Ezekiel 18:20; Romans 1:19-32; Romans 3:10-18, Romans 3:23; Ephesians 2:10)
- Given humanity’s need for redemption, God provided a way for humanity to be reconciled to their creator. God’s one plan of salvation is by Grace through faith in the atoning sacrifice of Jesus Christ. (Scripture: Matthew 1:21; Matthew 16:21-26; John 3:16-18; John 10:10; John 14:6; Romans 1:16-18; Romans 6:23; Romans 8:1; Ephesians 2:8-9; 1 John 1:7-9; 1 John 4:9-10)

Curriculum

The educational program of the university is presented to residential and commuting students at its main campus in Brownwood, Texas, and to commuting students in New Braunfels and El Paso, Texas. The instructional programs are presented through a variety of media, including traditional face to face lectures, laboratory experiences, and through electronic delivery.

The university operates one distance learning program, the Master of Education degree. Various academic programs engage in service learning that includes a public outreach component. These are addressed in the learning outcomes of individual programs. Howard Payne University is not a research institution and does not include research in its Mission Statement.

HOWARD PAYNE UNIVERSITY

Policies Adopted by the Board of Trustees

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Academic / Faculty Services

Academic Freedom and Responsibility

Academic freedom provides one of the foundational pillars for faculty scholarship and teaching. These fundamental faculty responsibilities depend on an uninhibited search for truth and its open expression. The ability to exchange ideas and concepts freely in the classroom, to explore and disseminate new knowledge, and to speak professionally and as a private citizen are essential elements for the intellectual vitality of a university.

Academic freedom is the freedom of the faculty member to teach free from pressure, penalties, or other threats by authorities or other persons inside or outside their institutions of learning. It is the freedom of the student to be taught by unrestrained teachers and to have access to all available data pertinent to the subject of study at an appropriate educational level.

Each faculty member is entitled to full freedom in the classroom in discussing the subject which he or she teaches but is expected not to introduce controversial matters which have no relation to the classroom subject. Each faculty member is also a citizen of the larger community; and when speaking, writing, or acting as such, must be free from institutional censorship or discipline subject to academic responsibility. In such instances, the faculty member should make it clear that he or she is not speaking for the university.

Academic Responsibility of Faculty Members

The concept of academic freedom for faculty must be accompanied by an equally demanding concept of academic responsibility. Faculty members have a responsibility to the university, their profession, their students, and society at large. The rights and privileges of faculty members require reciprocally the assumption of certain responsibilities by faculty members. Some of those are:

1. The fundamental responsibilities of faculty members as teachers and scholars, in keeping with the Christian mission of the university and the general employment policy, include maintenance and competence in their field of specialization and the exhibition of professional competence in the classroom, studio, or laboratory.
2. The exercise of professional integrity by faculty members includes recognition that the public will judge their profession and university by their statements. Therefore, faculty members should strive to be accurate, to exercise appropriate restraint, to be willing to listen to and show respect for others expressing different

opinions, and to avoid creating the impression that they speak or act for their college or university when speaking or acting as a private person.

3. Faculty members should be professional in their conduct and in relationships with students. They should maintain respect for the students and for the student's posture as a learner and should be appropriately available to students for consultation on course work.

Adopted 11/18/2003

Faculty Employment Policy – Tenure

(Applicable to Faculty Hired Prior to March 12, 1991)

General Employment Policy

It shall be the policy of Howard Payne University at all times to strive for a faculty with the highest possible scholastic attainments, unquestionable Christian character, positive and consecrated Christian attitude and who are members, in good standing, of Baptist churches. While members of other Christian churches may be considered for teaching positions when Baptist applicants are not available, the administration shall give preference to Baptists with the same qualifications. Due to the history and mission of this university, only Baptists will be considered for teaching positions in the School of Christian Studies. The members of the faculty shall be expected to keep current in their respective fields of instruction and demonstrate dedication to the teaching profession.

Teaching Contracts and Tenure

This policy is intended to give the faculty member at Howard Payne University a measure of security and to prevent arbitrary or whimsical dismissal. It replaces all tenure-related policies previously adopted and applies to faculty employed prior to March 12, 1991 who elect to pursue their tenure right. Howard Payne University is committed to academic freedom as defined in the Board policy regarding Academic Freedom and Responsibility.

Definition of Tenure

Tenure, as herein used, means that a faculty member, after the expiration of a probationary period, shall have permanent status with the university unless his/her services are terminated for any of the reasons given below. It means, further, that in case his/her services are terminated by the university, he/she shall be told in writing the reason or reasons, and shall have the right to a hearing before the Faculty Grievance and Appeal Committee, as described in the *Policies and Procedures Manual*, section 2.17, before the action is final. The granting of tenure relates to employment with the university and not to a specific position. Tenure is granted to those faculty who evidence exceptional performance on the Criteria for Academic Rank, Promotion, and Tenure, sections 2.18 and 2.19. This policy shall apply to any full-time teacher above the rank of instructor.

Limitations on Employment

Tenured or non-tenured employment may be terminated at any time with three months' notice for violation of the university's Drug and Alcohol Policy, change in educational programs, breach of contract, failure to perform duties in a professional and competent manner, insubordination, mental or physical disability, or financial exigency, or immediately for reasons of moral turpitude. Such cause or causes shall be put in writing and delivered to the faculty member who shall then have the right of a hearing before the Faculty Grievance and Appeal Committee.

The university's normal retirement age is sixty-five (65). Some changes in benefits may occur at the end of the academic year in which the faculty member's sixty-fifth birthday occurs. The university does not mandate retirement at any age; however, the university may require retirement if an employee is no longer capable of fulfilling responsibilities or becomes unqualified for his/her position, or other factors deemed relevant to the goals of the university.

Contract Time

Each faculty member shall be offered a contract for the succeeding year (or notified that one will not be offered) by the first day of April each year. For faculty members with four or more years of experience (full-time teaching at Howard Payne) the date of notification for non-renewal will be on or before December 15. For faculty members with two or three years of experience (full-time teaching at Howard Payne) the date of notification of non-renewal will be on or before February 15. For faculty members in their first or second year of full-time teaching at Howard Payne, the date for notification for non-renewal will be on or before April 1.

Limits on Tenure

Tenure applies only to the teaching aspect of a faculty member's assignment. Administrative assignments, coaching assignments, and other non-teaching assignments are contracted annually as a part of the issuance of a new annual contract and the duties therein may be adjusted within the assigned period as needed.

Applicability of Policy

Those presently on tenure will retain this status.

Adopted 11/18/2003

Faculty Employment Policy - Multi-year Contract

See also Employment Policy for All Employees
(Applicable to Faculty Hired After March 12, 1991)

General Employment Policy

It shall be the policy of Howard Payne University at all times to strive for a faculty with the highest possible scholastic attainments, unquestionable Christian character, positive and consecrated Christian attitude and who are members, in good standing, of Baptist churches. While members of other Christian churches may be considered for teaching positions when Baptist applicants are not available, the administration shall give preference to Baptists with the same qualifications. Due to the history and mission of this university, only Baptists will be considered for teaching positions in the School of Christian Studies. The members of the faculty shall be expected to keep current in their respective fields of instruction and demonstrate dedication to the teaching profession.

Teaching Contracts

This policy is intended to give the faculty member at Howard Payne University a measure of security and to prevent arbitrary or whimsical dismissal. It replaces all tenure-related policies previously adopted for those faculty employed prior to March 12, 1991 who waive their rights to tenure consideration. Howard Payne University is committed to academic freedom as defined in the Board policy regarding Academic Freedom and Responsibility.

Definition of Multi-year Contract

Multi-year contract, as herein used, means that a faculty member, after the expiration of a probationary period, may receive subsequent contracts which prescribe the intention of the university to continue to employ the faculty member for an extended future time period. Such multi-year contracts may be extended for one year, two years, or three years. A new contract will be issued each year following the university's Faculty Evaluation process described in the *Policies and Procedures Manual*, section 2.19. Subsequent contracts may be offered for the maximum time of three years, or in cases where the evaluation process indicates the necessity, may be offered for one year less each year until the last contract expires. In addition, the faculty member's services may be terminated for any of the reasons given below. It means, further, that in case his/her services are terminated by the university, he/she shall be told in writing the reason or reasons, and shall have the right to a hearing before the Faculty Grievance and Appeal

Committee, as described in the *Policies and Procedures Manual*, section 2.17 before the action is final. This policy shall apply to any full-time teacher holding the rank of instructor or above.

Requirements for Multi-year Contract Eligibility

1. Be a member in good standing of a Baptist church or other Christian church;
2. Hold the rank of Instructor, Assistant, Associate or Full Professor;
3. Hold the minimum earned degree (or equivalent) in his/her field which will meet the accreditation standards of the Southern Association of Colleges and Schools;
4. Have completed at least a one-year probationary period of teaching at Howard Payne University;
5. Have desirable professional and personal qualities such as: consistency in support of university goals and mission, devotion to the teaching profession, moral and ethical character beyond reproach, good public relations with students and others;
6. Demonstrate competent attainments and performance of the Criteria for Academic Rank and Promotion found in the *Policies and Procedures Manual*, sections 2.18 and 2.19.

Progression of Contracts

Each faculty member shall initially be given a one-year contract. Each faculty member, after having completed a year in a manner to indicate that his continued services are desirable, may be offered, if re-employed, subsequent one-year contracts or a two-year continuing contract, based on the university faculty evaluation procedure. Following the completion of the first year of a two-year continuing contract, a three-year continuing contract, another two-year continuing contract or a one-year contract may be offered, again based on the university faculty evaluation procedure. Similarly, a faculty member who has received a three-year continuing contract may receive an additional three-year continuing contract or a two-year continuing contract, followed in the next year by a one-year contract, another two-year continuing contract, or a three-year continuing contract. All recommendations on contract renewal will be made by the Vice President for Academic Affairs to the President.

Limitations on Employment

Employment on one-year or multi-year contracts may be terminated at any time with three months' notice for violation of the university's Drug and Alcohol Policy, change in educational programs, breach of contract, failure to perform duties in a professional and

competent manner, insubordination, mental or physical disability, or financial exigency, or immediately for reasons of moral turpitude. Such cause or causes shall be put in writing and delivered to the faculty member who shall then have the right of a hearing before the Faculty Grievance and Appeal Committee.

The university's normal retirement age is sixty-five (65). Some changes in benefits may occur at the end of the academic year in which the faculty member's sixty-fifth birthday occurs. The university does not mandate retirement at any age; however, the university may require retirement if an employee is no longer capable of fulfilling responsibilities or becomes unqualified for his/her position, or other factors deemed relevant to the goals of the university.

Contract Time

Each full-time faculty member shall be offered a contract for the succeeding year by the first day of April each year. The date of notification for non-renewal will be on or before December 15, except for faculty members in their first year of full-time teaching at Howard Payne. For faculty members in their first year of full-time teaching at Howard Payne the date for notification for non-renewal will be on or before April 1. No employee shall have any right regarding the renewal of a contract upon the expiration of the contract's term. The failure of the University to provide notice of nonrenewal by the times and dates specified in the University's Policies and Procedures Manual shall not give the employee a renewal right.

Limits on Multi-year Contracts

There is no restriction on the number of faculty who may receive multi-year contracts. However, multi-year contracts apply only to the teaching aspect of a faculty member's assignment. Administrative assignments, coaching assignments, and other non-teaching assignments are contracted annually as a part of the issuance of a new annual contract and the duties therein may be adjusted within the assigned period as needed.

Applicability of Policy

Those presently on tenure will retain this status; experience credit for all other faculty members began with the issuance of contracts for the 1991-92 academic year.

Adopted 11/18/2003
Revised 4/1/2008

Granting of Earned Degrees

Upon the recommendation of the faculty and the Academic/Faculty Services Committee, the Board of Trustees shall approve the awarding of earned degrees.

Adopted 11/18/2003

Honorary Doctorate Policy

Guidelines for Awarding Honorary Doctorates

An Honorary Doctorate is the highest recognition Howard Payne University can bestow. Therefore, candidates should be Christian men or women who have lived their lives with such distinction and purpose that they serve as models worthy of emulation and respect. The conferring of an honorary degree should be a special and extraordinary tribute and should not be expected to occur routinely at every commencement.

Nominees will be considered using the following criteria.

1. Candidates should have demonstrated commitment to the cause of Christ as the context for their academic, scholarly, professional, and/or public service.
2. Candidates and their achievements will reflect the broad spectrum of Christian service and leadership across professions, cultures, and regions.
3. Honorary degrees are not normally awarded to candidates for public office, elected officials currently in office, or to Howard Payne University faculty, staff, administrators, or trustees currently in service.
4. Honorary degrees are not normally awarded in absentia or posthumously.
5. Honorary degrees are to be awarded at HPU Commencement Ceremonies. Rare exceptions to this practice will be allowed under special circumstances.
6. Howard Payne University will award a maximum of four honorary degrees per calendar year unless special circumstances exist.

The following guidelines will be used to receive nominations and to select candidates for the award.

Any member of the university family, including trustees, administrators, alumni, faculty or staff, may nominate candidates by submitting a formal nomination. Nominations from other sources should be directed to a member of the university family.

1. A formal nomination should include the following:
 - Completed Nomination Form with rationale for nomination.
 - Curriculum Vita or Resume of nominee.
 - A brief biographical overview of the nominee.
 - Three letters of recommendation.

2. The Academic/Faculty Services Committee will organize a selection committee made up of the following representatives:
 - The university president or his/her representative.
 - A university dean or vice president.
 - A faculty or staff member appointed or elected by the faculty assembly.
 - Two trustees elected from the Academic/Faculty Services Committee.
3. The selection committee will consider all formal nominations.
4. All matters related to individual nominations shall be handled with strict confidentiality in order to avoid potential embarrassment to the nominee and the university.
5. The selection committee will vote by secret ballot to indicate one of the following options for the nominee and the treatment of nomination materials.
 - *Immediate selection* of nominee to receive Honorary Doctorate at the next HPU Commencement. Four of five votes required. (Nomination materials passed to Academic/Faculty Services Committee for approval.)

OR

- *Postponement of honor* and retention of nomination forms for consideration during the next two years. (Nomination materials retained in confidential file to be located in the office of the Vice President for Academic Affairs of HPU.)

OR

- *Rejection* of nominee for honor. (Nomination materials destroyed.)
6. Nomination materials of selected candidates will be forwarded to the Academic/Faculty Services Committee for approval. Upon approval and recommendation of the committee, nominations will be presented to the HPU Board of Trustees for final approval.
 7. Selected nominees will be notified personally and by letter from the President of Howard Payne University.

8. The HPU Board of Trustees reserves the right to withdraw the award if, in its opinion, the recipient, by continuing to hold the award, would bring the reputation of the university into disrepute.

Adopted 11/18/2003
Revised 7/31/2007
Revised 12/2/2008

Security, Confidentiality, and Integrity of Academic Records

As the permanent academic record of the student, the University transcript is of utmost importance. Accordingly, the University is committed to protecting the security, confidentiality, and integrity of the University transcript. To accomplish this, the University registrar will perform on a regular basis (usually annually – but no less than bi-annually) the Self Audit prescribed by *The AACRAO 2003 Academic Record and Transcript Guide* published by the American Association of Collegiate Registrars and Admissions Officers. Additionally, other than correcting accidental or incorrectly entered information, a University transcript may not be altered. If necessary, explanatory notes regarding a transcript may be added by the University registrar.

Adopted 8/1/2016

Intellectual Property and Ownership

“Intellectual property” is defined as anything developed that fits, but is not limited to, one or more of the following categories: an invention, an issued patent, a copyrighted work, a legal right that inheres in a patent, copyright, trademark, or know-how or trade secrets.

Generally, faculty, staff, or students have the right to patent, copyright, publish, or otherwise establish ownership of a creative work, to market any commercially valuable creative work which they produce by means of their own expertise and labor, and to receive any and all royalties which result from such a work subject only to the following conditions.

1. If a creative work is produced as an assigned duty, i.e. a specific directive to prepare such a work, the intellectual property is considered “work for hire” and ownership rights belong to Howard Payne University, unless these rights are relinquished by the University to the individual.

Note: The general obligation to engage in research and scholarship which may result in publication is not an assigned duty nor does it result in works “made for hire.”

2. If a creative work is produced by faculty, staff, or students by making significant use of Howard Payne University facilities and resources, ownership rights may be jointly shared between the individual and Howard Payne University. What constitutes significant use of University facilities, personnel, and resources is a question that must be answered on the basis of the facts and circumstances of each case. A University-wide formula to define “significant use” is inappropriate because of the different needs among various disciplines. Normal usage of library resources, secretarial help, word processing equipment, or other support services do not constitute a significant use. If a question arises, the creator should seek a written opinion from the appropriate School Dean. If there is a disagreement, the matter should be appealed to the Vice President for Academic Affairs.

Adopted 11/18/2003

Relationship with the Guy D. Newman Honors Academy

Since its inception in 1963, the Guy D. Newman Honors Academy, The Program for Civic Leadership and Public Policy, has been a vital part of the University's academic program, offering high quality instruction in political sciences and upholding the ideals of American exceptionalism in government and public policy. The University Board of Trustees recognizes with great appreciation the work of the Academy Board of Directors in their continual efforts to sustain and support the Academy. The Board of Trustees also recognizes the importance of the assistance and counsel of the Board of Directors for the current and future advancement of the Honors Academy program. With the acknowledgement that the Board of Directors of the Academy is a separately incorporated entity, the Board of Trustees remains the final authority with regard to all aspects of the University's operations, including its academic program and fiscal concerns. The University's close relationship with the Honors Academy program is expressed through the University's right to approve nominees for the membership on the Guy D. Newman Honors Academy Board of Directors, as prescribed in the Academy Bylaws (Article II, Section 2.01).

Adopted 3/22/2011
Revised 7/30/2013

Academic Programs and Locations

While the Board of Trustees affirms that the primary responsibility for the content, quality, and effectiveness of the curriculum for the academic programs of Howard Payne University are placed with the University faculty, the Board of Trustees maintains broad policies to insure that all academic programs meet the minimum requirements of the University's primary accreditor, the Commission on Colleges of the Southern Association of Colleges and Schools. The Trustees require that in their maintenance of the curriculum the faculty will at all times acknowledge and insure:

- a. Howard Payne University is authorized to offer degree programs at the associate, baccalaureate, and master's degree levels.
- b. Howard Payne University conforms to the Federal definition of a credit hour and defines a semester credit hour as 45 hours of combined learning including class interaction, individual study, evaluation, experiential learning, writing, application, research and instruction by qualified faculty. Course credits are based on student learning outcomes that are standardized for all courses in all modes of delivery. For classes that meet less than the Carnegie Standard, the University de-emphasizes "seat time" (time in class) as the primary metric for determining the amount of student work for Federal purposes. Instead, per the flexibility guidelines of the Federal definition, "credits are awarded on the basis of documentation of the amount of work a typical student is expected to complete within a specified amount of academically engaged time".
- c. The minimum length of the Howard Payne University degree programs are: 60 semester hours at the associate level, 120 hours at the baccalaureate level, and 30 hours at the master's level.
- d. Each undergraduate associate and baccalaureate degree program must require successful completion of a general education component that is at the collegiate level, and that is (1) a substantial component of each undergraduate degree; (2) ensures breadth of knowledge; (3) is based on a coherent rationale; (4) does not narrowly focus on those skills, techniques, and procedures specific to a particular occupation or profession; (5) includes at least one course from each of the areas of the

- humanities/fine arts, social/behavioral sciences, and natural sciences/mathematics; and (6) constitutes a minimum of 15 semester hours at the associate level and 30 semester hours at the baccalaureate level.
- e. Certain significant changes, including the addition or deletion of a degree or major, and off-campus locations through which 25% or more of the educational program may be earned, are considered and approved by the Academic/Faculty Services Committee of the Board of Trustees and then by the full Board. Such changes may originate through the normal progression of curricular changes through the faculty as described in the Administrative Policies of the University, or may be authorized by the Board for subsequent development by the faculty. In the case of program or location proposals that involve outside approval, such as the Substantive Change procedures of the Commission on Colleges of the Southern Association of Colleges and Schools, a nine to twelve month processing time is required prior to implementation.

Adopted 7/30/2013

New Educational Program Initiation

Upon the initiation of a new academic program at Howard Payne University, the provost will place in writing to the University registrar a *Letter of Initiation* for new courses associated with the newly approved educational program. This policy is in addition to current policies designed to assure that each educational program for which academic credit is awarded has been approved by the faculty and the administration. This *Letter of Initiation* will specify that all requirements of any appropriate accrediting or oversight organization have been met, including required academic credentials and areas of specialization. Furthermore, copies of letters from any appropriate accrediting or oversight organization indicating final approval for the new educational program will be attached to the *Letter of Initiation*. Until this letter has been received by the University registrar, no courses in the new program can be offered for academic credit. When the provost sends a *Letter of Initiation* to the registrar, a copy of the letter and any supporting documents will be given to the Academic/Faculty Services Committee of the Board of Trustees in their next regularly scheduled meeting. No action will be necessary by the Committee.

Adopted 8/1/2016

Revised 3/27/2018

University-Related Entities

Any entity proposed to be organized separately from Howard Payne University, and formed primarily for the purpose of supporting Howard Payne University or its programs, must be approved and monitored by the University Board of Trustees. Such approval and subsequent monitoring shall be based upon the following: (1) the legal authority and operating control of Howard Payne University is clearly defined with respect to that entity; (2) the relationship of that entity to Howard Payne University and the extent of any liability arising out of that relationship is clearly described in a formal, written manner; and (3) Howard Payne University demonstrates that (a) the President of Howard Payne University controls any fund-raising activities of that entity, or (b) the fund-raising activities of that entity are defined in a formal, written manner which assures that those fund-raising activities further the mission of Howard Payne University.

Adopted 7/30/2013

Requirements for Documentation of Faculty Credentials

All faculty members will forward to the Office of the Provost evidence of their qualification to teach undergraduate or graduate courses at the University. Such evidence includes official transcripts from each graduate institution the faculty member attended. These official transcripts may be transmitted electronically or in hard copy. Other pertinent evidence may include licensure verification, certifications and significant professional accomplishments.

New faculty members will not be compensated by the University until these requirements for employment have been accomplished.

Additionally, when the University requires a faculty member to pursue additional academic credentials, regardless of whether the University is also assisting financially with cost of the additional education, an updated transcript must be received at the end of each semester in which the faculty member is enrolled.

Adopted 10/20/2017

Advancement / External Relations

Alumni Association

The Alumni Association of Howard Payne University and its affiliated organizations are the official alumni organizations of the university. They are organized to promote and support Howard Payne University and build relationships among alumni, former students and friends of the university.

The Alumni Association is governed by a Board of Directors that serves in an advisory role to the Board of Trustees of Howard Payne University. The Alumni Association, its Board of Directors and affiliated organizations are under the governance of the Board of Trustees. The Alumni Association, its Board of Directors and affiliated organizations, shall operate according to policies established by the Board of Trustees. The bylaws of the Alumni Association, and any amendments thereto, shall be approved by the Board of Trustees.

The Alumni Association Board of Directors shall work in partnership with the university's alumni relations personnel to foster a successful alumni program. Personnel in the Office of Alumni Relations report to the university administrator who oversees the Office of University Advancement.

All fundraising activities of the Alumni Association and its affiliated organizations must be approved by the Office of University Advancement in consultation with the university president. All funds donated to the university and designated for the Alumni Association or an affiliated organization shall be held in an appropriate account of Howard Payne University at a location designated by the university. A staff member of the Office of University Advancement, the Office of Alumni Relations or a university-designated representative must be present at fundraising activities of the Alumni Association and its affiliated organizations.

In order to support the university's tax-exempt status, appropriately recognize donors of the university, and facilitate proper accounting procedures, the Alumni Association and its affiliated organizations must abide by policies established by the Board of Trustees. Funds of the Alumni Association and its affiliated organizations, including monetary and in-kind donations, shall be processed through Howard Payne University's Office of Institutional Advancement. The Alumni Association and its affiliated organizations shall hold monies in an account of the university, rather than at a separate non-Howard Payne University account. The Alumni Association and its affiliated organizations are responsible for requesting reimbursements, bill payment, and other financial services through the Office of Alumni Relations.

In order to facilitate communication efforts and compliance with university fundraising policy, the Alumni Association and its affiliated organizations may be provided post office boxes on the Howard Payne University campus. Neither the Alumni Association nor its affiliated organizations may secure post offices boxes off campus.

The Alumni Association and its affiliated organizations may use the name or representation of Howard Payne University, HPU or the university's logos, artwork, letterhead, etc. only after approval of such use by the Office of Alumni Relations.

Scholarship accounts in the name of the Alumni Association or an affiliated organization may be established according to university policy adopted by the Board of Trustees. All donations to such scholarships are considered donations to the university, and therefore, must be appropriately deposited, reported and acknowledged. Scholarships will be distributed in accordance with policies established by the Board of Trustees.

Adopted 12/13/2005

Updated 10/28/16

Alumni Association – Affiliated Organizations

For the purposes of supporting and promoting Howard Payne University and building relationships among alumni, former students and friends of the university, the Alumni Association may establish affiliated organizations called chapters.

Bylaws of the Alumni Association will be set by the Alumni Relations department within the Office of Institutional Advancement. Chapters shall be governed by the bylaws of the Alumni Association and by university policy as established by the Board of Trustees. University policy established by the Board of Trustees supersedes any policy, procedure and bylaws of the Alumni Association.

Adopted 12/13/2005

Authorization/Approval of University Fundraising

Fundraising initiatives over \$250,000 should be submitted for approval to the Board of Trustees after review by the Advancement/External Relations Committee in consultation with the President of the university.

Adopted 9/14/2004

Updated 10/28/2016

Code of Ethics

Howard Payne University adheres to the following:

“A Donor Bill of Rights” as developed by the Council for Advancement and Support of Education (CASE), the American Association of Fund Raising Counsel (AAFRC), the Association for Healthcare Philanthropy (AHP) and the Association of Fundraising Professionals (AFP).

Additionally, the university supports the “AFP Code of Ethical Principles and Standards of Professional Practice” stated below as guidelines for development activities at Howard Payne University.

A Donor Bill of Rights

Philanthropy is based on voluntary action for the common good. It is a tradition of giving and sharing that is primary to the quality of life. To assure that philanthropy merits the respect and trust of the general public, and that donors and prospective donors can have full confidence in the not-for-profit organizations and causes they are asked to support, we declare that all donors have these rights:

1. To be informed of the organization’s mission, of the way the organization intends to use donated resources, and of its capacity to use donations effectively for their intended purposes.
2. To be informed of the identity of those serving on the organization’s governing board, and to expect the board to exercise prudent judgment in its stewardship responsibilities.
3. To have access to the organization’s most recent financial statements.
4. To be assured their gifts will be used for the purposes for which they were given.
5. To receive appropriate acknowledgement and recognition.
6. To be assured that information about their donations is handled with respect and with confidentiality to the extent provided by law.
7. To expect that all relationships with individuals representing organizations of interest to the donor will be professional in nature.

8. To be informed whether those seeking donations are volunteers, employees of the organization or hired solicitors.
9. To have the opportunity for their names to be deleted from mailing lists that an organization may intend to share.
10. To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

Developed by: American Association of Fund Raising Counsel (AAFRC)
Association for Healthcare Philanthropy (AHP)
Council for Advancement and Support of Education (CASE)
Association of Fundraising Professionals (AFP)

AFP Code of Ethical Principles and Standards of Professional Practice

STATEMENT OF ETHICAL PRINCIPLES

Adopted November 1991

The Association of Fundraising Professionals (AFP) exists to foster the development and growth of fundraising professionals and the profession, to promote high ethical standards in the fundraising profession and to preserve and enhance philanthropy and volunteerism. Members of AFP are motivated by an inner drive to improve the quality of life through the causes they serve. They serve the ideal of philanthropy; are committed to the preservation and enhancement of volunteerism; and hold stewardship of these concepts as the overriding principle of their professional life. They recognize their responsibility to ensure that needed resources are vigorously and ethically sought and that the intent of the donor is honestly fulfilled. To these ends, AFP members embrace certain values that they strive to uphold in performing their responsibilities for generating philanthropic support. AFP members aspire to:

1. practice their profession with integrity, honesty, truthfulness and adherence to the absolute obligation to safeguard the public trust;
2. act according to the highest standards and visions of their organization, profession and conscience;
3. put philanthropic mission above personal gain;
4. inspire others through their own sense of dedication and high purpose;
5. improve their professional knowledge and skills, so that their performance will better serve others;

6. demonstrate concern for the interests and wellbeing of individuals affected by their actions;
7. value the privacy, freedom of choice and interests of all those affected by their actions;
8. foster ethnic diversity and Christian values, and treat all people with dignity and respect;*
9. affirm, through personal giving, a commitment to philanthropy and its role in society;
10. adhere to the spirit as well as the letter of all applicable laws and regulations;
11. advocate within their organizations, adherence to all applicable laws and regulations;
12. avoid even the appearance of any criminal offense or professional misconduct;
13. bring credit to the fundraising profession by their public demeanor;
14. encourage colleagues to embrace and practice these ethical principles and standards of professional practice; and
15. be aware of the codes of ethics promulgated by other professional organizations that serve philanthropy.

*changed #8 from the words “cultural” to “ethnic” and “pluralistic” to “Christian”

Standards of Professional Practice

Adopted and incorporated into the AFP Code of Ethical Principles

November 1992

Furthermore, while striving to act according to the above values, AFP members agree to abide by the AFP Standards of Professional Practice, which are adopted and incorporated into the AFP Code of Ethical Principles. Violation of the Standards may subject the member to disciplinary sanctions, including expulsion, as provided in the AFP Ethics Enforcement Procedures.

Professional Obligations

1. Members shall not engage in activities that harm the member’s organization, clients, or profession.

2. Members shall not engage in activities that conflict with their fiduciary, ethical, and legal obligations to their organizations and their clients.
3. Members shall effectively disclose all potential and actual conflicts of interest; such disclosure does not preclude or imply ethical impropriety.
4. Members shall not exploit any relationship with a donor, prospect, volunteer or employee for the benefit of the member or the member's organization.
5. Members shall comply with all applicable local, state, provincial, federal, civil and criminal laws.
6. Members recognize their individual boundaries of competence and are forthcoming and truthful about their professional experience and qualifications.

Solicitation and Use of Philanthropic Funds

7. Members shall take care to ensure that all solicitation materials are accurate and correctly reflect the organization's mission and use of solicited funds.
8. Members shall take care to ensure that donors receive informed, accurate and ethical advice about the value and tax implications of contributions.
9. Members shall take care to ensure that contributions are used in accordance with donors' intentions.
10. Members shall take care to ensure proper stewardship of philanthropic contributions, including timely reports on the use and management of such funds.
11. Members shall obtain explicit consent by the donor before altering the condition of contributions.

Presentation of Information

12. Members shall not disclose privileged or confidential information to unauthorized parties.
13. Members shall adhere to the principle that all donor and prospect information created by, or on behalf of, an organization is the property of that organization and shall not be transferred or utilized except on behalf of that organization.
14. Members shall give donors the opportunity to have their names removed from lists that are sold to, rented to, or exchanged with other organizations.
15. Members shall, when stating fundraising results, use accurate and consistent accounting methods that conform to the appropriate guidelines adopted by the

American Institute of Certified Public Accountants (AICPA)* for the type of organization involved. (* In countries outside of the United States, comparable authority should be utilized.)

Compensation

16. Members shall not accept compensation that is based on a percentage of charitable contributions; nor shall they accept finder's fees.
17. Members may accept performance-based compensation, such as bonuses, provided such bonuses are in accord with prevailing practices within the members' own organizations, and are not based on a percentage of charitable contributions.
18. Members shall not pay finder's fees, or commissions or percentage compensation based on charitable contributions, and shall take care to discourage their organizations from making such payments.

*Amended October 1999
Amended October 2004*

Adopted 3/8/2005

Gift Acceptance – Responsibilities and Authority to Receive Gifts

The President of Howard Payne University has the responsibility for overseeing and coordinating fundraising activities for the University including establishing procedures and standards for the solicitation of gifts. The President has responsibility for ensuring that gifts are properly accepted (or declined), processed, acknowledged and used according to the gifts' terms and restrictions.

Adopted 11/18/2003

Gift Acceptance – General

Gifts of a nature that would be inconsistent with traditional Baptist beliefs and practices are to be graciously declined.

Gifts will not be accepted when there is no charitable intent on the part of the donor.

No irrevocable gift, whether outright or life-income in character, will be accepted if the University has reason to believe under any set of circumstances the gift would jeopardize the donor's financial security. Howard Payne University will assume that donors rely on their own personal advisors for tax, legal, financial and other advice concerning their gifts.

Any gift of real estate with an estimated value in excess of \$50,000 must be reviewed and approved by the Board of Trustees after review by the Advancement/External Relations Committee and the Financial/Support Services Committee. (See also Financial/Support Services: Real Estate)

A letter of understanding from the donor of a property gift, along with proof of outside advice from counsel, may be required before such a gift will be accepted.

All gifts of real property must comply with applicable Howard Payne University Guidelines for Gifts of Real Estate that follow in this section.

Gifts of real estate and notes secured by the real estate are ordinarily acceptable only after it has been determined that no reasonable possibility exists that the property could be contaminated by hazardous waste. An appropriate Howard Payne University staff member or authorized representative shall make an initial personal inspection. This inspection shall include both a physical inspection and an investigation of the recent ownership history of the property. If it is determined that there is a likelihood that the property is substantially contaminated by toxic waste, the gift of the property may be graciously declined. The expense of the inspection by a licensed toxic-waste inspector, if necessary, must be borne by the donor unless the President of Howard Payne University approves an exception.

Howard Payne University will not assume indebtedness in connection with a gift unless approved by the Board of Trustees.

Gifts will not be accepted where Howard Payne University would be exposed to material or personal liabilities as owner of the property.

Howard Payne University will not accept gifts, grants or other funding directly from agencies of local, state or federal governments.

Contributions should support and enhance the mission and purpose of Howard Payne University. Contributions that subject Howard Payne University to burdensome or unusual restrictions will not be accepted.

Gifts may not be accepted under circumstances where, in the opinion of its tax advisors, Howard Payne University would become subject to the tax on unrelated business income or unrelated debt-financed income.

Donors of property gifts of more than \$5,000 (except for gifts of publicly-traded stocks or bonds) must obtain an appraisal, at their expense, by an independent third-party appraiser in accordance with current tax law requirements.

All gifts of life insurance must comply with applicable Howard Payne University Guidelines for Gifts of Insurance that follow in this section.

No member of the faculty or staff or student body of Howard Payne University may solicit gifts and grants on behalf of the institution without the prior knowledge and approval of the President or the President's designees.

Adopted 11/18/2003
Revised 9/14/2004

Gift Acceptance – Undesignated Gifts

All gifts and bequests shall be considered unrestricted, unless otherwise specifically restricted by the donor. The President may determine the use of an unrestricted gift or bequest in the amount of \$100,000 or under. The Board of Trustees shall designate the use of an unrestricted gift or bequest in an amount greater than \$100,000 after the review and recommendation of the Advancement/External Relations Committee. The Advancement/External Relations Committee and the President shall consult with those involved in securing the gift to clarify the intent of the donor as to how said funds should be used. The President of Howard Payne University shall make recommendations to the Advancement/External Relations Committee of the Board of Trustees on the designation of undesignated gifts exceeding \$100,000.

*Adopted 11/18/2003
Revised 9/14/2004
Revised 3/27/2012*

Gifts to the Library

Donors contribute significantly to strengthening the collections and fulfilling the mission of the Howard Payne University Library through their gifts of books, manuscripts, archival materials, and through financial donations. Gifts-in-kind form an indispensable resource for the teaching and research activities of the University. Gifts of Library materials are subject to acceptance by library personnel. When Howard Payne University Library accepts a gift, the gift becomes the property of the University. Furthermore, the University reserves the right to determine whether the gift will be retained, where it will be located, and how it will be cataloged and circulated. Forms for transferring gifts-in-kind may be secured in the University Library or University Advancement Office.

Adopted 7/28/2009

Guidelines for Gifts-In-Kind

Gifts-in-kind under \$100,000 may be accepted by the President of the university without the approval of the Board of Trustees. Gifts-in-kind over \$100,000 must be approved by the Executive Committee or the Board of Trustees.

Gifts-in-kind are acceptable only:

- a. after personal inspection by an appropriate Howard Payne University staff member;
- b. after an appraisal is required by either party, appraisal must be paid for by the donor;
- c. after appropriate steps have been taken to consider any costs or liabilities that may be attached to the gift (examples: the gift-in-kind requires insurance which is a cost to the university or there is a licensing cost for the gift).

The President may decline a donor offer of a gift-in-kind on behalf of Howard Payne University which is not considered in the best interest of the university.

Adopted 3/27/2012

Guidelines for Gifts of Life Insurance – Existing Insurance Policies

(See Gift Acceptance – General)

Transfer of an existing policy should be absolute, with full ownership vested in Howard Payne University.

Howard Payne University reserves the right to surrender the policy if it so desires.

The policy should have a net cash value with no outstanding loans.

Howard Payne University should be provided with a summary of the policy, including the donor's cost basis and current cash surrender value.

When applicable, the donor should agree to contribute, on an annual basis, the amount necessary to maintain the policy in force.

While some donors enjoy the opportunity to give to Howard Payne University through insurance policy instruments and Howard Payne welcomes such gifts, not all gifts of insurance are of the same value. Some of the issues involved include:

- revocability of the policy (if full ownership is not vested in the university)
- whole life versus term life
- the designation of Howard Payne as a primary beneficiary versus a secondary beneficiary

Wherever possible, the university will assist the donor in crafting an insurance policy that most clearly recognizes the donor's intent – to give to Howard Payne University. Ideally, the policy would be irrevocable, whole life, and name Howard Payne as a primary beneficiary. In those circumstances where the value of the gift is not as clear, the Office of University Advancement at Howard Payne University will employ the most current version of the Partnership for Philanthropic Planning's Guidelines for Reporting and Counting Charitable Gifts and its Valuation Standards for Charitable Planned Gifts to report and value the gift for development purposes*.

*This may differ from the value determined by the university's accounting office using accounting principles.

*Adopted 11/18/2003
Revised 9/14/2004
Revised 10/4/2013*

Guidelines for Gifts of Life Insurance – New Insurance Policies

(See Gift Acceptance – General)

All gifts of new insurance must be with an insurance company rated A or better with the A.M. Best Company.

Howard Payne University requests that all proposals for gifts of insurance be submitted to Howard Payne University prior to making application for the policy.

Howard Payne University will not accept as a gift any life insurance policy which requires any future premium payments unless:

- a. all future and/or pending premium payments are paid by the donor; or
- b. the donated policy has accumulated a guaranteed cash value and/or dividends sufficient to cover either current or future obligations.

The intent of this policy is that Howard Payne University shall not, under any circumstances, be responsible for funding any life insurance policy premiums.

Annual donors to Howard Payne University will be requested to continue their annual support in either cash or marketable property in addition to a gift of life insurance.

Howard Payne University should be provided with a letter of understanding concerning any policy for which premiums are calculated based on variable interest and mortality assumptions.

While some donors enjoy the opportunity to give to Howard Payne University through insurance policy instruments and Howard Payne welcomes such gifts, not all gifts of insurance are of the same value. Some of the issues involved include:

- revocability of the policy (if full ownership is not vested in the university)
- whole life versus term life
- the designation of Howard Payne as the primary beneficiary versus a secondary beneficiary

Wherever possible, the university will assist the donor in crafting an insurance policy that most clearly recognizes the donor's intent – to give Howard Payne University. Ideally, the policy would be irrevocable, whole life, and name Howard Payne as a primary beneficiary. In those circumstances where the value of the gift is not as clear, the Office of University Advancement at Howard Payne University will employ the most current version of the

Partnership for Philanthropic Planning's Guidelines for Reporting and Counting Charitable Gifts and its Valuation Standards for Charitable Planned Gifts to report and value the gift for development purposes*.

*This may differ from the value determined by the university's accounting office using accounting principles.

Adopted 11/18/2003
Revised 9/14/2004
Revised 10/4/2013

Guidelines for Gifts of Real Estate

(See Gift Acceptance – General)

Gifts of real estate and notes secured by real estate are acceptable only:

- a. after personal inspection by an appropriate Howard Payne University staff member;
- b. after a determination that the property has not been utilized in a manner that is inconsistent with traditional Baptist beliefs and practices;
- c. after Howard Payne University and the donor have reached an understanding as to the valuation of the property;
- d. when debt, insurance, homeowners' association fees and other carrying costs have been assessed as to the effect on the advisability of taking the gift; and
- e. when appropriate steps have been taken to determine if any other liabilities might attach to the property.

The property must be transferred to the University with no legally binding obligation in existence for a prearranged sale.

Gifts of real estate and notes secured by the real estate are ordinarily acceptable only after it has been determined that no reasonable possibility exists that the property could be contaminated by hazardous waste. An initial personal inspection shall be made by an appropriate Howard Payne University staff member. This inspection shall include both a physical inspection and an investigation of the recent ownership history of the property. If, after appropriate inspection, it is determined that there is a substantial likelihood that the property is contaminated by toxic waste, the property may not be accepted. The expense of the inspection by a licensed toxic waste inspector must be borne by the donor unless the President of Howard Payne University approves an exception.

*Adopted 11/18/2003
Revised 9/14/2004*

Naming and Recognition Opportunities

I. Definitions:

Naming opportunities are defined as a form of donor recognition in which an entity's (person or organizations) name is attached to a structure (e.g., building, bell tower), space (e.g., room, lounge, office), program (e.g., School, Department, Program) or endowment (e.g., faculty chair, scholarship) in exchange for the receipt of a gift from a donor (individual, corporation or foundation) that is of a significant enough size to warrant the naming of an approved opportunity. In the case of a naming opportunity, the structure, space or endowment takes on the name and is known by the name (example: the _____ School of Nursing). Naming opportunities are considered when warranted (example: The _____ Welcome Center) versus the spaces that do not warrant a name (the _____ Hallway). Naming opportunities are generally considered to last for the life of the structure, space, or program.

Recognition opportunities are defined similarly to a naming opportunity; as a form of donor recognition in which an entity(s) (person/persons or organizations) is recognized in a tangible way (e.g., a plaque) as contributing to the construction, renovation or operation in exchange for the receipt of a gift from a donor (individual, corporation or foundation) that is of a significant enough size to warrant the approved recognition opportunity. Recognition opportunities would generally arise when a name designation is not warranted but the space still has value to donors. Recognition opportunities are generally considered to last for the life of the structure, space, or program.

Sponsorships or Name Placement opportunities are defined as time-limited arrangements where individuals or businesses sponsor events or programs and, as a result, get their name publicly acknowledged in some way (example: business name on banners, printed programs or billboards at an athletic venue.) Donors should have no expectation of permanency in such cases, and the gift may or may not be tax deductible, in accordance with IRS guidelines relative to the expectations for the gift.

II. Naming or Recognition Opportunities Process and Policies for Structures and Spaces:

The initiation and naming opportunities of Structures and Spaces

Naming or Recognition Opportunities (and their associated giving levels) for structures and spaces are generally defined and approved prior to the launch of the fundraising effort.

An initial list of the proposed naming/recognition opportunities for any new facility or renovation project is to be coordinated through the Office of Institutional Advancement. This list may be revised as planning proceeds and the fundraising strategy is developed. Donors may also initiate a naming opportunity with the university. Such situations will be considered by the vice president for development and, as appropriate, the president before being considered for approval by the board of trustees.

All naming opportunities of structures and spaces on the campus must be recommended by the president and approved by the Board of Trustees. Recognitions on or within structures or spaces must be approved by the president.

Guidance on the size of the gift with regard to naming/recognition opportunities

To name a new facility/structure:

- a donor should typically contribute at least 30 percent of the private fundraising goal as defined in this document;
- the president can recommend a deviation of this understanding for approval by the trustees;
- although rare, the trustees can name structures or facilities in honor or memory of individuals whose lives have been exemplary, meritorious, or who have provided a history of exceptional philanthropic support or service to the university

Private fundraising goals are generally defined as construction costs, plus 10 percent endowment for maintenance of the facility.

The level of gifting necessary for the naming or recognition opportunity for portions of structures (rooms, lobbies, etc.) or spaces would be based upon the proportional size, use, and priority of the space.

Rescinding a Name or Recognition Opportunity

Howard Payne University reserves the right to rescind or cancel a granted naming or recognition opportunity for, but not limited to, the following possibilities:

- a. the donor does not complete the payment of the gift in the agreed upon terms within the signed documentation;
- b. the donor has requested that the naming opportunity be renamed for someone else or that the naming opportunity be cancelled;
- c. the continuation of the named entity, such as a scholarship fund, a school, a department, a faculty chair, a program, a building, a section of a building, is no longer available as a naming opportunity or is deemed no longer in the best interest of the university.

All decisions to rescind a naming or recognition opportunity to an individual or organization will be made by the Board of Trustees and usually with the recommendation of the president.

III. Naming Opportunity Process and Policies for Endowments

While endowed scholarships are the most commonly established type of endowment, they can be created to support many aspects of university life, including (but not limited to): the naming opportunity of colleges, schools, programs, lectureships, endowed chairs, professorships, fellowships, professional development, travel, and maintenance.

Endowments are created by individuals who desire to see their wealth benefit the university and its students beyond the life of the donor. The corpus (body) of the endowment is not spent and the earnings are used annually to meet the specified need.

To help ensure that the university's endowment funds generate sufficient fund distributions for their designated purposes, the president upon recommendation of the vice president for development establishes *Minimum Funding Level Requirements*. Current minimum funding level requirements for each type of endowment can be obtained from the Office of Institutional Advancement.

Additional guidance related to endowments includes:

- Endowment agreements are drafted between the donor and the Office of Institutional Advancement to meet both the desires of the donor and the needs of the university.
- Once an endowment agreement draft has been approved, it is signed by both the donor(s) and the president or his designee.
- Endowment agreements can be created with only partial funding present at the time of the agreement.
- As endowment agreements are written, the donor typically has a maximum of five (5) years to fully meet the minimum funding level requirement.
- Naming opportunities related to the creation of an endowment are to be coordinated through Office of Institutional Advancement to ensure appropriateness of the gift level for the naming opportunity.
- The Name associated with an endowment must be approved of by the president. The board of trustees have the right to decline an endowment gift which is not deemed to be in the best interest of the university.

Adopted 3/27/2012

Revised 3/24/2015

Pledge Acceptance

Pledges from donors (individuals, corporations, or foundations) may be accepted by the President on behalf of the Board of Trustees for unrestricted or restricted gifts if they meet the following criteria:

- a. the gift is for an approved need of Howard Payne University (examples: scholarships, capital projects, endowment);
- b. the donor has completed written/signed documentation that clearly indicates such items as the dollar amount of the gift, the date(s) the pledge will be paid, the intention for the use of the gift, unrestricted or restricted, the tribute/memorial intention for the gift, the use of the gift for donor recognition and the use of the gift (such as a challenge or a match) to incentive other gifts;
- c. the donor has the financial ability to fulfill the intentions of this pledge (example: a foundation has publicly disclosed assets to make the pledge).

Unless an unfulfilled pledge commitment is restructured by the donor with a written/signed addendum to the original written documentation for the pledge, the university will write-off the balance of the pledge commitment in the fiscal year following the lapse in pledge payments. Any donor recognition granted to the donor will be cancelled by the university (example: a naming opportunity which was granted prior to complete pledge fulfillment).

Adopted 3/27/2012

Financial / Support Services

Annual Audit

At the close of each fiscal year, the financial statements, books and records of the University shall be audited by an independent Certified Public Accountant (CPA) in accordance with the applicable standards issued by the American Institute of Certified Public Accounts (AICPA).

Selection of the University's auditor shall be recommended by the Financial/Support Services Committee and approved by the Board of Trustees. The audit shall be presented to and accepted by the Fiscal Control Subcommittee, Financial/Support Services Committee and the Board of Trustees.

Adopted 11/18/2003

Borrowing of Restricted Funds

The University discourages the practice of temporarily borrowing funds deposited into a restricted account for purposes of meeting operational obligations. However, during periods of critical cash flow needs, the University may temporarily transfer funds from restricted accounts for a period of time not to exceed 180 days. In no event, however, shall endowment (permanent donor-restricted) funds be used even temporarily for any purpose other than that specified in the trust or donor restriction.

Adopted 11/18/2003

Code of Employee Ethics and Conduct Policy

Howard Payne University is strongly committed to maintaining the highest level of standards and Christian values in conducting all aspects of its academic programs and business operations, while providing a quality education for its students. As such, the university values the contributions of all employees and expects each to adhere to the highest level of integrity by not participating in dishonest, unethical or illegal activities while conducting university business or representing the university either on-campus or off-campus. This policy applies to all university employees, including all full-time or part-time faculty, support and administrative staff, officers and adjunct faculty members.

While employees will no doubt routinely face ethical dilemmas and decisions in the scope of their employment, each employee is personally responsible for his or her actions. The attached page lists several areas of unethical conduct that should be strictly avoided. While this is not an all-inclusive list, the university has a no-tolerance philosophy for dishonest, unethical or illegal acts and will enforce this policy. It is mandatory that all employees assume responsibility to familiarize themselves completely with this policy and be able to recognize a proposal or personal act that would constitute a violation. Employees are encouraged to seek guidance in making ethical decisions and choices and are free to direct questions regarding interpretation of this policy to an officer of the university. Violations can result in disciplinary action, including termination of employment and criminal prosecution.

In an effort to deter and prevent dishonest, unethical or illegal activities, the university encourages employees to immediately report any suspected activity to any one of the following offices: President, Vice Presidents or Human Resources.

Examples of acts that violate this policy include, but are not limited to:

- 1) Consuming, storing, possessing or being under the influence of alcoholic beverages or illicit drugs on campus
- 2) Storing, possessing or using firearms or weapons on campus
- 3) Conducting or participating in any illegal activities, including gambling or betting
- 4) Utilizing university computers for obtaining or sharing pornographic or inappropriate materials or conducting inappropriate activities

- 5) Violating the university's Computer Use Policy or misusing the campus email system or other computer resources
- 6) Removing and/or not returning university assets, supplies, property or resources from the campus premises without express administrative permission
- 7) Selling or disposing of university assets, supplies, property or resources without following university policy
- 8) Consuming university supplies, services or resources for personal usage or non-university activities
- 9) Charging personal long-distance calls to the university without reimbursing the university monthly when phone bills are delivered
- 10) Misusing the campus post office by regularly processing personal incoming and outgoing mail
- 11) Charging personal items to a university credit card or vendor account
- 12) Receiving personal gain by charging university purchases to a personal credit card to earn vendor award points, rebates or discounts
- 13) Failing to remit revenues, fees, reimbursements, gifts, contributions or funds belonging to the university or student organizations in the employee's possession to the Business Office for timely deposit
- 14) Failing to safely secure revenues, fees, gifts, contributions or funds belonging to the university or student organization that are temporarily in the employee's custody
- 15) Soliciting funds or contributions on behalf of the university without obtaining prior approval from the university's Advancement Office
- 16) Accepting bribes, kickbacks or gratuities
- 17) Falsifying an employee timesheet or other payroll documents
- 18) Misusing the university's paid leave benefits
- 19) Failing to be productive during the workday
- 20) Failing to report suspicious or illegal activity to his/her supervisor or HPU Security
- 21) Falsifying university records, documents, purchases or expense reports
- 22) Knowingly submitting inaccurate invoices for payment
- 23) Purchasing goods or services or committing funds from the university's budget without prior written approval

- 24) Failing to follow university policies and procedures
- 25) Violating board adopted policies
- 26) Engaging in destructive or disruptive behavior that intentionally undermines achievement of university goals and objectives
- 27) Releasing, sharing or selling confidential or proprietary information
- 28) Displaying inappropriate, unprofessional, or dishonest behavior
- 29) Misrepresenting or falsifying credentials
- 30) Misrepresenting progress toward academic or professional requirements
- 31) Misrepresenting communication between the university and other organizations
- 32) Violating the university's Conflict of Interest Policy
- 33) Purchasing items from or for related parties, including family and friends, with university funds
- 34) Utilizing the campus computer systems or network for personal gain or business endeavors unrelated to the university
- 35) Soliciting political contributions on campus or publicly endorsing a candidate during working hours or in a manner that makes it appear the endorsement is on behalf of the university
- 36) Reporting fraudulent workers compensation claims
- 37) Hiring friends, relatives or acquaintances without regard to qualifications
- 38) Violating copyright laws, pertaining to printed materials, software and music
- 39) Trespassing or breaking into controlled areas without permission
- 40) Accessing restricted computer files without permission
- 41) Failing to properly secure university assets that are under the employee's care and control
- 42) Duplicating, trading, and/or not returning keys that access university facilities or vehicles

Adopted 9/20/2005

Updated 10/20/2017

Competitive Bids and Proposals

Competitive bids and proposals shall be solicited for the purchase of goods or services of \$25,000 and above, regardless of the expenditure's funding source. Nevertheless, for purchases of less than \$25,000, University departments are encouraged to obtain informal competitive pricing. Large, continuous service contracts may be solicited and awarded on a definitive multi-year basis for up to eight years, so as not to unnecessarily disrupt critical operations of the University. Examples of multi-year contracts may include, but are not limited to: campus dining services, bookstore management services, utilities contracts, auditing services and publication printing services.

Generally, bids and proposals meeting the University's specifications will be awarded based on price. However, the University may consider other relevant criteria in evaluating and awarding bids and proposals, when determined to be in the best interest of the University to do so. Recommendations to accept a vendor's bid or proposal shall be submitted for approval with the department's purchase requisition.

Exceptions to this policy may be made by the President in emergency situations, in cases where the goods or services are offered on a "sole source" basis, in situations stipulated by a donor, or in circumstances where it is determined to be in the best interest of the University. Exceptions shall be documented in the University's procurement files.

Adopted 11/18/2003

Conflict of Interest Policy

A conflict of interest traditionally occurs when a person derives personal profit or gain from actions taken while holding a position of trust. Placed in a position of trust, university trustees, officers, faculty members and employees owe a duty of loyalty to the institution they serve. The overriding premise of a duty of loyalty is that of fairness to the University. The standard commonly used to determine fairness is whether a proposed transaction is at least as favorable to the University as it would be should the transaction be entered into with unrelated individuals. Accordingly, a trustee, officer, faculty member or employee must avoid using their position for personal gain or advantage, or to obtain a favored status for any entity in which such person has a financial interest.

As a matter of prudent business practice, the University attempts to refrain from entering into business transactions or contracts in amounts exceeding \$10,000 in value with trustees, officers, faculty members, employees, or their spouses, or business entities in which trustees, officers, faculty members, employees, or their spouses, have an interest.

An exception may be made, by approval of the Board of Trustees, in a case wherein it appears that a commodity or service is unavailable on a more favorable basis from another source, or, it is determined to be in the best interest of the University to enter into the transaction. In these cases, competitive pricing should be secured, if practicable. When considering an exception, the extent of the trustee, officer, employee or spousal interest shall be disclosed to the Board of Trustees and be recorded in the minutes of the meeting.

Notwithstanding the Texas statutory provisions concerning conflict of interest transactions, it is preferred, but not required, that a trustee, officer, faculty member, employee, or spouse of such, who has a conflict of interest recuse himself or herself from the Board or committee meeting while the transaction is being discussed or voted upon.

*Adopted 11/18/2003
Revised 10/12/2012*

Contract Authority

The President, or the President's designee, may approve contractual commitments without approval of the Board of Trustees in an amount not to exceed \$100,000. Contracts with a total commitment of \$100,000 and above shall be reviewed by legal counsel and must be reviewed and approved by the Fiscal Control Subcommittee.

The University's President, Chief Financial Officer or Chief Academic Officer may sign approved contracts.

Adopted 11/18/2003

Construction and Renovation Projects

Construction and renovation projects of \$100,000 or greater must be approved by the Board of Trustees. Project budgets shall be established with a contingency set aside of not less than 10%. Projects shall not commence before full funding is secured, to include future operations and maintenance of the facility.

The University's facilities director shall function as the university's on-site manager to coordinate and supervise the work of contractors, recommend change orders, manage project budgets and give regular progress reports to the President and Chief Financial Officer.

Adopted 11/18/2003

Employment Policy for All Employees

See also Faculty Employment Policy - Multi-year Contract

The University shall seek to employ qualified persons for faculty and staff positions consistent with its published recruitment and selection procedures. The University shall attempt to screen applicants for suitability for employment by conducting a combination of reference and/or background checks on prospective employees. Only adults will be employed as full-time employees.

The President shall approve all offers of employment to faculty, vice presidents, and any staff employee to whom the President chooses to give a contract for a term of time. The President, and only the President, shall execute employment contracts on behalf of the University. The President shall make decisions concerning initial appointments to the faculty and staff, the renewal and nonrenewal of those appointments, and the terms and conditions of appointments, including but not limited to the length of appointments. The President shall approve any termination of employment prior to the expiration of the contract period.

No employee shall have any right regarding the renewal of a contract upon the expiration of the contract's term. The failure of the University to provide notice of nonrenewal by the times and dates specified in the University's Policies and Procedures Manual shall not give the employee a renewal right. Tenured faculty shall enjoy special rights provided in the University's Policies and Procedures Manual. Declarations by the University of the University's present intention to offer an employee future contracts is not in and of itself an offer of a contract. No statement, including but not limited to statements regarding policy or procedure, salary, benefits, or other terms and conditions of employment, contained in the University's Policies and Procedures Manual or in any handbook or other publication of the University, shall be deemed to be included in any contract except those provisions specifically cited in a contract and incorporated by reference.

Any employee who does not hold a formal, written document designated as a "contract," providing for employment for a term of time, executed as approved by the President and accepted by the employee, shall serve as an employee at-will. Employment of an employee at-will may be terminated at any time by either the employee or the University, with or without cause. No handbook statement, policy or procedure of the University, or communication to an employee concerning salary, benefits, or other terms or conditions of employment shall vary the

at-will nature of the employment relationship. The President, or the President's designee, shall approve the employment and termination of at-will employees.

The University is committed to the principle of equal opportunity in employment. The University does not illegally discriminate against individuals on the basis of race, color, ethnic or national origin, sex, disability, or age in its employment.

The University may discriminate on the basis of religion in employment in order to fulfill its mission. To that end, the University shall seek to employ professing Christians and may give preference to members of Baptist churches. The University may discriminate in employment on the basis of sex in those positions where the employee's gender is a bona fide occupational qualification necessary to the operation of the University. The Vice President for Business Affairs is designated to handle employment inquiries regarding the University's nondiscrimination policies.

Employment of relatives is permitted, except within the same department or where a family member has direct influence over another's conditions of employment. "Relatives" shall include persons related by birth, adoption or marriage, as follows: spouse, parent, child, brother, sister, grandparent, grandchild, great-grandparent, great-grandchild, great-great grandparent, great-great grandchild, aunt, uncle, nephew, niece or first cousin. The President may exempt persons employed prior to December 1, 2003 from the application of this policy, but any exemption may be revoked by the President at any time.

Adopted 11/18/2003

Endowment Investment Policy

Introduction

The Board of Trustees of Howard Payne University (hereafter, the University) has adopted the following statement of investment policies in recognition of its fiduciary responsibilities. These guidelines relate to those gifts and donations in the form of endowments, with long-term benefit objectives and those monies set aside and designated by the Board for endowment. In the case where the University's policies conflict with the intent of a donor, University policy will prevail. In those cases, the donor must be notified before the gift is received. However, the Board of Trustees reserves the right to override the University's investment policy in particular situations.

Investment Philosophy

The primary goal is to provide a reasonably stable, growing and predictable revenue stream to the University for the support of its programs. Howard Payne University's endowment funds exist to help ensure the perpetual funding of the University's mission until the Lord's return. The purpose of the policy is set forth procedures that will promote the future growth of the endowment is sufficient to offset normal inflation and spending. However, it is acknowledge that no policy can absolutely protect investment assets against the volatility and uncertainty of economies and markets.

The University shall seek to maintain a balance of investments in asset classes deemed necessary given the conditions of the U.S. economy and investment markets. It is the policy of the University to diversify their endowments among various asset classes including equity, fixed income, real assets, marketable alternatives (such as hedge funds) and cash and equivalents. The targeted asset allocation will apply only to those investments subject to the University's discretion. Asset allocation will be determined by the Finance Committee with the advice of the Investment Committee and qualified consultants.

The objective of the endowment fund is to realize a real rate of return (net of inflation) of 5% measured over an annualized rolling ten-year period. The Finance

Committee will set the spending policy of all endowments not stipulated in a trust or donor agreement. The spending policy will be approximately 5% based upon a 12-quarter rolling average determined on the market value at December 31 of each year.

The University is an institution where Christian tenets are espoused and taught consistently with traditional Baptist and biblical teachings. Consequently, the Board of Trustees prohibit the endowments from holding investments in organizations whose primary trade or business is inconsistent with the University's values. Examples include those organizations that are primarily and closely associated with alcohol, tobacco, marijuana, gambling, pornography, abortion services and abortifacients.

Outside Investment Advisors

Because Howard Payne employs neither a Chief Investment Officer nor an in-house staff qualified to direct investment decisions, their policy is to use outside, qualified entities such as HighGround Advisors (formerly Baptist Foundation of Texas) to assist in making investment decisions on behalf of the institution. The University will exercise due diligence in the selection of investment advisors and will review their performance on a regular basis.

The Investment Committee will develop criteria for evaluation of investment advisors and managers and will review them on an annual basis. The criteria will be developed in terms of the University's investment objectives and policies. The Investment Committee may make recommendations about changes in investment managers to the Finance Committee who can act on that advice with the single exception of HighGround Advisors. Changes in the relationship with HighGround Advisors will require the action of the full Board.

Responsibilities and Oversight

The Board of Trustees has primary fiduciary responsibility for the oversight of the endowments and the periodical review and amendment of the investment policy. The Board may delegate these responsibilities to staff and committees but, in so doing, never relinquishes ultimate responsibility.

The Board of Trustees has assigned the Finance Committee with the task of oversight of the University's endowments and investment policies. The Finance

Committee will report to the full Board concerning the endowments on an annual basis.

In turn, the Finance Committee may form an ad hoc Investment Committee to carry out the functions related to the oversight of the endowments and to regularly report back to the Finance Committee.

The Investment Committee periodically meets to review and monitor investment policy and implementation, investment performance, risk assessment, spending policy and other investment criteria. In addition, the Investment Committee will provide support and advice to the administrative staff as it carries out its responsibilities regarding the endowments.

The University staff's responsibilities, under the direction of the President and CFO, include:

- Developing and recommending investment policy, selection of third party investment managers and consultants (when applicable)
- Administration, implementation and oversight of the Fund's investments
- Monitoring the portfolio for adherence of guidelines, strategy and performance
- Reporting investment results to the Investment and Finance Committees and Board of Trustees

Adopted 10/20/2017

Endowment Distribution Policy

The University's endowment distribution policy seeks to provide a means by which the annual payout is managed and maintained at appropriate levels consistent with the overall objectives of the University. The objective of the policy is to:

- Provide a stable and predictable cash flow for supporting the University's operations and scholarship needs, and
- Balance the needs of current spending and asset growth in order to protect the principal and income of the endowment assets

Realizing that the short-term financial needs of the University and natural cycles of the national economy may influence temporary deviations from this policy, the long-term goal is to distribute approximately 6% annually of the endowment's three-year average value.

On an annual basis, the University's Board of Trustees will review and approve the endowment's distribution rate for the upcoming academic year. In setting the distribution rate, the Board will take into account the following:

- the fund's current values
- the previous three years of quarterly market values
- historical returns
- the outlook for the economy and capital markets and projected future investment returns
- the overall fiscal health and needs of the University, and
- any other relevant information for making a prudent decision

The Board will typically set the distribution rate for the upcoming academic year during the budget adoption process. However, the Board may reassess and adjust the rate at anytime that it believes it is prudent to do so, based on market performance and university operational needs.

In considering an appropriate distribution, the University shall protect and preserve the principal corpus of its endowment, which shall be referred to as the University's "permanent" endowment. For purposes of determining the permanent endowment amount, the University shall use the "historic dollar value" amount (fair market value of original gift + additional gifts +

mandatory capitalizations) to be the amount permanently invested into perpetuity. The University shall not spend amounts below its permanent endowment level.

This policy shall apply only to those endowed funds for which Howard Payne University has control and authority to exercise discretion over the annual distribution rate. Funds that are held in trust by the Baptist Foundation or others, for which the University has no control, are not subject to this policy.

Adopted 4/28/2009

Expenditures of Funds

Expenditures of university funds, regardless of funding source, shall be approved, prior to funds being committed, by responsible divisional personnel and either the President, Chief Financial Officer, or their administrative designees. Expenditures shall be approved within allocated budgeted funds and in accordance with the established purchasing policies and procedures of the University. Expenditures shall be charged to the proper account classifications, according to the nature and types of expenditures being made.

The approval process shall consider the appropriateness and reasonableness of the expenditure, as well as the intended purpose of the expenditure in supporting the operations, mission and goals of the University.

Adopted 11/18/2003

Fiscal Control Subcommittee

The chairperson of the Financial/Support Services Committee shall appoint a Fiscal Control Subcommittee ("Subcommittee") consisting of the Chairperson and four other members of the Financial/Support Services Committee ("Committee") to meet between full committee meetings. The Subcommittee shall perform the following functions:

1. Act for or on behalf of the Committee between meetings.
2. Provide continuing liaison between the President's office, the Chief Financial Officer and the Committee regarding financial matters of the University.
3. Serve as an audit committee to assist in the selection of the auditor, determine the scope of the annual audit, and review the annual audit report before presentation to and acceptance by the Committee, followed by the Board of Trustees.
4. Review interim financial statements on at least a quarterly basis, and annual financial reports, including actual revenues and expenditures as compared with projections. The Chief Financial Officer shall certify the interim financial statements to the Board, representing that no non-budgeted expenditures have been made or any budget funds used for any unauthorized purpose, except as stated in the report.
5. For determining the need to implement emergency fiscal controls, if necessary, to protect the financial integrity of the University.
6. Institute emergency fiscal controls until such time as a regular or called meeting of the Committee can be held to establish temporary rules regarding the disbursements of funds.
7. Perform other interim duties of financial oversight on behalf of the Committee.
8. Provide the necessary oversight of the university administration and other Board committees to ensure all funds are used in accordance with the wishes of donors and further to ensure that no endowment funds are borrowed for any purpose.

Notices of upcoming Subcommittee meetings, as well as subsequent actions taken by the Subcommittee, shall be communicated to all members of the Committee. All actions of the Subcommittee shall be subject to the review of the Committee and the Board of Trustees. Emergency fiscal controls established by the Subcommittee must be communicated by the Chief Financial Officer and Chairperson of the Subcommittee to the Chairperson of the Board, the President of the University, and all members of the Committee not more than three business days after action is taken.

Adopted 11/18/2003

Indebtedness

University indebtedness may be approved by the President in an amount not to exceed \$50,000. University indebtedness in excess of \$50,000 shall be approved by the Financial/Support Services Committee and the Board of Trustees.

Adopted 11/18/2003

Insurance Coverages

The University shall maintain insurance coverages adequate to insure its facilities and physical assets. The University shall also maintain general liability, board liability, and employee dishonesty coverages or necessary bonding suitable for the nature of its operations. Insurance coverages shall be reviewed and approved annually by the Financial/Support Services Committee.

Adopted 11/18/2003

Investment Policy

The investment of the University's endowment and similar funds shall be made with the Baptist Foundation of Texas, in accordance with the Texas Uniform Prudent Investor Act. This investment policy shall apply unless otherwise stipulated by the donor. The University shall seek to maintain a balance over time of investment types, between equities and bonds of approximately 60/40%, with a + or - 10% deviation (i.e. 70/30% or 50/50%, respectively).

The University may invest other funds of short-term duration in FDIC-insured certificates of deposit, money market funds, and securities backed by direct obligations of the U.S. Federal government. Funds may be invested in other managed accounts upon approval of the Financial/Support Services Committee of the Board of Trustees.

The Board of Trustees shall adopt an appropriate spending rate for endowed funds, balancing the University's current revenue needs with goals of long-term growth over time.

Adopted 11/18/2003

Nondiscrimination Policy

Howard Payne University is committed to the principle of equal opportunity in education and employment. The University does not illegally discriminate against individuals on the basis of race, color, ethnic or national origin, sex, disability, or age in its employment, admissions, programs and activities. The University may discriminate on the basis of religion in employment in order to fulfill its mission.

The following offices have been designated to handle inquiries regarding the University's nondiscrimination policies with respect to student and employment matters:

Direct student inquiries to:

Vice President for Student Life
Howard Payne University
1000 Fisk Street
Mabee University Center, Room 102A
Brownwood, TX 76801
(325) 649-8613

Direct employment inquiries to:

Senior Vice President for Finance and Administration
Howard Payne University
1000 Fisk Street
Packer Administration Building, Room 208
Brownwood, TX 76801
(325) 649-8055

Adopted 11/18/2003

Operating Budget

Each spring the President, assisted by the Chief Financial Officer, shall prepare and submit for approval to the Board of Trustees a proposed unrestricted operating budget for the upcoming fiscal year, June 1 through May 31. The budget shall reflect all anticipated unrestricted revenues and cash expenditures by detailed account within each department. The budget must be preceded by sound educational planning. As such, the instructional budget should be substantively developed by academic officers or deans, working cooperatively with department heads, appropriate members of the faculty and administration, and the Chief Financial Officer. Budgets for non-academic areas should be developed after consultation with appropriate administrative personnel and officers of the university. Procedures for budget planning should be evaluated regularly. The operating budget shall be prepared in a format consistent with accounting standards issued by the American Institute of Certified Public Accountants (AICPA) and the National Association of College and University Business Officers (NACUBO).

Once approved by the Board of Trustees, the President, assisted by the Chief Financial Officer, shall have the responsibility of administering the operating budget for the fiscal year. The University shall maintain internal systems of budget controls which will include, but are not limited to: approving expenditures, issuing purchase orders, encumbering funds, and enforcing internal accountability. The Chief Financial Officer shall prepare and submit budget reports to the Fiscal Control Subcommittee of the Financial/Support Services Committee on at least a quarterly basis. The Chief Financial Officer shall be responsible for alerting the President, the Fiscal Control Subcommittee, and the appropriate university personnel to instances where budgeted amounts or projected revenues may be insufficient to cover anticipated expenditures.

In administering the budget, the President shall have authority to transfer funds between accounts as may be needed to cover anticipated expenditures. Transfers of funds exceeding \$100,000 from one broad functional category to another shall be implemented by an amendment to the budget, subject to approval by the Financial/Support Services Committee of the Board of Trustees.

The University shall seek to achieve an operating budget surplus each year. It shall be a continuing goal to sustain an unrestricted contingency reserve fund in an amount equal to 1/12 of the annual operating budget. The Board of Trustees will determine the appropriate designation or usage of amounts from the contingency reserve fund.

Adopted 11/18/2003

Physical Assets Control

The University expects its employees to be responsible stewards and accountable for physical assets entrusted to them in the conduct of their duties. Employees will be held responsible for the whereabouts, security and safekeeping of all physical assets in their custody.

All physical assets purchased by the University, regardless of funding source, as well as assets received by way of donation, are the property of the University and are to be documented and inventoried by the Chief Financial Officer.

Personal use of university assets is prohibited. University assets may not be taken off-campus, except for equipment designed for portable usage, such as cell phones, automobiles, laptop computers, etc. or unless the equipment is approved for usage at an official community- or university-sponsored event. Exceptions to the personal use or off-campus policy may be made by the President or the Chief Financial Officer.

University departments and their employees are not authorized to sell or dispose of university assets. Assets determined to no longer be functional, usable or repairable shall be reported to the University's Chief Financial Officer. The Chief Financial Officer shall be responsible for coordinating the proper sale or disposal of university assets. Sales proceeds in excess of \$25,000 received from sales of university assets shall not be expended without approval of the Board of Trustees. Sales proceeds of \$25,000 and below received from sales of university assets may be expended upon approval of the President.

Adopted 11/18/2003

Real Estate

Any purchase or sale of real estate shall be approved by the Financial/Support Services Committee and approved by the Board of Trustees. (For gifts of real estate, see also Advancement/External Relations: Gift Acceptance – General on page 28 and Guidelines for Gifts of Real Estate)

Adopted 11/18/2003

Retirement Plan

The University maintains a qualified employee retirement plan for eligible employees through the Annuity Board of the Southern Baptist Convention. As such, the plan is administered in accordance with the provisions of Section 403(b) of the U.S. Internal Revenue Code, as amended. The Board of Trustees may amend the matching percentage of employer contributions from time-to-time, as available resources permit or require.

Adopted 11/18/2003

Trustee Access to Financial Information

Members of the Board of Trustees may obtain access to financial information of the University by making requests to the Chief Financial Officer through either the President, Chairperson of the Financial/Support Services Committee or Chairperson of the Board of Trustees.

Financial statements shall be provided by the Chief Financial Officer to the Board of Trustees at least five days prior to a board meeting.

Adopted 11/18/2003

Unrestricted Gifts and Bequests

All gifts and bequests shall be considered unrestricted, unless otherwise specifically restricted by the donor. The President may determine the use of an unrestricted gift or bequest in an amount of \$50,000 or under. The Board of Trustees shall designate the use of an unrestricted gift or bequest in an amount greater than \$50,000.

Adopted 11/18/2003

Student Life / Christian Environment

Chapel/ Student Assembly

Chapel and Student Assembly is an important part of student life at Howard Payne University and is a required element for graduation. Six semesters of Chapel/Student Assembly are required to be able to graduate from Howard Payne University. The mission of Chapel is to promote a vibrant relationship with Jesus Christ in a praise and worship format. The mission of Student Assembly is to promote cultural awareness, academic life, student activities and world events in a student-friendly setting that integrates faith and life.

Adopted 11/18/2003

Disabled Student Services

The University encourages any student who has a disability to voluntarily inform the University of any special requirements or needs by reporting these to the Office of Student Life. Upon proper substantiation of a disability, the university will strive to accommodate these needs in accordance with applicable federal guidelines and Christian ethical considerations.

University programs and activities are conducted in such a manner that no otherwise qualified disabled individual shall, solely by reason of a disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any such program or activity. Notifications and inquiries regarding disabled student services should be directed to the Office of Student Life. All information provided to this coordinator is strictly voluntary.

Adopted 11/18/2003

Drugs and Alcohol

The University expects its students to obey the law. Therefore, a violation of alcohol or drug laws while admitted or enrolled to the University, wherever that violation occurs, is a violation of University policy.

Further, it is a violation of University policy for a student to drink, possess, or be impaired by drinking, alcoholic beverages, or to possess, use, or be under the influence of, illegal drugs, on campus or at any event sponsored by the University or by a University-approved student organization. Without limiting the foregoing, this prohibition specifically includes any University sponsored trip.

The University encourages students to notify their parents or guardians if the student is found to have acted in violation of this policy. If the University, through its disciplinary procedures, determines that a student has violated this policy, the University may disclose the violation to a student's parent or legal guardian if the student is under 21 years of age at the time of the notification.

Violation of this policy may result in any sanction deemed appropriate by the University, including, but not limited to, required participation in a drug or alcohol treatment or rehabilitation program, suspension or expulsion. The University may refer any violation of the law to law enforcement authorities.

Adopted 11/18/2003

General Student Conduct

Howard Payne University is a Christian institution; therefore, all students are expected to conduct themselves in accordance with Christian value systems both on and off the campus. All students are expected to be responsible for their actions and to respect the rights of others. If a student persistently acts in a manner which reflects negatively upon the purposes and values of the institution, disciplinary procedures will be utilized in accordance with the gravity of the misconduct, which could include expulsion. The Dean of Students is charged with the responsibility of enforcing all regulations related to student conduct.

Misconduct is a serious matter of concern, and Howard Payne University attempts to provide fair and reasonable treatment in all disciplinary matters. However, in all cases of violation of University rules and regulations, or of actions in violation of local, state, or federal laws that affect the University, Howard Payne University reserves the right to proceed with its own disciplinary action independently of any criminal or civil charges which may have resulted. Conduct considered injurious or threatening to the student or others may result in automatic suspension pending a disciplinary hearing.

Adopted 11/18/2003

Record Retention

Howard Payne University shall abide by the provisions of the Family Educational Rights and Privacy Act (FERPA) of 1974. FERPA requires that each institution establish a written policy and statement of adopted procedures covering privacy rights of students. Except for disclosures of institutionally defined “directory information,” FERPA requires institutions to maintain records of requests and disclosures of information that identify persons. FERPA dictates prudence in the retention of records whenever the availability, accuracy, or content has been contested.

The Howard Payne University Records Retention Policy shall be developed to guide the storage, preservation, retention and disposal of student records. The Records Retention and Disposal Schedule shall be based on current standards of record retention and disposal as established by law, statute or adopted by professional organizations for the particular type of record under consideration. This schedule shall be subject to modification as other records are identified that should be included and legislative impact on record retention and record keeping practices occur.

Federal agencies which administer laws and regulations that impact directly upon the retention of student records include the United States Department of Education, the Veterans Administration, the United States Public Health Service, the Internal Revenue Service, the Family Policy Compliance Office (FERPA), and the Department of State.

Adopted 11/18/2003

Right of Student Privacy in Campus Housing

Howard Payne University respects the student's right to privacy and to protection against unwarranted and/or unreasonable search. The policy regarding room entry, inspection, and/or search and seizure is that university officials will enter the room of a student only with the consent of the student except:

1. in an emergency situation;
2. when there are reasonable grounds to believe the room contains evidence of the commission of a criminal offense or a violation of university rules or policies;
3. for maintenance purposes;
4. when a valid search warrant has been presented by the proper authority; or
5. when entry occurs for reasons of health and safety.

Adopted 11/18/2003

Student Handbook

Howard Payne University shall publish a Student Handbook as a part of a series of publications developed by the university to help students become successful members of the HPU community, which emphasizes intellectual, social, physical, cultural and spiritual growth.

Students, by virtue of enrollment at Howard Payne University, agree that they are responsible for complying with HPU behavioral standards, academic regulations and campus policies as stated in these publications.

In addition, the university reserves the right to modify the requirements for admission and graduation and to change any other rules, regulations, and provisions, including those stated in this handbook and other publications, without prior notice. The university may determine when and how all changes become effective.

Adopted 11/18/2003

Sexual Assault Policy

As a private or independent University of higher education, as those terms are defined by Section 61.003 of the Texas Higher Education Coordinating Board, Howard Payne University (University) shall abide by Texas S.B. No. 968 and SECTION 1. Section 51.9363, Education Code by implementing this sexual assault policy effective January 1, 2018.

This policy is applicable to each enrolled student and each employee of the University. The University shall make this sexual assault policy available to students, faculty, and staff members by:

1. including the policy in the University's *Student Handbook* and *Administrative Policies of Howard Payne University*; and
2. creating and maintaining a web page on the University's Internet website dedicated solely to the policy.

The University shall require each entering freshman or undergraduate transfer student to participate in a program on the University's sexual assault policy before or during the first semester or term in which the student is enrolled at the University. The University shall establish the format and content of the program.

The University shall develop and implement a public awareness campaign to inform enrolled students and employees of the University of this sexual assault policy. As part of the campaign, the University shall provide information regarding the protocol for reporting incidents of sexual assault by providing the name, office location, and contact information of the University's Title IX coordinators, and:

1. e-mailing the information to each student at the beginning of each semester or other academic term; and
2. including the information in the program session.

As part of the protocol for responding to reports of sexual assault, the University shall:

1. to the greatest extent practicable based on the number of counselors employed by the University, ensure that each alleged victim or alleged perpetrator of an incident of sexual assault and any other person who reports such an incident are offered counseling provided by a counselor who does not provide counseling to any other person involved in the incident; and

2. notwithstanding any other law, allow an alleged victim or alleged perpetrator of an incident of sexual assault to drop a course in which both parties are enrolled without any academic penalty.

Each biennium, the University shall review the University's sexual assault policy and, with approval of the University's governing board, revise the policy as necessary.

Definitions of Prohibited Behavior

1. *Dating violence* is defined as abuse or violence, or a threat of abuse or violence, against a person with whom the actor has or has had a social relationship of a romantic or intimate nature.
2. *Sexual assault* is defined as sexual contact or intercourse with a person without the person's consent, including sexual contact or intercourse against the person's will or in a circumstance in which the person is incapable of consenting to the contact or intercourse.
3. *Sexual harassment* is defined as unwelcome, sex-based verbal or physical conduct that:
 - a. in the employment context, unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment; or
 - b. in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from educational programs or activities.
4. *Stalking* is defined as a course of conduct directed at a person that would cause a reasonable person to fear for the person's safety or to suffer substantial emotional distress.

Behavior Expectations and Sanctions

The University is exempt from certain regulator provisions of Title IX and may discriminate based on religion in employment in order to fulfill its mission.

The University is also exempt from certain regulator provisions of Title IX pertaining to student rules of behavior. The University welcomes all students into a safe and supportive environment in which to discuss and learn about a variety of issues, including those of sexuality and gender. The University affirms the biblical understanding of sexuality and gender as gifts from God.

Using the Bible and documents affirmed by the Baptist General Convention of Texas as the foundation for institutional policies and practices; the University affirms fidelity in marriage, purity/celebrity in singleness, marriage as a union between a man and a woman, and God's creation of male and female through biological gender assignments. University students and employees are expected to conduct themselves in accordance with these standards of Christian morality. Students and employees who engage in behavior that violate these standards including, but not limited to, sexual activity outside of marriage, sexual activity with a person of the same sex, dating violence, sexual assault, sexual abuse, sexual harassment and stalking are subject to disciplinary sanctions up to and including:

1. For students - expulsion from the University, and
2. For employees - termination of employment.

Electronic Reporting Option for Certain Offenses

The University shall provide an option for an enrolled student or an employee of the University to electronically report to the University an allegation of sexual harassment, sexual assault, dating violence, or stalking committed against or witnessed by the student or employee, regardless of the location at which the alleged offense occurred. The electronic reporting option must:

1. enable a student or employee to report the alleged offense anonymously; and
2. be easily accessible through a clearly identifiable link on the University's Internet website home page.

The University may contract with a third-party vendor to provide the electronic reporting option.

Amnesty for Students Reporting Certain Incidents

The University may not take any disciplinary action against a student enrolled at the University who in good faith reports to the University being the victim of, or a witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking for a violation by the student of the University's code of conduct occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the University's disciplinary process regarding the incident, if any.

This section does not apply to a student who reports the student's own commission or assistance in the commission of sexual harassment, sexual assault, dating violence, or stalking.

The University may investigate to determine whether a report of an incident of sexual harassment, sexual assault, dating violence, or stalking was made in good faith. The University has discretion to determine good faith, but in no event will good faith exist if the student is found responsible for sexual harassment, sexual assault, dating violence, or stalking at or near the time of the incident.

A determination that a student is entitled to amnesty under this policy is final and may not be revoked.

This policy may not be construed to limit the University's ability to provide amnesty from application of the University's policies in circumstances not described by this policy.

Adopted 10/20/2017

Long Range Planning / University-Wide Concerns

Evaluation of President's Job Performance

The Board of Trustees shall conduct an annual job performance evaluation of the President. During the month of February, each member of the Board shall be given the opportunity to evaluate the President's job performance for the preceding year by completing a survey instrument. In addition, a similar evaluation survey instrument shall be completed by the President in which he evaluates his/her job performance for the preceding year. The results of both instruments shall be reviewed by the Long-Range Planning/University-Wide Concerns Committee and shared with the President.

Decisions relative to the President's job performance and compensation shall be made during the March meeting of the Board of Trustees. In advance of the March meeting, the Board Officers shall develop a recommendation relative to the President's job performance and compensation and present this recommendation to the Board for consideration.

Adopted 11/18/2003